



Agenda
Osseo Area Schools
School Board

Regular Business Meeting
Educational Service Center - N10
11200 93rd Ave N
Maple Grove, MN 55369
Tuesday, March 10, 2026
4:30 PM

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 School Board of Osseo Area Schools is being conducted in 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/about-us/school-board (Watch Livestream). An archived recording will also be available on the district website.

Agenda Items

1. Check in
Amy Moore, General Counsel
2. Policy Review: 500 Series - Students
 - A. 504 Policy and Procedure: Student Dress and Appearance (proposed revisions) 2
 - B. 506 Policy and Procedure: Student Discipline (proposed revisions) 6
 - C. 514 Policy and Procedure: Bullying and Hazing Prohibition (proposed revisions) 20
 - D. 519 Policy and Procedure: Interviews of Students by Outside Agencies (proposed revisions) 27
 - E. 520 Policy and Procedure: Student Surveys (proposed revisions) 31
 - F. 532 Policy and Procedure: Use of Peace Officers and Crisis Teams to Remove Students from School Grounds (review) 34
 - G. 541 Policy and Procedure: Chemical Use/Abuse (proposed revisions) 39
 - H. 543 Policy and Procedure: Use of Restrictive Procedures as Behavioral Interventions (review) 44
 - I. 555 Policy and Procedure: Student Recognition Plan (proposed repeal) 49
3. Next Meeting: June 9, 2026
4. Adjournment

To accommodate individuals with disabilities, this material will be made available in alternative formats upon request. Individuals with disabilities are invited to request reasonable accommodations to participate in or attend a district activity, call your local school or the school district at least seventy-two (72) hours in advance (two-week notice preferred). Members of the public can view and download School Board meeting notices and regular meeting agendas and materials from the district website www.district279.org, under "About Us > School Board."

POLICY 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 appropriate school standards.

II. GENERAL STATEMENT OF POLICY

- A. The responsibility for the appearance of the student rests with the parent/guardian and student. They have the right to determine student dress providing that the articles of attire are not destructive to school property, comply with requirements for health and safety, do not violate school district policy or procedure or do not substantially and materially interfere with the school environment/educational process.
- B. The building administration has the authority to determine whether student attire is destructive to school property, fails to comply with requirements for health and safety, or that which substantially and materially interferes with the school environment/educational process.
- C. District expectations regarding student dress ~~should~~ must be implemented in a manner that is inclusive, responsive, and absent of othering in reference to race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, gender identity, gender expression, sexual orientation, ethnicity, religion, cultural observance, household income, or body type/size.

III. OTHER REQUIREMENTS

- A. Students taking certain classes may be required to wear specified clothing for health and/or safety reasons. These include protective footwear, headwear and eyewear meant to keep the student safe during class activities such as running, working with machinery or sharp tools.
- ~~B. Every student will wear eye protection devices when participating in, observing, or performing and function in connection with any course or activity taking place in the eye protection areas.~~

Revised:

Revised: 5/24/22

Revised: 11/22/16

Adopted: 12/7/99 (formerly Policy 5213)

Revised: 6/4/91

Revised: 5/1/84

Policy 5213 Adopted: 2/17/69

Legal Reference:

United States Constitution, Amendment 1

Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)

B.W.A. v. Farmington R-7 Sch. Dist., 554 F.3d 734 (8th Cir. 2009)

Lowry v. Watson Chapel Sch. Dist., 540 F.3d 752 (8th Cir. 2008)

Stephenson v. Davenport Cmty. Sch. Dist., 110 F.3d 1303 (8th Cir. 1997)

D.B. ex rel. Brogdon v. Lafon, 217 Fed. App. 518 (6th Cir. 2007)

Madrid v. Anthony, 510 F.Supp.2d 425 (S.D. Tex. 2007)

Hicks v. Halifax County Bd. Of Educ. ,93 F.Supp.2d 649 (E.D.N.C. 1999)

McIntire v. Bethel School, Indep. Sch. Dist. No. 3, 804 F .Supp. 1415 (W.D. Okla. 1992)

Olesen v. Bd. Of Educ. Of Sch. Dist. No. 228, 676 F. Supp. 820 (N.D. Ill. 1987)
M.S. 121A.32 – Eye Protection Devices

PROCEDURE 504 – STUDENT DRESS AND APPEARANCE

I. DEFINITIONS

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

A. Destruction to School Property

The building administration may prohibit articles of clothing that cause excessive maintenance problems, such as cleats on boots, shoes that scratch or mark floors, trousers with metal inserts that scratch furniture, etc.

B. Health and Safety

1. Shoes and ~~shirts/tops clothing~~ must be worn at all times in the building for health and safety reasons.
2. Individual course safety requirements, including those related to dress, will be specified by the instructor and communicated to students. Students must comply with course safety requirements at all times. A student needing an accommodation for religious or disability reasons can discuss an appropriate accommodation with the teacher or administrator.
3. Any student failing to comply with course safety requirements may be temporarily ~~suspended~~ removed from participation in said course for safety reasons, and the registration of a student for such course may be cancelled for willful, flagrant, or repeated failure to observe the requirements.

C. School Expectations

Clothing should ~~be appropriate and should not~~ materially and substantially disrupt or interfere with the educational mission, school environment, classwork or school activities, or the rights of other persons to have a safe and supportive school environment and may not pose a threat to the health or safety of the student or others. Examples of ~~inappropriate clothing that would not be allowed~~ may include, but are not limited to:

1. Clothing advertising or promoting products or activities that are substances illegal for children and adolescents.
2. Clothing containing obscene and/or profane language, slogans, emblems or pictures.
3. Clothing containing language, slogans, emblems or pictures that promote or depict violence, hate, discrimination, harassment toward other students or staff in violation of district policy.
4. Clothing that reveals or does not adequately cover intimate body parts of the student. Clothing must cover areas from one armpit across to the other armpit, down to the upper thighs.
- 4.5. Clothing that creates a safety issue for the student or others.
6. Clothing that ~~substantially and materially and substantially disrupts or~~ interferes with the school environment/educational process or otherwise violates school district policy.
7. Headwear, including hats or head coverings, are allowed provided that it does not cover the student's face to the extent the student is not identifiable. Headwear or clothing with headwear like hoodies must allow the face and ears to be visible from the front and sides and must not interfere with the line of sight to any student or staff. Students may wear headgear or face masks for medical or religious reasons and must inform administrators of the reason.

D. The intention of this policy and procedure is not to abridge the rights of students to express political, religious, philosophical or similar opinions by wearing clothing on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, libelous; do not denigrate, harass or discriminate against others in violation of district policies prohibiting discrimination, bullying, violence, harassment or other harmful activities.

D.E. Enforcement of a student dress code will be approached with careful consideration and sensitivity with the goals of supporting students as they express themselves and pursue their full potential, of not shaming students, and of minimizing loss of instructional time. When possible, dress code matters should be addressed privately with students, should seek to determine whether factors exist that impact the student's ability to comply with the dress code, and should seek to address such issues.

II. NOTIFICATION

Notification of the contents of this policy is to be given in student handbooks and communicated to parents.

