



Jordan School District #717
Policy Meeting Minutes

Monday, November 25, 2019 at 5:15 PM
Policy Meeting
Jordan Public Schools
500 Sunset Drive; Suite 3
Jordan, MN 55352

1. 504 Student Dress and Appearance
2. 540 Student Clubs
3. 535 Service Animals in Schools & FORM - New Policy
4. 825 Animals on School Property

School Board Clerk

Date

Adopted: _____

MSBA/MASA Model Policy 504

Orig. 1995

Revised: _____

Rev. 2017

504 STUDENT DRESS AND APPEARANCE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to encourage students to be dressed appropriately for school activities and in keeping with community standards. This is a joint responsibility of the student and the student's parent(s) or guardian(s).
- B. Appropriate clothing includes, but is not limited to, the following:
 - 1. Clothing appropriate for the weather.
 - 2. Clothing that does not create a health or safety hazard.
 - 3. Clothing appropriate for the activity (i.e., physical education or the classroom).
- C. Inappropriate clothing includes, but is not limited to, the following:
 - 1. "Short shorts," skimpy tank tops, tops that expose the midriff, and other clothing that is not in keeping with community standards.
 - 2. Clothing bearing a message that is lewd, vulgar, or obscene.
 - 3. Apparel promoting products or activities that are illegal for use by minors.
 - 4. Objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals as defined in MSBA/MASA Model Policy 413.
 - 5. Any apparel or footwear that would damage school property.
- D. Headgear, including hats or head coverings, are not allowed in the building except

with the approval of the building principal (i.e., student undergoing chemotherapy, medical situations, student religious practice or belief).

- E. The intention of this policy is not to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane, or do not advocate violence or harassment against others.
- F. “Gang,” as defined in this policy, means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. “Pattern of gang activity” means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.

III. PROCEDURES

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

Legal References: U. S. Const., amend. I
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)
B.H. ex rel. Hawk v. Easton Area School Dist., 725 F.3d 293 (3rd Cir. 2013)
D.B. ex rel. Brogdon v. Lafon, 217 Fed.Appx. 518 (6th Cir. 2007)
Hardwick v. Heyward, 711 F.3d 426 (4th Cir. 2013)
Madrid v. Anthony, 510 F.Supp.2d 425 (S.D. Tex. 2007)
McIntire v. Bethel School, Indep. Sch. Dist. No. 3, 804 F.Supp. 1415

(W.D. Okla. 1992)

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

Olesen v. Bd. of Educ. of Sch. Dist. No. 228, 676 F.Supp. 820 (N.D. Ill. 1987)

Cross References: MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 525 (Violence Prevention)

**JORDAN DISTRICT SCHOOLS
POLICY**

Adopted: Sept. 12, 2007

Revised: January 7th, 2019

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2. Clothing bearing a message that is lewd, vulgar, or obscene.
3. Apparel promoting products or activities that are illegal for use by minors.
4. Objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals as defined in MSBA/MASA Model Policy 413.
5. Any apparel or footwear that would damage school property.

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- F. “Gang,” as defined in this policy, means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. “Pattern of gang activity” means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.

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Cross References: MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 525 (Violence Prevention)

JORDAN DISTRICT SCHOOLS

POLICY

Adopted: February 9, 2015

Revised: February 12th, 2018

540 STUDENT CLUBS

I. PURPOSE

The purpose of this policy is to ensure that students are aware of and comply with the school district's expectations for the establishment of student clubs.

II. GENERAL STATEMENT OF POLICY

Students are encouraged to establish clubs which comply with state and federal law and are consistent with the school district philosophy and goals.

III. DEFINITIONS

A. Cocurricular Activities

Cocurricular activities are activities performed by students that fall outside the realm of the normal curriculum of school education. Although these activities may be student-led, they are typically initiated by school faculty or parents.

B. Clubs

A club is an association of people united by a common interest or goal which exists for voluntary or charitable activities. Clubs are typically student-initiated and student-led.

IV. STUDENT CLUBS IN GENERAL

Student clubs are differentiated into two groups.