Revised:

Revised: 5/24/22

Revised: 11/22/16

Revised: 12/7/99 (formerly Procedure 5213)

Revised: 6/5/91

Procedure 5213 Adopted: 5/1/84

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M.S. 121A.32 – Eye Protection Devices

POLICY 506 – STUDENT DISCIPLINE

- I. The School Board recognizes that in order for the District to achieve its mission, a safe and healthy learning environment is essential. Students, therefore, must conduct themselves in a manner that maintains a climate in which learning can take place. It is the School Board's position that when it becomes necessary to implement disciplinary measures, those measures should be implemented in a manner that is fair and equitable and that provides a learning opportunity for students that forms a basis for future self-discipline and student achievement.
- II. The School Board and District administrators will support personnel who, in dealing with behavioral matters, act in accordance with federal law, Minnesota Statutes, including 121A.40-121A.56 - The Pupil Fair Dismissal Act, and 121A.60-121A.61 - Discipline and Removal of Students from Class, state rules relating to education, School Board policies, and building regulations.
- III. This Policy 506 - Student Discipline 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, or any vehicle approved for District purposes, and the area or entrance to or departure from school premises or events for all students regardless of age. With respect to non-school functions, student conduct occurring off school property that is brought to the attention of the District and that creates a substantial disruption or material interference with the school environment or school activities may also be subject to this policy and related procedures.
- IV. Disciplinary action may result for student behavior which:
 - A. violates federal, state, or local laws;
 - B. violates School Board policies or building regulations;
 - C. disrupts the rights of others to an education;
 - D. disrupts the ability of school personnel to perform their duties;
 - E. disrupts school-sponsored or extracurricular activities;
 - F. results in theft, damage or destruction of school property; or
 - F. endangers the health, safety or welfare of any person, including other students, District employees, the offender or surrounding persons or property of the school.
- V. Students, parents and other guardians, and school staff may file a complaint and seek corrective action when the requirements of the Minnesota Pupil Fair Dismissal Act, including the implementation of the local behavior and discipline policies, are not being implemented appropriately or are being discriminately applied.
- VI. The district recognizes that discipline includes both exclusionary and nonexclusionary consequences for behaviors that violate this policy as immediate responses. Schools must also consider appropriate support and interventions for students after exclusion including social and emotional learning, counseling, social work services, mental health services, referrals for special education or 504 evaluation, and evidence-based academic interventions and restorative work.

Revised:

Revised: 11/21/23

Revised: 9/25/18

Last Reviewed: 9/16/14

Revised: 6/23/09

Revised: 10/16/01

Policy 506 Adopted: 6/6/00 (formerly Policy 5212)
Revised: 4/15/97
Revised: 5/2/95
Revised: 1/4/94
Revised: 1/22/91
Revised: 12/6/88
Revised: 6/7/88
Revised: 4/5/88
Revised: 11/18/86
Policy 5212 Adopted: 9/18/84

Legal References:

20 U.S.C. §§ 1400-1487 – IDEA
29 U.S.C. § 794 *et. seq.* – Rehabilitation Act of 1973, § 504
34 C.F.R. § 300.530(e) – 300.536 – Discipline Procedures
M.S. 121A.40-121A.56 – Pupil Fair Dismissal Act
M.S. 121A.575 – Alternatives to Pupil Suspension
M.S. 121A.582 – Student Discipline; Reasonable Force
M.S. 121A.60-121A.61 – Discipline and Removal of Students from Class
M.S. Ch. 125A – Students with Disabilities

Cross References:

Policy 502 – Search of Student Lockers, Desks, Personal Possessions and Student’s Person
Policy 503 – Attendance and Absences
Policy 504 – Student Dress and Appearance
Policy 514 – Bullying Prohibition
Policy 516 – Student Medication
Policy 524 – Internet Acceptable Use Policy
Policy 526 – Hazing Prohibition
Policy 541 – Chemical Use and Abuse
Policy 542 – Extended Educational Trips
Policy 548 – Harassment and Violence
Policy 550 – Suspension
Policy 551 – Exclusion and Expulsion
Policy 709 – Student Transportation Safety
Policy 726 – Student Conduct on Buses

PROCEDURE 506 – STUDENT DISCIPLINE

I STUDENT BEHAVIOR SUBJECT TO DISCIPLINE

These examples are not intended to be an exclusive list. Any student who engages in any of these activities or 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, will be disciplined in accordance with school district policies and procedures.

A. Truancy and Unauthorized Absences

1. Truancy is defined as absence from school or class without the approval of building administration.
2. Students will be in attendance as required by current State Statutes, State rules relating to education, school district policy, and building regulations. The authority to decide whether an absence is excused or unexcused rests with the Principal or Principal's designee. Students returning to school following an absence, whether excused or unexcused, will be expected to complete all missed assignments according to building regulations.

B. Violations Against Property, including vandalism, theft, arson, breaking and entering/burglary and robbery/extortion

1. Vandalism is defined as damage to or destruction of school property or property of others.
2. Theft is defined as the act of intentionally and without claim of right, taking, using, transferring, concealing, or retaining possession of property of another without consent and with intent to deprive the owner of the property or not making reasonable effort to find the owner.
3. Arson is defined as intentionally destroying or damaging, by means of fire or explosives, any personal or school property.
4. Breaking and entering/burglary is defined as entering a building without consent and committing a crime or intending to commit a crime.
5. Robbery/extortion is defined as taking personal property from another or in the presence of another by use of threat or force.

C. Fighting or Assault Against a Person or Persons

1. Fighting and physical assault are defined as acts which intentionally inflict, threaten to inflict, or attempt to inflict bodily harm upon another person or inflicting bodily harm upon another even though accidental or a result of poor judgment.
2. Verbal assault is defined as abusive, threatening, profane, intimidating, degrading, discriminatory or obscene oral language, by a person or persons toward another, or which encourages a person to assault another person. Verbal assault includes conduct which degrades a person or persons because of gender, sexual orientation or gender identity or expression, physical or mental abilities, race, religion, ethnic background, or other protected classification.
3. Nonverbal assault is defined as abusive, threatening, profane, intimidating, degrading, discriminatory or obscene gestures or written language by a person or persons toward another or which encourages a person to assault another person. Nonverbal assault includes conduct which degrades a person or persons because of gender, sexual orientation or gender identity or expression, physical or mental abilities, race, religion, ethnic background or other protected classification.

D. Sexual Harassment and Sexual Violence

1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other physical or verbal conduct or communication of a sexual nature.
2. Sexual violence is a physical act of aggression or assault upon another person that includes a sexual act or sexual purpose or other illegal or inappropriate sexual conduct.
3. The prohibition against sexual harassment and sexual violence is also described in Policy 413 – Prohibition Against Discrimination, Harassment and Violence. Violation of that policy is also a violation of this Policy 506 – Student Discipline.

E. Religious and Racial Harassment and Violence

1. Religious/racial harassment consists of physical or verbal conduct or communication which is related to an individual's religion/race when the conduct:
 - a Has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
 - b Has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
 - c Otherwise adversely affects an individual's employment or academic opportunities.
2. Religious/racial violence is a physical act of aggression or assault upon another person because of, or in a manner reasonably related to, religion/race.
3. The prohibition against religious and racial harassment and violence is also described in Policy 413 – Prohibition Against Discrimination, Harassment and Violence. Violation of that policy is also a violation of this Policy 506 - Student Discipline.

F. Other Harassment/Violence

All other forms of harassment/violence are prohibited, including, but not limited to, any form of conduct which is inappropriate, abusive, threatening, or demeaning based upon a person's race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, sexual orientation or gender identity/expression.

G. Bullying and Hazing

1. Bullying means intimidating, threatening, abusive or harming conduct by a student that is objectively offensive and an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the conduct and the conduct is repeated or forms a pattern; or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities. This includes bullying using technology or electronic communication including social media.

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

2.3. The prohibition against bullying and hazing is also described in Policy 514 – Bullying & Hazing Prohibition. Violation of that policy is also a violation of this Policy 506 - Student Discipline.

H. Threats and/or Disruptions to School Operations

1. Threats are defined as acts that interrupt normal school operations or school activities, including but not limited to the reporting of dangerous or hazardous situations that do not exist, such as false fire alarms, false all calls, bomb threats, or instigating the same.
2. Disruptions are acts that interrupt the peace and good order of the school or school-sponsored activities or disrupt the educational process. Disruptions include use of electronic communication devices, and organizing or participating in walk-outs, sit-ins or cafeteria disruptions or acts which are dangerous or detrimental to the student, other students, school district personnel or surrounding persons, or which violate the rights of others or damage or endanger the property of the school or which otherwise interfere with

the mission or operations of the school district or the safety or welfare of students or employees.

I. Trespassing

Trespassing is defined as unauthorized presence in or on a building, property, or equipment owned or leased by the school district.

J. Weapons

1. The school district prohibits real and look-alike weapons, including but not limited to:
 - a All firearms, whether loaded or not
 - b Other guns of all types, including pellet or B-B guns, air guns or stun guns
 - c Knives, including switch blades or automatically opening knives or other blades
 - d Explosives, including ammunition, bullets or other projectiles designed to be used in or as a weapon and fireworks or any substance or combination of substances prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration or detonation
 - e Flammable liquids or combustibles or any compound or mixture, the primary or common purpose of which is to function as an explosive
 - f Clubs, metal knuckles, num-chuks, throwing stars, mace and other propellants, poisons, chains or arrows
 - g Any object or device or instrument designed as a weapon, modified to serve as a weapon, or through its use is capable of threatening or producing bodily harm, or which may be used to inflict self-injury
2. Students are forbidden to possess, store, transmit, or use any instrument that is considered a weapon or a look-alike weapon in school, on school grounds, at school activities, trips or functions, at bus stops, on school buses or school vehicles or school contracted vehicles, or any other vehicles approved for school district purposes, or the area of entrance to or departure from school premises, property or events at all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the school district unless such possession or use is an approved part of a school sponsored activity.
3. Further, the school district prohibits possession, utilization and distribution of weapons or harmful or nuisance articles.
 - a Possession is defined as having control of or storing objects which may threaten and/or harm person(s) or property.
 - b Utilization is defined as the use of objects which threaten and/or harm person(s) or property.
 - c Distribution is defined as transmitting objects which may threaten and/or harm person(s) or property.
4. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be subject to expulsion for a period of one year. The school board may modify this requirement on a case-by-case basis.
5. Exception: students may possess weapons at school sponsored weapons safety or marksmanship activities.

K. Ignition Device

No student shall use or possess an ignition device, including a butane or disposable lighter or matches, inside of 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.

L. Tobacco Use/Electronic Devices

No student, regardless of age, may possess, use, sell, or distribute tobacco, electronic cigarettes or tobacco/electronic devices paraphernalia in any form or at any time at any school-related activities, trips or functions, at bus stops, on school buses, in school buildings, property, school vehicles or school contracted vehicles, or other vehicles

approved for school district purposes, or on school grounds or the area of entrance or departure from school premises, property or events. An Indigenous student may carry a medicine pouch containing loose tobacco intended as observance of traditional spiritual or cultural practices.

M. Chemical Use

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. Medication prescribed by a physician must be handled in accordance with Policy 516 – Student Medication. See also Policy 541 - Chemical Use and Abuse and Policy 516 – Student Medication.

N. Network-Internet Resources/Theft, damage or destruction to 1-to-1 District Issued Device
Appropriate use of network/Internet resources is described in Policy 524 – Internet Acceptable Use Policy. Violation of that policy is also a violation of this Policy 506 - Student Discipline. Theft or willful or reckless damage/destruction of a school issued 1-to-1 device may result in disciplinary action in addition to repair costs/restitution.

O. Transportation and Traffic Rules

1. Violation of bus or transportation rules or the school district’s transportation safety policy. See also Policy 709 – Student Transportation Safety Policy.
2. 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.

P. Inappropriate Materials

Possession or distribution of slanderous, libelous or pornographic materials.

Q. Student Attire

Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational environment or is otherwise in violation of Policy 504 – Student Dress and Appearance.

R. Falsification or Alteration of Documents

1. Falsification of any records, documents, notes or signatures.
2. 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.

S. Cheating

Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of smart phones or other technology to accomplish this end.

T. Indecent Exposure

Indecent exposure is the purposeful and lewd exposure of one’s own body or private parts, procuring another to expose private parts, other open lewdness or public indecency.

U. Cell Phone Misuse

Use of a cell phone in violation of the District’s [Cell Phone Policy and](#) Internet Acceptable Use and Safety Policy or in violation of any other District Policy. Cell phone misuse shall include but is not limited to recording or pretending to record other students engaged in violating District Policies, such as but not limited to assault and fighting.

V. Local, State or Federal Law

Students who violate any local, state or federal law may be subjected to disciplinary action.

II DISCIPLINARY/CORRECTIVE ACTION

Schools must employ positive behavior interventions and supports in an effort to positively support student to minimize disruptive behaviors in the schools prior to utilizing dismissal proceedings except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property. Effective nonexclusionary discipline includes identifying appropriate supports, skill building, building relationships, repairing harm, restoring relationships and other restorative practices to engage students in their learning community. The following are examples of ~~possible~~-nonexclusionary disciplinary ~~or~~ and disciplinary corrective action and are not intended to be an exclusive list.

A. Potential Actions

~~Nonexclusionary d~~Disciplinary and disciplinary or corrective actions may include but are not limited to one or more of the following:

1. Meeting with the teacher, counselor, Principal, or Principal's designee
2. Detention
3. Loss or restriction of school privileges, including suspension from extracurricular activities
4. Parental conference with school staff, possibly resulting in a corrective action plan or discussion related to mental health screening
5. Modified school programs
6. Referral to School Support Services
7. Referral to the legal-partner agencies for support system
8. Referral to a law enforcement agency or other appropriate authorities
9. Restitution/repair or replacement costs for theft or damaged school property
10. Removal from class
11. Dismissal for one day or less
12. Suspension
13. Alternatives to suspension including, but not limited to, community service and Saturday school
14. Expulsion or exclusion
15. Other disciplinary action as deemed appropriate by the school district.

B. Removal from Class

1. Removal from class means any actions taken by a teacher, principal or other school district employee to prohibit a student from attending a class or activity period. In elementary grades, a "class period" or "activity period" means a period not to exceed one (1) hour regardless of the subject of instruction. In secondary grades, a "class period" or "activity period" means an established time unit of instruction for a given course of study.
2. Grounds for Removal
Grounds for removal from class shall include any of the following:
 - a 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;
 - b Willful conduct that endangers surrounding persons, including school district employees, the student or other students, or the property of the school;
 - c Willful violation of any school rules, regulations, policies or procedures, including the behavioral expectations set forth in this procedure; or
 - d Other conduct which, in the discretion of the teacher or administration, requires removal of the student from class.
3. Procedures for Removal from Class
 - a A student must be removed from class immediately if the student engages in assault or violent behavior. In such instances, the removal shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

- b Other than in a circumstance described in paragraph B 3 a., a student will be removed from class only upon agreement of the appropriate teacher and Principal or Principal's designee after an informal administrative conference with the pupil. The decision to remove a student will ultimately be the responsibility of the Principal or Principal's designee.
 - c The length of time of the removal will be at the discretion of the Principal or the Principal's designee after consultation with the teacher but will not exceed five (5) class or activity periods per incident.
 - d Removal from class may be imposed without an informal administrative conference when a student engages in assault or violent behavior or is causing and/or appears to be causing a serious disruption or appears to be creating an immediate and substantial danger to himself/herself or to person(s) or property.
 - e In removing a student from class, a school district employee may use reasonable force, if necessary, in compliance with applicable laws.
4. Responsibility for and Custody of a Student Removed From Class
Students who are removed from class will be supervised by an appropriate school district staff member.
5. Return to Class after Removal
Students will return to class upon completion of the terms of the removal established at the informal administrative conference referenced in section II.B.3b.
6. Procedures for Notification
- a The principal or principal's designee will determine the need for and method of notification to parent or guardian.
 - b After the student has been removed from class more than ten (10) times in one school year, the principal or designee will notify the student's parent and guardian and request that the parent or guardian meet with the site administrators to discuss the problem that is causing the student to be removed from class.
7. Students on an Individual Education Program (IEP)
The principal or designee, in consultation with the Student's special education case manager, will determine whether the student's removal from class requires a meeting to review the adequacy of the student's current Individual Education Program (IEP) or whether there is a need for further assessment. If it is determined such a meeting is necessary, the student's case manager will schedule and provide appropriate notices of such meeting.
8. Early Intervention
The Principal or designee will review the following:
- a Any procedures or services appropriate for encouraging early involvement of parents or guardians to improve the student's behavior;
 - b Any procedures or services determined appropriate for encouraging early detection of behavioral problems;
 - c Whether the student may need a referral and consideration of eligibility for special education services in order to benefit from his or her education;
 - d The appropriateness of referring the student to the school district chemical abuse pre-assessment team;
 - e The appropriateness of addressing the student's behavior through a crisis intervention plan; and
 - f The appropriateness of any other interventions to improve the student's conduct and behavior.