A. Not District-Recognized

Groups utilizing district facilities, but not affiliated with the school district shall have access (under equal access policy) to district facilities for meeting. These clubs must schedule time and space through the District Community Education Office. Such groups will not have access to announcements and/or advertisement within individual buildings.

B. District-Recognized

The school board will review proposals for clubs wishing to be district-recognized. These

clubs will be expected to adhere to Minnesota State High School League guidelines for good sportsmanship and ethical behavior, along with district policies regarding eligibility. Membership in district-recognized clubs will be open to all students who meet the criteria set forth within each club's constitution. Rights granted to these clubs are:

1. access to building announcements and other means of advertisement within facilities;
2. access to facilities for meetings and activities;
3. ability to sponsor public activities with approval from the building principal and/or Activities Director; and
4. supervision by district-approved advisor.

Responsibilities of these organizations are:

1. maintain an updated, accurate and School Board approved constitution; and
2. every two years, documentation of membership, finances and sponsored activities will be submitted to the Building Principal and/or Activities Director.

V. ORGANIZATIONAL STRUCTURE

Jordan School District students have the opportunity to establish clubs which meet the goals and objectives of the school district. Groups receiving district-recognized status will meet established criteria as follows:

- A. Minimum membership of ten students;
- B. Supervision by district-approved advisor; and
- C. Organizational constitution that includes membership requirements submitted to and approved by the School Board.

VI. PROCEDURE FOR OBTAINING DISTRICT-RECOGNITION STATUS

The Jordan School Board reserves the right to grant conditional and/or final approval for district-recognition of clubs. The school board may choose to limit the number of recognized groups according to resource limitations.

- A. Students interested in seeking district-recognition for a club will present a preliminary proposal, including Statement of Purpose, to the Building Principal and/or Activities Director for consideration. This recognition request will then be forwarded to the School board for preliminary consideration.
- B. Once preliminary consideration is granted, the students must write and submit to the school board an organizational constitution which includes the following:
 1. a statement of purpose;
 2. a description of club goals;
 3. a description of the leadership structure;
 4. a description of the decision-making process;
 5. a description of anticipated activities to be sponsored by the club; and
 6. a description of any anticipated need for funds or fundraising.

C. Conditional and/or final approval will be granted by the school board based on the clarity of the club's constitution, and the alignment of the club's purpose and goals with those of the Jordan Public Schools.

V. REMOVAL OF DISTRICT-RECOGNITION STATUS

Clubs no longer meeting the organizational structure requirements (as indicated in III. above) will be designated as having Not District-Recognized status.

Cross References: MSBA/MASA Model Policy 801 (Equal Access to School Facilities)

Adopted: _____

MSBA/MASA Model Policy 535
Orig. 2019

Revised: _____

535 SERVICE ANIMALS IN SCHOOLS

I. PURPOSE

The purpose of this policy is to establish parameters for the use of service animals by students, employees, and visitors within school buildings and on school grounds.

II. GENERAL STATEMENT OF POLICY

Individuals with disabilities shall be permitted to bring their service animals into school buildings or on school grounds in accordance with, and subject to, this policy.

III. DEFINITIONS

A. Service Animal

A “service animal” is a dog (regardless of breed or size) or miniature horse that is individually trained to perform “work or tasks” for the benefit of an individual with a disability, including an individual with a physical, sensory, psychiatric, intellectual, or mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals. Service animals are working animals that perform valuable functions; they are not pets. The work or tasks performed by the service animal must be directly related to the individual’s disability. An animal accompanying an individual for the sole purpose of providing emotional support, therapy, comfort, or companionship is not a service animal.

B. Handler

A “handler” is an individual with a disability who uses a service animal. In the case of an individual who is unable to care for and supervise the service animal for reasons such as age or disability, “handler” means the person who cares for and supervises the animal on that individual’s behalf. School district personnel are not responsible for the care, supervision, or handling responsibilities of a service animal.

C. Work or Tasks

1. “Work or tasks” are those functions performed by a service animal.
2. Examples of “work or tasks” include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other

tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

3. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship are not "work or tasks" for the purposes of this policy.