C. Recess Detention

Prohibiting a student from engaging in recess is not allowed unless:

- 1. a student causes or is likely to cause serious physical harm to other students or staff;

2. the student's parent or guardian specifically consents to the use of recess detention;
or
3. for students receiving special education services, the student's individualized education program team has determined that withholding recess is appropriate based on the individualized needs of the student.

If recess detention is used, the school must make reasonable attempt to notify a parent or guardian within 24 hours of using recess detention.

The District must compile information on each recess detention at the end of each school year, including the student's age, grade, gender, race or ethnicity, and special education status. This information must be available to the public upon request. The school district is encouraged to use the data in professional development promoting the use of nonexclusionary discipline.

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

- E. Dismissal for Less than One School Day
Dismissal for less than one school day is defined as removing the student from the school premises, ordinarily sending the student home, for the remainder of the day on which the infraction occurs, with communication to appropriate parties as determined by building-level procedures, except as provided under Minnesota Statutes, chapter 125A and federal law for a student receiving special education services.

- F. Suspension, Exclusion and Expulsion
Suspension, exclusion and expulsion will be imposed in accordance with The Pupil Fair Dismissal Act, including allowing a suspended student the opportunity to complete all school work assigned during the suspension and to receive full credit.

The school 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

- G. Suspension Prohibited

1. A pupil enrolled in the following is not subject to dismissals under the Pupil Fair Dismissal Act:
 - a. a preschool or prekindergarten program, including an early childhood family education, school readiness, school readiness plus, voluntary prekindergarten, Head Start, or other school-based preschool or prekindergarten program; or
 - b. kindergarten through Grade 3.

2. This section does not apply to a dismissal from school for less than one school day, except as provided under Minnesota Statutes, chapter 125A and federal law for a student receiving special education services.
3. Notwithstanding this section, expulsions and exclusions may be used only after resources outlined herein as nonexclusionary discipline have been exhausted, and only in circumstances where there is an ongoing serious safety threat to the child or others.

H. Notification of Suspension

1. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 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. (See attached sample Notice of Suspension.)
2. 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.
3. 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.
4. 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) consecutive school days.
5. 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.

I. Notification of Expulsion/Exclusion

The District shall follow the Pupil Fair Dismissal Act when proposing a student for expulsion or exclusion.

A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 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. (See attached sample Notice of Suspension.) 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.

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.

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) consecutive school days

III ADMISSION OR READMISSION PLAN

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

IV PROVISIONS FOR STUDENTS ON AN INDIVIDUAL EDUCATION PROGRAM (IEP)

Students on an Individual Education Program(IEP)

- A. When a student with a disability has been suspended for more than five consecutive school days or ten cumulative school days in the same school year, and that suspension does not involve a recommendation for expulsion or exclusion or other change of placement under federal law, relevant members of the child's individualized education program team, including at least one of the child's teachers, will meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's individualized education program. This meeting must occur as soon as possible, but no more than ten days after the sixth consecutive day of suspension or the tenth cumulative day of suspension has elapsed.
- B. Before initiating an expulsion or exclusion, the district, relevant members of the student's individualized education program team, and the student's parent will meet to determine whether the student's behavior was caused by or had a direct and substantial relationship to the student's disability and whether the student's conduct was a direct result of a failure to implement the student's individualized education program. Such a meeting must be held within ten (10) school days of the school district's decision to remove the student from his or her current educational placement and must be held before commencing an expulsion or exclusion of the student.
 1. If the behavior is not a manifestation of the student's disability, the school district may proceed with discipline – up to and including expulsion and/or exclusion – as if the student did not have a disability, unless the student's educational program provides otherwise.
 2. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team will conduct a functional behavior assessment (FBA) and implement a behavioral intervention plan for such student provided that the school district had not conducted an FBA prior to the manifestation determination. Where an FBA has previously been completed and a behavioral intervention plan has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.
- C. 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, if the student is an enrolled student.

V OPEN ENROLLED STUDENTS

A. Application of Policy

Open enrolled students may be disciplined up to and including expulsion/exclusion as provided in this Policy.

B. Termination of Enrollment Options

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program or Enrollment in Nonresident District 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, 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 sixteen (16) 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.

VI DISCIPLINE COMPLAINT PROCEDURE

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

1. Complaints should first be brought to the school's Principal either verbally or by email. If the concern remains unresolved, an appeal of the school's decision may then be brought to the District's District Level Principal, whose name and contact information may be found on the District's website or must be provided by the school. The discipline appeal process is initiated when a Complainant completes and submits a Discipline Complaint form to the Superintendent or the Superintendent's designee.
2. A Discipline Appeal Form is available on the District's website and in the schools' administrative offices.
3. The investigation shall begin within three school days of receiving the complaint. The Superintendent will direct the investigation and will designate and identify the school district personnel who will manage the investigation and who are responsible for keeping and regulating access to any resulting record. The District may use outside counsel as it sees fit.
4. Upon completion of the investigation, a written determination addressing each allegation and containing findings and conclusions will be issued to the Complainant in a manner consistent with the Minnesota Government Data Practices Act.
5. If the investigation finds the requirements of the Minnesota Pupil Fair Dismissal Act (Minnesota Statutes, sections 121A.40 to 121A.61), including any local policies that were not implemented appropriately, contain procedures that require a corrective action plan to correct a student's record and provide relevant District staff with training, coaching, or other accountability practices to ensure appropriate compliance with policies in the future, the superintendent or the superintendent's designee will take necessary measures.
6. Reprisal or retaliation against any person who asserts, alleges, or reports a complaint is prohibited. The District will take appropriate action consistent with Minnesota law and school district policies in the event that an individual or individuals are found to have engaged in reprisal or retaliation.

VII NOTIFICATION OF POLICY

This policy will be posted on the school district's website. Nothing in this policy is intended to conflict with The Pupil Fair Dismissal Act.

VIII BUILDING PROCEDURES

~~Schools must~~~~The Assistant Superintendents of Leadership, Teaching and Learning is~~
~~authorized by the School Board to require each building to~~ develop procedures consistent
with this ~~p~~Policy 506 – Student Discipline. Building procedures will include but not be limited
to the following:

- A. Procedures determined appropriate for encouraging early involvement of parent/guardian
in attempts to improve a ~~pupil's~~ student's behavior.
- B. Procedures determined appropriate for encouraging early detection of behavioral
problems, including communication among teachers, the parent or guardian, and building
administration.
- C. Procedures for notifying appropriate teachers of disciplinary actions involving their
students.
- D. Procedures determined appropriate for referral to special education ~~or~~ 504
evaluations~~services~~.