D. Trainer

A "trainer" is a person who is training a service animal and is affiliated with a recognized training program for service animals.

IV. ACCESS TO PROGRAMS AND ACTIVITIES; PERMITTED INQUIRIES

- A. In general, handlers (i.e., individuals with disabilities or trainers) are permitted to be accompanied by their service animals in all areas of school district properties where members of the public, students, and employees are allowed to go. A handler has the right to be accompanied by a service animal whenever and to the same extent that the handler has the right: (a) to be present on school district property or in school district facilities; (b) to attend or participate in a school-sponsored event, activity, or program; or (c) to be transported in a vehicle that is operated by or on behalf of the school district.
- B. When an individual with a disability brings a service animal to a school district property, school district employees shall not ask about the nature or extent of a person's disability, but may make the following two inquiries to determine whether the animal qualifies as a service animal:
 1. Is the service animal required because of a disability; and
 2. What work or tasks is the service animal trained to perform.
- C. School district employees shall not make these inquiries of an individual with a disability bringing a service animal to school district property when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability. However, school district employees may inquire whether the individual with a disability has completed and submitted the request form described in Part VI., below.
- D. An individual with a disability may not be required to provide documentation such as proof that the animal has been certified, trained, or licensed as a service animal.

V. REQUIREMENTS FOR ALL SERVICE ANIMALS

- A. The service animal must be required for the individual with a disability.
- B. The service animal must be individually trained to do work or tasks for the benefit of the individual with a disability.
- C. A service animal must have a harness, leash, or other tether, unless either the handler is unable, because of a disability, to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case, the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
- D. The service animal must be housebroken.
- E. The service animal must be under the control of its handler at all times. The handler is responsible for the care and supervision of a service animal, including walking the service animal, feeding the service animal, grooming the service animal, providing veterinary care to the service animal, and responding to the service animal's need to relieve itself, including the proper disposal of the service animal's waste.
- F. The school district is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal.
- G. In the case of a student who is unable to care for and/or supervise his or her service animal, the student's parent/guardian is responsible for arranging for such care and supervision. In the case of an employee or other individual who is unable to care for and/or supervise his or her service animal, the employee or other individual's authorized representative is responsible for arranging for a service animal's care and supervision.
- H. The service animal must be properly licensed and vaccinated in accordance with applicable state laws and local ordinances.

VI. REQUESTING THE USE OF A SERVICE ANIMAL AT SCHOOL

- A. Students with a disability seeking to be accompanied by a service animal are requested to submit the Approval Request Form to the building principal of the school the student attends. The principal will notify the superintendent or the administrator designated with responsibility to address such requests. School district employees seeking to be accompanied by a service animal are requested to submit the Approval Request Form to the superintendent or the administrator designated with responsibility to address such requests.
- B. Students or employees seeking to bring a service animal onto district premises are requested to identify whether the need for the service animal is required because

of a disability and to describe the work or tasks that the service animal is trained to perform.

- C. The owner of the service animal shall provide written evidence that the service animal has received all vaccinations required by state law or local ordinance.

VII. REMOVAL OR EXCLUSION OF A SERVICE ANIMAL

- A. A school official may require a handler to remove a service animal from school district property, a school building, or a school-sponsored program or activity, if:
 - 1. Any of the requirements described in Part V., above, are not met.
 - 2. The service animal is out of control and/or the handler does not effectively control the animal's behavior;
 - 3. The presence of the service animal would fundamentally alter the nature of a service, program or activity; or
 - 4. The service animal behaves in a way that poses a direct threat to the health or safety of others, has a history of such behavior, or otherwise poses a significant health or safety risk to others that cannot be eliminated by reasonable accommodations.
- B. If the service animal is properly excluded, the school district shall give the individual with a disability the opportunity to participate in the service, program, or activity without the service animal, unless such individual has violated a law or school rule or regulation that would warrant the removal of the individual.