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Revised: 11/21/23

Revised: 11/27/18

Revised: 11/22/16

Revised: 11/17/15

Revised: 6/23/09

Revised: 10/16/01

Policy 506 Adopted: 6/6/00 (formerly Policy 5212)

Revised: 4/15/97

Revised: 5/2/95

Revised: 1/4/94

Revised: 1/22/91

Revised: 12/6/88

Revised: 6/7/88

Revised: 4/5/88

Revised: 11/18/86

Procedure 5212 Adopted: 9/18/84

Legal References:

20 U.S.C. §§ 1400-1487 – IDEA

29 U.S.C. § 794 et. seq. – Rehabilitation Act of 1973, § 504

34 C.F.R. § 300.530(e) – 300.536 – Discipline Procedures

M.S. 121A.40-121A.56 – Pupil Fair Dismissal Act

M.S. 121A.575 – Alternatives to Pupil Suspension

M.S. 121A.582 – Student Discipline; Reasonable Force

M.S. 121A.60-121A.61 – Discipline and Removal of Students from Class

M.S. 122A.42 – General Control of Students

M.S. 122A.627 Positive Behavioral Interventions and Supports

M.S. Ch. 125A – Students with Disabilities

Cross References:

Policy 502 – Search of Student Lockers, Desks, Personal Possessions and Student's Person

Policy 503 – Attendance and Absences

Policy 504 – Student Dress and Appearance

Policy 514 – Bullying Prohibition

Policy 516 – Student Medication

Policy 524 – Internet Acceptable Use Policy

Policy 526 – Hazing Prohibition

Policy 541 – Chemical Use and Abuse
Policy 542 – Extended Educational Trips
Policy 548 – Harassment and Violence
Policy 550 – Suspension
Policy 551 – Exclusion and Expulsion
Policy 709 – Student Transportation Safety
Policy 726 – Student Conduct on Buses

POLICY 514 – STUDENTS – BULLYING & HAZING PROHIBITION

I. Purpose

The purpose of this policy is to assist the school district in its goal of preventing and responding to acts of bullying, intimidation, violence, hazing and other similar disruptive behavior. A safe and civil-welcoming environment is needed for students to learn and attain high academic standards and to ensure a healthy school climate. Bullying and hazing, like other violent or disruptive behavior, is conduct that interferes with students' ability to learn and participate in school activities and teachers' ability to educate students in a safe and welcoming environment. It is the school district's intent to prevent bullying and hazing through education and appropriate interventions and to take action to investigate, respond, remediate, and when appropriate discipline students for such acts. Interventions, supports and restorative actions should be considered for all students involved in acts of bullying and hazing.

II. General Statement of Policy

- A. It is prohibited conduct and a violation of this policy, for any student(s) to bully another student(s) through conduct or communication in-person or through misuse of technology including cyberbullying and all forms of social media both directly or indirectly through a third party or technology application.
- B. It is prohibited conduct and a violation of this policy for any student to engage in bullying conduct at any time or any place in a manner that substantially and materially 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.
- C. It is prohibited conduct and a violation of this policy for students, employees, volunteers or other representatives of the school district to engage in hazing of a student in order for the student to be initiated into or affiliated with a student organization.
- D. It is prohibited conduct and a violation of this policy for any student, employee, volunteer or representative of the school district to engage in malicious and sadistic conduct and sexual exploitation against a student, employee, volunteer or representative of the school district.
- E. It is prohibited conduct and a violation of this policy for any person(s) to retaliate against a student, parent/guardian or employee for alleging a violation of this policy or for participating in an investigation of prohibited conduct under this policy.
- F. Employees who witness prohibited conduct or possess reliable information that would lead a reasonable person to suspect that a student is a target of prohibited conduct must report the conduct to administration to investigation, make reasonable efforts to address and resolve the prohibited conduct. An employee who witnesses prohibited conduct must intervene to ensure students are safe and identify the conduct that is prohibited to the students witnessing or participating in the conduct.
- ~~G. Employees who witness prohibited conduct or possess reliable information that would lead a reasonable person to suspect that a student is a target of prohibited conduct will report the prohibited conduct to the primary contact person designated for the school at which the student who is the target for the prohibited conduct is enrolled.~~
- H.G. _____ This policy applies not only to persons who directly engage in an act of bullying or hazing but also to persons who, by their indirect behavior, condone or support another's act of bullying or hazing. For example this would include when a student who reacts positively to social media posts of bullying or who stands by and laughs during an incident in the hallway or records video of the incident to encourage and support the prohibited behavior. This does not include if a student witnesses prohibited behavior and does not support or encourage the behavior or records an incident to report it to school staff or a parent and the video is then deleted.
- I.H. _____ Allegations of bullying or hazing which are based upon or directed at a student's race, color, creed, religion, national origin, sex, marital status, disability, status with regard to public assistance, sexual orientation, gender and gender identity should also be investigated

and treated as potential prohibited harassment under District Policy 102 and relevant harm protocols.

III. Violation of Policy

Violation of this policy will be cause for disciplinary action against the violating student(s). Discipline will include both an administrative action but also interventions and support as appropriate to the age and development of the student. Employees who do not comply with the requirements of this policy and implementing procedures may also face disciplinary action in keeping with applicable contract provisions and law.

IV. Training and Education

The superintendent ~~or his/her designee~~ will develop training materials to publicize the policy and provide information and training to school district staff and volunteers about bullying/hazing prevention and the requirements of this policy. Education and training will also be provided to students and parents/guardians, which should include resources students and parents/guardians can access. The building principal or site leader will be the superintendent will designate a primary contact person in each school and building site to receive reports of conduct prohibited under this policy, to ensure that this policy and procedures are fairly and fully implemented, and serve as the primary contact ~~on policy and procedural matters concerning this Policy 514-Bullying Prohibition.~~

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Revised: 11/21/23

Revised: 11/16/2021

Revised: 10/24/2017

Revised: 7/29/2014

Revised: 1/24/2012

Adopted: 6/6/2006

Legal References

Minn. Stat. §121A.03, (Sexual, Religious, & Racial Harassment and Violence)

Minn. Stat. § 121A.031 School board policy; prohibiting intimidation and bullying

Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)

Minn. Stat. § 121A.69 (Hazing Policy)

Cross References

Policy 403 – Dismissal of Employees

Policy 413 – Harassment and Violence

Policy 414 – Mandated Reporting of Child Neglect or Physical or Sexual Abuse

Policy 506 – Student Discipline

Policy 507 – Corporal Punishment

Policy 515 – Protection and Privacy of Education Records

PROCEDURE 514 – STUDENTS – BULLYING & HAZING PROHIBITION

I. DEFINITIONS

- A. “Bullying” means intimidating, threatening, abusive, or harming conduct by a student 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, which included bullying through all forms of social media, 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. This includes bullying that occurs through social media by directly posting or messaging to another student or may occur by commenting positively to encourage another student’s prohibited behavior.

- C. “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 such as a sports team. The term 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 dDistrict policies or regulations.

- D. “Immediately” means as soon as possible but in no event longer than one school day.

- E. “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, ~~gender and~~ expression, academic status related to student performance, disability, or status with regard to public assistance, age, political identity 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.
- F. Malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, religion, sexual harassment, and sexual orientation and gender identity as defined in Minnesota Statutes, Chapter 363A is prohibited. This prohibition applies to students, independent contractors, teachers, administrators, and other school personnel.
 - G. “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.
 - H. “Prohibited conduct” means bullying, cyberbullying, ~~or~~ hazing ~~or malicious and sadistic conduct~~ 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.
 - I. “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.
 - J. “Student” means a student enrolled in the school district.

II. REPORTING PROCEDURE

- A. Any student who believes they- have been the victim of prohibited conduct proscribed by these procedures or any person with knowledge or belief of conduct that may constitute prohibited conduct proscribed by these procedures will report the alleged acts immediately to the building principal, site leader or the their designee. A student may report prohibited conduct anonymously; however, the school district’s ability to investigate and take action against an alleged perpetrator based solely on an anonymous report may be limited.
- B. The school district encourages the reporting party to submit a written complaint of the prohibited incident. Oral reports will be considered complaints.
- C. The building principal, site leader or their designee will ensure that this policy and its procedures, practices, consequences, and sanctions appropriate interventions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters contained in these procedures. The principal, site leader or their designee is responsible

for investigation of any reports made in accordance with these procedures. The principals, site leaders or designees will, as appropriate, provide information about available community resources to the target or victim and their parents/guardians 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 will be particularly alert to possible situations, circumstances, or events that might include prohibited conduct. Any such person who receives a report of, observes, or has other knowledge or belief of conduct that may constitute prohibited conduct will inform the building principal or designee immediately. Employees will receive training on the policy and procedures regarding prohibited conduct, reporting requirements and how to intervene. An who witness or observe prohibited conduct will intervene to stop the prohibited conduct and inform students involved or witnessing the conduct that it is prohibited.
- E. Reports of prohibited conduct will be documented. These reports 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 principal, site leader or their designee, in conjunction with the school district's responsible authority, is responsible for maintaining and regulating access to any report of prohibited conduct and the record of any resulting investigation.
- F. Submission of a good faith complaint or report of prohibited conduct will not affect the complainant's or reporter's future employment, grades, or work assignments, or educational or work environment. School district personnel who fail to inform the building principal or site leader or their designee of conduct that may constitute prohibited conduct or who fail to make reasonable efforts to address and resolve the prohibited conduct in a timely manner may be subject to disciplinary action or other appropriate sanctions.
- 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.

III. INVESTIGATION AND SCHOOL DISTRICT ACTION

- A. Within three days of receipt of a complaint or report of prohibited conduct, the school district will undertake or authorize an investigation by school district officials.
- B. The school district may take immediate steps, at its discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of bullying or hazing, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct will be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of the investigation, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, ~~termination, discharge~~ or other remedial response tailored to the particular incident and nature of the conduct and the student's developmental age and behavioral history. 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 Minnesota Pupil Fair Dismissal Act, school district policies, and regulations. The school

district will not make a determination of bullying and resulting discipline solely on an anonymous report.

D.E. The school district will also consider any appropriate educational interventions, skill building or other supports for all students involved including the victim, the perpetrator, participants or witnesses. Restorative measures will also be considered that are appropriate to the situation and students age and development.

E.F. The school district is not authorized to disclose to a victim private educational data regarding an alleged perpetrator. School officials will notify the parent(s) or guardian(s), if deemed appropriate, of students involved in a bullying or hazing incident and the remedial action taken, to the extent permitted by law, based on a confirmed report and investigation.

F.G. In order to prevent or respond to prohibited conduct committed by or directed against a student with a disability, the school district will, when determined appropriate by the student's individualized education program (IEP) team or Section 504 team, allow the student's IEP or Section 504 plan to be drafted to address the skills and proficiencies the student needs as a result of the student's disability to allow the student to respond to or not to engage the prohibited conduct.

IV. BULLYING AND HAZING BASED UPON OR DIRECTED AT A STUDENT'S PROTECTED STATUS
If a student reports to being bullied or hazed based upon a protected status (race, color, creed, religion, national origin, sex, marital status, disability, status with regard to public assistance, or sexual orientation, gender and gender identity) the report should also be investigated consistent with Policy 102 and district harm protocols.

V. RETALIATION OR REPRISAL
The school district will discipline any individual who retaliates against any person who reports, testifies, assists or participates in any manner in any investigation, proceeding or hearing related to bullying or hazing. Retaliation includes, but is not limited to, intimidation, reprisal, bullying or harassment.

VI. TRAINING AND EDUCATION

A. The superintendent ~~or their designee~~ will provide appropriate training to school district personnel to prevent, identify, and respond to prohibited conduct.

B. The school district will provide ongoing training to build skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. School personnel who will be trained include but are not limited to educators, administrators, school counselors, social workers, psychologists, other school mental health professionals, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, extracurricular activities advisors, and paraprofessionals.

B.C. Training, education and support will be provided to students and parents annually.

VII. NOTIFICATION

The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy will be referenced in the student handbook. A Policy 514 – Bullying Prohibition or a summary thereof will be conspicuously posted in the administrative offices of the school district and each school and site.

Revised:

Revised: 11/21/2023

Revised: 11/16/2021

Revised: 10/24/2017

Revised: 7/29/2014
Revised: 1/24/2012
Adopted: 6/6/2006

Legal References

Minn. Stat. §121A.03, (Sexual, Religious, & Racial Harassment and Violence)
Minn. Stat. § 121A.031 School board policy; prohibiting intimidation and bullying
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)

Cross References

Policy 403 – Dismissal of Employees
Policy 414 – Mandated Reporting of Child Neglect or Physical or Sexual Abuse
Policy 506 – Student Discipline
Policy 507 – Corporal Punishment
Policy 515 – Protection and Privacy of Education Records

POLICY 519 - INTERVIEWS OF STUDENTS BY OUTSIDE AGENCIES

I. Purpose

The purpose of this policy is to maintain the primary purpose of the school district of providing an education for its students and protecting the students' interest in receiving an education while cooperating with law enforcement agencies or other agencies that require access to students during the school day in order to fulfill their legal obligations.

II. General Statement of Policy

A. Only a student's parent/guardian, school district employees, and/or school district agents conducting school related business may interview a student during the school day, except as required by law or allowed by this policy.

B. A principal or school site leader or designee will follow the direction below when may allow law enforcement officers or other government agencies workers with state or federal authority such as Child Protection and Department of Education ~~and those other than a student's parent/guardian, school district employees, and/or school district agents conducting school related business to~~ request an interview of a student in the following situations.

1. Access for Interview Required

The principal or site leader or designee will schedule interviews required for investigations of maltreatment reports in accordance with the procedures implementing this policy.

2. Discretionary Interview

For all other requests for interviews, the principal or site leader will be informed and will limit access to the student during school hours to instances where other opportunities for the interview are not reasonably available and the reason for the request is in the student's best interests or in the event of an emergency. The principal or site leader will not grant a discretionary interview with a student without making ~~a~~ reasonable attempts to contact the student's parent/guardian to inform the parent/guardian of the request.

Reviewed:

Revised: 9/27/22

Revised: 1/19/16

Adopted: 1/21/03

Legal References

M.S. Chapter 260E

Cross References

Policy 414 – Mandated Reporting of Maltreatment of Children or Vulnerable Adults

PROCEDURE 519 - INTERVIEWS OF STUDENTS BY OUTSIDE AGENCIES

I. Purpose

The purpose of this regulation is to establish the procedures a school ~~site leader~~officials must follow in allowing interviews of students by outside agencies on school district premises during the school day.

II. Interviews Conducted under the Maltreatment of Minors Act

A. Interviews Conducted ~~by Hennepin County Child Protection (Child Protection) or Law Enforcement~~Under the Maltreatment of Minors Act by County Child Protection or Law Enforcement

1. ~~The principal or site leader~~In the case of an investigation pursuant to the Reporting of Maltreatment of Minors Act, Minnesota Statutes, chapter 260E, a local welfare agency, and/or a local law enforcement agency may interview a student without parental consent when that student is an alleged victim or any minors who currently reside with or who have resided with the alleged perpetrator. School officials will schedule an interview of a student by Child Protection or law enforcement after receiving a notice in writing of a need to schedule the interview. For interviews by Child Protection, the notification will be signed by the ~~Hennepin County~~ Social Services Director or their designee. The notice must include the name of the student, the purpose of the interview and the legal authority for the interview. The notification is private educational data on the student. School district officials must not disclose to the parent, legal custodian or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the agency that the investigation has been concluded, unless a school employee or agent is alleged to have maltreated the student. All inquiries regarding the nature of the investigation should be directed to the agency responsible for investigating.
2. The interview may take place at school and during school hours or at any facility or other place where the alleged victim or other children might be found or the child may be transported to, and the interview may be conducted at a place appropriate for the interview of a child designated by the agency needing the interview. The site leader ~~School officials will work with the agency responsible for investigating to select a time and place appropriate for the interview and will consider the following conditions. may schedule the time, place and manner of the interview subject to the paragraph A. 3. below. The time, place and manner of the interview must be reasonable.~~ Reasonable ~~conditions~~ considerations for the interview may include:
 - i. The investigators ~~will~~ should remain in the administration's offices.
 - ii. The interview ~~will~~ should not be held during the time the student is receiving instruction unless such an interruption is unavoidable and requested by the agency.
 - iii. The interview will be conducted in a private room or area where confidentiality can be maintained.
3. ~~The principal or site leader~~School officials will defer to ~~Child Protection or law enforcement~~agency investigating if ~~either the~~ agency selects a location for the interview other than the school.
4. ~~The principal or site leader~~School officials will allow the interview of a student only after the interviewer provides an identification card or otherwise for inspection so that the school official can reasonably verify that they are employed by Child Protection, Minnesota Department of Education or ~~Law~~ eEnforcement.