VIII. ADDITIONAL LIMITATIONS FOR MINIATURE HORSES

In assessing whether a miniature horse may be permitted in a school building or on school grounds as a service animal, the following factors shall be considered:

- A. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- B. Whether the handler has sufficient control of the miniature horse;
- C. Whether the miniature horse is housebroken; and
- D. Whether the miniature horse's presence in a specific building or on school grounds compromises legitimate health and safety requirements.

IX. ALLERGIES; FEAR OF ANIMALS

If a student or employee notifies the school district that he or she is allergic to a service animal, the school district will balance the rights of the individuals involved. In general,

allergies that are not life threatening are not a valid reason for prohibiting the presence of a service animal. Fear of animals is generally not a valid reason for prohibiting the presence of a service animal.

X. NON-SERVICE ANIMALS FOR STUDENTS WITH INDIVIDUALIZED EDUCATION PROGRAMS (IEPS) OR SECTION 504 PLANS

If a special education student or a student with a Section 504 plan seeks to bring an animal onto school property that is not a service animal, the request shall be referred to the student’s IEP team or Section 504 team, as appropriate, to determine whether the animal is necessary for the student to receive a free appropriate public education (FAPE) or, in the case of a Section 504 student, to reasonably accommodate the student’s access to the school district’s programs and activities.

XI. NON-SERVICE ANIMAL AS AN ACCOMMODATION FOR EMPLOYEES

If an employee seeks to bring an animal onto school property that is not a service animal, the request shall be referred to the superintendent or the administrator designated to handle such requests. A school district employee who is a qualified individual with a disability will be allowed to bring such animal onto school property when it is determined that such use is required to enable the employee to perform the essential functions of his or her position or to enjoy the benefits of employment in a manner comparable to those similarly situated non-disabled employees.

XII. LIABILITY

- A. The owner of the service animal is responsible for any harm or injury to an individual and for any property damage caused by the service animal while on school district property.
- B. An individual who, directly or indirectly through statements or conduct, intentionally misrepresents an animal in that person’s possession as a service animal may be subject to criminal liability.

Legal References: Section 504 of the Rehabilitation Act of 1973
28 C.F.R. § 35.104, 28 C.F.R. § 35.130(b)(7), and 28 C.F.R. § 35.136 (ADA Regulations)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)
Minn. Stat. § 256C.02 (Public Accommodations for Persons with Disabilities)
Minn. Stat. § 363A.19 (Discrimination Against Blind, Deaf, or Other Persons with Physical or Sensory Disabilities Prohibited)
Minn. Stat. § 609.226 (Harm Caused by Dog)
Minn. Stat. § 609.833 (Misrepresentation of Service Animal)

Cross References: MSBA/MASA Policy 402 (Disability Nondiscrimination Policy)
MSBA/MASA Policy 521 (Student Disability Nondiscrimination)

APPROVAL REQUEST FORM FOR USE OF A SERVICE ANIMAL

Please turn in your request to the [Superintendent] OR [Director of Student Services] (Students)
or the [Superintendent] OR [Director of Human Resources] (Employees)

Student/Employee Name: _____ Date: _____

Parent or authorized representative name(s) and contact information (*please include email, phone number, and address*): _____

Building: _____

Type of service animal: _____

Name of service animal: _____ Name of handler: _____

Is the service animal required because of a disability: _____

What work or tasks is the service animal trained to perform: _____

Checklist for Completion of Form

Attached is documentation that the service animal is:

____ Properly licensed

____ Properly and currently vaccinated

I have read and understand the School District's policy regarding service animals and will abide by the terms of the policy.

I understand that if my service animal: is out of control and/or the animal's handler does not effectively control the animal's behavior; is not housebroken or the animal's presence or behavior fundamentally interferes in the functions of the School District; or behaves in a way that poses a direct threat to the health or safety of others, has a history of such behavior, or otherwise poses a direct threat to the health and safety of others that cannot be eliminated by reasonable modifications, the School District has the discretion to exclude or remove my service animal from its property.

I agree to be responsible for any and all damage to School District property, personal property, and any injuries to individuals caused by my service animal. I agree to indemnify, defend, and hold harmless the School District, its school board members, administrators, employees, and agents, from and against any and all claims, actions, suits, judgments, and demands brought by any party arising on account of, or in connection with, any activity of or damage caused by my service animal.