5. ~~School officials must yield to the discretion of the agency concerning other persons in attendance at the interview. district principals or site leaders may request that they be allowed to attend the interview if they believe their presence is in the best interests of the student being interviewed, but Child Protection or local law enforcement agency shall have the exclusive authority to determine who may attend the interview.~~
6. ~~Principals or site leaders~~School officials may not notify parents or guardians of the interview by Child Protection or law enforcement. Only Child Protection or law enforcement may notify the parents that an interview is scheduled or took place on school property. If the student is removed from the school premises for the interview or misses a bus or is otherwise unable to keep a usual schedule, the site leader will direct all inquiries from a parent or guardian to Child Protection or law enforcement without providing any other information.

B. Interviews ~~Under the Maltreatment of Minors Act~~Conducted by the Minnesota Department of Education (MDE or Agency)

1. ~~The principal or site leader~~School officials will schedule an interview by MDE after receiving a notice in writing of the need to schedule an interview ~~in a~~under the Maltreatment of Minors ~~investigation~~Act. The notice will include the name of the student, the purpose of the interview and the legal authority for the interview.
2. ~~The principal or site leader~~School officials will notify a student's parents of any incident at the school involving the student and a school district employee. ~~The principal or site leader, but~~ does not notify the parents of an interview of the student by MDE concerning a maltreatment report.
3. ~~The principal or site leader~~School officials ~~will~~must allow MDE to conduct the interview even if the Agency is not able to reach the parent or guardian of a student prior to the interview.
4. ~~The principal or site leader~~School officials will allow the interview of a student only after the MDE investigator provides an identification card or otherwise for inspection so that the school official can reasonably verify that they are employed by, ~~to show that the interviewer is affiliated with~~ MDE.
5. If the person alleged to have maltreated the student is a school district employee or official, MDE may set the time, place and manner of the interview and determine who should attend the interview.

III. Interviews Conducted for Other Purposes

Site leaders may schedule interviews of students by outside agencies for any other purpose if specifically authorized by the student's parent or guardian or in an emergency when the site leader determines that access to the student is in the student's best interests, and only after making reasonable attempts to contact the student's parent/guardian. In all cases, the site leader will consider the disruption to the student's education by scheduling interviews only during non-instructional time if at all possible and at a place that protects the privacy interests of the student.

Revised:

Revised: 9/27/22

Revised: 1/19/16

Procedure 519 Adopted: 1/21/03

Legal References

Minnesota Statute § 260E.22

Cross References

Policy 414 – Mandated Reporting of Maltreatment of Children or Vulnerable Adults

POLICY 520 – STUDENT SURVEYS

I. PURPOSE

The purpose of this policy is to establish the parameters of information that may be sought in student surveys.

II. GENERAL STATEMENT OF POLICY

The school district may conduct surveys of students to support school and school district improvement and student engagement. The school district will follow applicable federal regulations in conducting any survey of students that is a part of any program funded through the United States Department of Education. The school district will communicate with families and students the importance of surveys providing information directly from students that shape student experiences and inform that the surveys are optional and no penalties are allowed for nonparticipation. ~~not impose an academic or other penalty upon a student who opts out of participating in a survey.~~

III. STUDENT SURVEYS

A. Inspection

The school board will make all instructional materials available for inspection by students, parents, or guardians.

B. District Student Stakeholder Survey

The school district will conduct an annual student stakeholder survey designed to obtain information from students about student experiences as the school district's strives for success in achieving its mission.

1. The student stakeholder survey will

- a. Collect feedback from students on their engagement in class,
- b. Provide teachers with student feedback for reflection on their classroom instruction and student engagement strategies,
- c. Provide school district administrators with student feedback to learn about strengths and opportunities for school and school district improvement, and
- d. Meet state requirements for principal and teacher development and evaluation.

2. The school district will notify parents about the survey at the beginning of each school year. The notice will include the grade levels to be surveyed, the purpose of the survey, the optional nature of the survey and any opt-out process, and a way for parents to review all questions in the survey.

3. The school district will provide the survey schedule and any opt-out form on the school district website. The district will strive to ensure the any opt-out process is simple and accessible.

4. The school district will maintain the survey results as confidential data on the students. The school district will report the survey results in a way that does not allow for identification of individual student results.

C. Other Student Surveys Conducted as Part of a U.S. Department of Education Program

1. Parents/guardians or adult students ~~An adult student or a minor student's parent or guardian~~ must provide prior written consent before the student may be required to reveal information concerning political affiliations or beliefs of the student or the student's parent; mental or psychological problems of the student or the student's family; sex behavior or attitudes; illegal, anti-social, self-incriminating, or demeaning behavior; critical appraisals of other individuals with whom respondents have close

family relationships; legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; religious practices, affiliations, or beliefs of the student or student's parent; or income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

2. The school district will not conduct other surveys of programs funded by the U.S. Department of Education without developing a policy to govern the conduct of such surveys. The policy must be developed in consultation with parents.

IV. NOTICE

- A. The school district will give parents and students notice of this policy at the beginning of each school year and after making substantive changes to this policy.
- B. The school district will inform parents at the beginning of the school year if the school district or school site 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 will give parents direct, timely notice when their students are scheduled to participate in a student survey by the best means available to communicate with parents including but not limited to United States mail, email ~~or and~~ another other direct form of communication.
- C. The school district will give parents the opportunity to review the survey and to exercise their option of determining that their students will not participate in the survey.
- D. The school district will provide direct, timely notice to secondary students by the best means available to notify students, which notification will encourage participation as a means to shape the experience of the students and state that it is an optional survey opportunity. Any opt-out process information will be included.

Revised:

Policy Adopted: 07/31/2018

Cross Reference:

Policy 104 School District Mission

Policy 515 Protection and Privacy of Student Records

Legal Reference:

20 U.S.C. § 1232h (Protection of Pupil Rights)

Minn. Stat. § 121A.065 (District Surveys to Collect Student Information Parent Notice and Opportunities for Opting Out)

School Board

INDEPENDENT SCHOOL DISTRICT 279

Maple Grove, Minnesota

PROCEDURE 520 – STUDENT SURVEYS

I.—DEFINITIONS

- A.—~~Confidential Data means data about a person that is accessible only to representatives of the school district who have a need to know the information in order to do their jobs. Confidential data is not available to the data subject.~~
- B.—~~Parent or Parents means a parent or guardian of a student or a person acting as a parent or guardian of a student in the absence of the student’s parent or guardian.~~
- C.—~~Survey means the annual stakeholder survey conducted by the school district in order to provide information about each student’s success in achieving dreams, contributing to community and engaging in a lifetime of learning.~~

II.—PROCESS TO OPT OUT OF STUDENT SURVEY

- A.—~~The school district acting through its Research, Assessment and Accountability Department (RAA) will notify parents each year in the fall about the survey and the opportunity they have to opt their student out.~~
- B.—~~The notice will include a link to an opt-out form.~~
- C.—~~Parents may submit the opt-out form to RAA through mail or email. If the opt-out form is submitted prior to the deadline in the Notice, the student will be included in the list of students who have opted out of the Student Survey.~~
- D.—~~RAA will provide each school survey coordinator and principal with the list of students who have opted out and will be excluded from the Student Survey at their site.~~
- E.—~~The school district will not impose an academic or other penalty against a student who opts out of participating in a student survey under this policy.~~

Policy Adopted: 07/31/2018

Cross Reference:

Policy 104 School District Mission
Policy 515 Protection and Privacy of Student Records

Legal Reference:

20 U.S.C. § 1232h (Protection of Pupil Rights)
Minn. Stat. § 121A.065 (District Surveys to Collect Student Information Parent Notice and Opportunities for Opting Out)

School Board—
INDEPENDENT SCHOOL DISTRICT 279—
Maple Grove, Minnesota

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

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).

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 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 prevent bodily harm or death to the student or another, or for a principal or teacher to prevent the imminent bodily harm or death to the student or another.

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.

Any reasonable force used under Minnesota Statutes, Sections 121A.582; 609.06, Subdivision 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred shall be reported to the Minnesota Department of Education as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person.

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 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.

Reviewed: xxx

Revised: 11/21/23

Revised: 10/25/22

Revised: 3/15/16

Adopted: 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)

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.
- D. School Resource or 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.

Reviewed: xxx

Revised: 10/25/22

Revised: 3/15/16

Adopted: 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.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)

POLICY 541 – CHEMICAL USE/ABUSE

I. Purpose

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 district~~ 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 supports and~~ to maintain a safe and healthy environment for students.

II. General Statement of Policy

~~A. Schools will provide age appropriate education and resources to inform students of the dangers of illegal substances and the supports available at school and the community.~~

~~B. No student, regardless of age, may possess, use, be under the influence of, distribute, sell and/or exchange unauthorized or illegal chemical substances. Illegal substances including but are not limited to:~~

- ~~1. _____ narcotics, drugs, or other controlled substances,~~
- ~~2. _____ medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products,~~
- ~~3. _____ alcohol, or other intoxicating substances or mood-altering chemicals, or look-alike substances~~
- ~~4. _____ 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~~~~
- ~~5. _____ prescription medication shared with another student. Medication prescribed by a physician must be handled in accordance with Policy 516 – Student Medication.~~

~~This does not include over the counter medications such as Tylenol or Advil.~~

~~A.C. _____ This applies to actions on 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, under the influence of, distributing, selling and/or exchanging illegal 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 and may include~~ notification of to 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 drug and alcohol counselors to meet with the student and determine appropriate recommendations and supports and interventions. ~~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 referred to the school's drug and alcohol counselors for assessment and support. ~~treated in a non-punitive way by school personnel.~~

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

Revised:

Revised: 11/21/23

Revised: 1/16/18

Revised: 6/23/09

Revised: 2/14/04

Revised: 10/16/01

Adopted: 6/06/00 (formerly Policy 5217)

Revised: 3/22/94

Revised: 1/02/85

Revised: 11/15/83

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

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 Student Records

Policy 506 – Student Discipline

Policy 516 – Student Medication

Policy 550 – Suspension

Policy 551 – Exclusion and Expulsion

PROCEDURE 541 – CHEMICAL USE/ABUSE

I. DEFINITIONS

A. Chemicals

Chemicals include but are not limited to alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoid, edible cannabinoid products, and controlled substances as defined in ~~Section II. B. of this 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. EDUCATION AND PREVENTION

A. Prevention

~~Schools will provide~~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 Education

Curriculum areas which are related to prevention of chemical use/abuse will be reviewed ~~regularly 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. ~~Schools will also provide information and resources that fit the needs of their students. The two curricular areas identified in II.B,1 are not to be considered as being exclusive in the study of chemical use/abuse.~~
3. The District must provide vaping prevention instruction at least once to students in grades 6 through 8.

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~~ the school's drug and alcohol counselors.

IV. ~~STUDENT INTERVENTION TEAMS~~ PRE-ASSESSMENT TEAM (Student Assistance Team) SERVICES

- A. ~~The schools' alcohol and drug counselors will be~~ Pre-assessment services will be available to students who have questions or concerns about to help them with their concerns ~~about~~ chemicals and problems related to chemical use.
- B. Every school will have a ~~student intervention~~ chemical abuse pre-assessment team. These ~~se~~ teams ~~consist of~~ will be composed of ~~appropriate staff such as~~ appropriate staff such as 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 workers~~ s, ~~chemical abuse specialist, or others.~~
- C. ~~The team may support the drug and alcohol counselor in~~ is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to individual reported ~~concerns~~ cases from the school and law enforcement.
- C.D. ~~Any documentation related to concerns and services for students will be private data and will be deleted or destroyed at the end of that school year unless it is determined that concerns are continuing and the documentation is needed the following school year to support the student.~~
- 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.~~

~~Students violating the policy may have consequences subject to Policy 506-Student Discipline and District Practices.~~

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.

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Revised: 11/21/23

Revised: 8/30/22
Revised: 1/16/18
Revised: 6/23/09
Revised: 2/17/04
Revised: 10/16/01
Created: 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 Student Records
Policy 506 – Student Discipline
Policy 516 – Student Medication

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 physically restrain a student in order to protect the student or others.
- 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.

Reviewed: xxx

Revised: 10/25/22

Revised: 1/19/16

Revised: 1/24/12

Revised: 9/21/04

Adopted: 4/17/01 (formerly Policy 5410)

Adopted: 1/4/94

Legal References:

Minn. Rule 3525.0200, subps 1d-1g, 2a
2c, 8e, 8f, 25a, 25b

Minn. Rule 3525.1100, subp. 2F

Minn. Rule 3525.2900, subp. 5

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. Seclusion should not be used as a planned intervention for students.
- 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
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:
 - 1. Corporal punishment, as defined in state law.
 - 2. Requiring a pupil to assume and maintain a specified physical position, activity, or postures that induces physical pain as punishment.
 - 3. Presentation of intense sounds, lights, or other sensory stimuli as punishment.
 - 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.
 - 5. Total or partial restriction of a child's senses (not to include study carrels when used as an academic intervention).
 - 6. Withholding regularly scheduled meals or water.
 - 7. Denying a student access to toilet facilities.
 - 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.
10. Prone restraint (i.e. placing a child in a face down position as a means controlling a student).

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. District administration will post the following information on the district's website;
 1. a list of the restrictive procedures the school intends to use;
 2. a description of how the district will implement a range of positive behavior strategies and provide links to mental health services;
 3. a description of how the 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

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 dates 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.
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.

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

Reviewed: xxx

Revised: 10/25/22

Revised: 1/19/16

Revised: 9/10/13

Revised: 1/24/12

Revised: 9/21/04

543 Dated: 4/17/01_(Formerly Procedure 5410)

Procedure 5410 Dated: 1/4/94

Legal References:

Minn. Stat. §125A.0942

Minn. Stat. §121A.58

Minn. Stat. §626.556

POLICY 555 – STUDENT RECOGNITION PLAN

Each elementary and secondary building will develop a student recognition plan which will address the following four areas:

- I. Academic achievement.
- II. Extracurricular and co-curricular activities.
- III. Good citizenship, which includes attitude, effort, and leadership.
- IV. Attendance, when recommended by the Building Curriculum Advisory Group or Site Council.

Repeal: xxx

Policy 555 Adopted: 10/16/01 (formerly Policy 539 – 12/7/99)

Adopted: 4/16/85

Proposed for Repeal

PROCEDURE 555 – STUDENT RECOGNITION PLAN

- I. The administration of each building will coordinate input into this plan from staff, students, and parents prior to May 1 of each year.
- II. An individual building student recognition plan will be completed and turned in to the Elementary or Secondary Director by May 1 of each year.

Repeal: xxx

Procedure 555 Dated: 10/16/01 (formerly Procedure 539 – 12/7/99)
(formerly Procedure 5222)