Superintendent/Administrator Signature: _____ Date: _____

Parent/Guardian Signature: _____ Date: _____

Employee Signature: _____ Date: _____

Note: This Registration/Agreement is valid until the end of the current school year. It must be renewed prior to the start of each subsequent school year or whenever a different service animal will be used.

**JORDAN DISTRICT SCHOOLS
POLICY**

Adopted: August 11, 2014

Revised: December 10th, 2018

825 ANIMALS ON SCHOOL PROPERTY

I. PURPOSE

The purpose of this policy is to define what animals are allowed on District #717 school property.

II. GENERAL STATEMENT OF POLICY

Due to health and air quality concerns, dogs, cats, rodents, rabbits, reptiles, fish, birds or exotic animals are not allowed in indoor spaces and at all outdoor events on school property, unless pre-arranged with the principal. The animal must be confined or on a leash and under adult supervision. Certified service animals will be permitted based on a student's disability as defined by Minn. Stat 28 C.F.R. § 35.136.

III. PROCEDURES FOR NON-CERTIFIED SERVICE ANIMALS

- A. For purposes of instruction, the teaching staff is encouraged to use alternative methods and avoid the use of live animals when possible.
- B. Request permission in writing from the building administrator by using form labeled Appendix A.
- C. Habitats must be cleaned regularly (including vacations and holidays) according to the guidelines associated with the particular animal. Waste must be disposed of properly (double bagged and immediately removed to outside dumpster).
- D. Locate animals and their habitats as far away from ventilation systems as possible to avoid circulating allergens.
- E. When approval has been given for an animal to be brought into a school, notification will be given to parents of the students who will be present. Upon notification of sensitivity by students or teacher, a classroom will be kept animal free, or the student/students with a sensitivity will be given an alternate activity to participate in outside of the classroom.
- F. If an administrator feels that the animals in the classroom are not in the best interest of the district, the animal must be removed from the classroom.
- G. Students and staff are not allowed to bring or keep animals in school without the permission of the building administrator.

- H. Animals are not allowed on buses.
- I. Animals used for the purposes of assisting individuals must be registered in the building office upon arrival.
- J. Animal use for administrative purposes is allowed.
- K. Organizations that may be approved for presentations may include, but are not limited to Critters & Co., Raptor Center, and Humane Society. Students with a sensitivity will be given an alternate activity to participate in outside of the classroom.
- L. Animals brought in for “show and tell” should be scheduled for fall or spring, thus permitting the viewing of these animals in an outside location of the school.

**Appendix A to Policy 825
Jordan District Schools
Request for Animals on School Property**

School _____ Date _____

Staff Person _____ Room # _____

Type of animal(s) to be used in classroom _____

Number of animals _____

Date animal is to be brought into classroom _____

Date animal is to be removed from classroom _____

Are animal's vaccinations up to date? Yes _____ No _____ N/A _____ *If no, animal will not be allowed into the building. Please attach proof of vaccinations.*

Who will be responsible for cleaning cages? _____

What is the educational purpose of having the animal in your classroom?

Request Approved _____ Denied _____

Site Administrator Signature _____ Date _____

AS DISTRICT POLICY STATE:

Use alternatives to animals if possible for purpose of instruction. Request in writing permission from the building administrator using form labeled Appendix A. Cages must be cleaned regularly (including vacations and holidays) and according to the guidelines associated with the particular animal. Dispose of waste properly (double bagged and removed immediately to outside dumpster). Locate animal habitats away from ventilation systems to avoid circulating allergens. Students sensitive to animals will be located away from animals and habitats. If an administrator feels that the animals in the classroom are not in the best interest of the district, the animal must be removed from the classroom. Students are not allowed to bring animals to school without the permission of the building administrator. Animals are not allowed on buses with the exception of service animals. Animals used for the purpose of assisting individuals must be registered in the building office upon arrival. Animals may be used for administrative purposes.

Staff Person Signature _____ Date _____