

Student and Parent Handbook

You've made the right choice! We understand families have many options when it comes to selecting a school for their children. We are so glad you chose Comfrey Public School. We look forward to providing the opportunities that allow our students to grow in many ways.

We are here to provide a positive environment for your students and to offer the best education possible, and we encourage you to be involved in the education of your children. Do not hesitate to visit with any of us.

Although Comfrey Public School welcomes parents who would like to come to visit, we have been entrusted with the safety of all students and therefore we require that all visitors, including parents and family members, stop first in the front office.

If a student needs to be reached, we ask that parents please check with the office to see if the child is able to be contacted.

We will contact the classroom teacher and arrange for a conversation at a convenient time. We are glad to convey messages or get information to students upon request.

Parents are expected to maintain the same decorum as students. All conversations with staff members and students need to be held in a respectful manner. Please call ahead for appointments as school staff members are busy during the entire day and cannot be expected to interrupt their duties with unannounced visitors.



District Vision and Mission

Vision Statement

We at Comfrey Public School envision a learning environment that offers a solid foundation of academics in a safe and enthusiastic atmosphere. We strive to nurture partnerships with the district students, staff and a supportive community. We are committed to excellence in education, individual involvement, lifelong learning and responsible citizenship for all.

Mission Statement

At Comfrey Public School, our mission is to develop the life skills needed for our students to be successful. We provide individual attention and involvement opportunities; emphasizing quality education, respect, integrity and accountability.

Sharing Your Concerns and Feedback

Comfrey Public school is committed to offering the best possible learning environment for our students, and we are also committed to positive relationships and effective communication with our families. We realize, however, that at times we may not meet all of your expectations. We welcome your feedback and encourage you to let us know if you have concerns.

- Share your concerns with the person most directly involved (i.e. classroom teacher, coach/activity advisor, etc.). Often misunderstandings occur due to misinformation or simple misunderstandings. Trying to solve these issues with the person directly involved is usually most effective.
- If a meeting with the teacher, coach, etc. does not resolve the issue, bring your concerns to the principal.

Our district is committed to continuous improvement, and we want your voice to be heard. We value your feedback.

Phone: 507-877-3491

Fax: 507-877-3492

<http://comfrey.mntm.org/>



School Hours

School Hours 8:15 – 3:11

Students may not enter the building until 7:50 and cannot stay after 4:00 unless they are supervised.

Period	Class Time
1	8:15-9:07
2	9:10-9:57
3	10:00-10:47
4	10:50-11:37
Lunch	12:18-12:48
5A	11:40-12:15
5B	12:51-1:31
6	1:34-2:21
7	2:24-3:11

Core Values

At Comfrey School we believe in:

- **Respect** – Understanding, being tolerant of differing opinions, acceptance and consideration in interpersonal relationships and respect for the environmental surroundings.
- **Honesty/Integrity** – Able to be relied upon to complete a task by being true to self and others.
- **Quality Education** – Preparing students for success through critical thinking, problem solving, life skills, innovation and technical capabilities.
- **Responsibility/Accountability** – Recognizing that all decisions and behaviors have consequences and having the ability to accept these consequences.

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Comfrey Staff and School Board

School Board

Pete Samuelson
Stacie Simon
Andrea Toll

Chair
Clerk
Treasurer

Brandon Anderson
Nathan Hesse
Gabe Hirsch

Director
Director
Director

Administration

Kirsten Hutchison
Kris Evers
Beth Griffis

Superintendent/Principal
Business Manager
Technology Coordinator

Teachers

Ms. Jana Neid
Ms. Jill Veerkamp
Ms. Sarah Palm
Ms. Kimberly Schideler
Ms. Beth Griffis
Ms. Tammy Hesse
Ms. Amy Lee
Mr. Dan Hup
Ms. Kathleen Penner
Ms. Katelynn Hirsch
Mr. Isaac Hildebrandt
Ms. Miranda Trebesch
Ms. Kristine Sellner
Ms. Tammi Samuelson

Kindergarten
First and Second Grade
School Readiness; Third and Fourth Grade
Third – Sixth Grade
Fourth – Sixth Grade
Special Education K-12
Music 1-12
Phy Ed/Health; Activities Director
Special Education
Mathematics 7-12
Social Studies 7-12
Science 7-12
Art 3-12; Computer Apps
Mental Health

School Calendar 2023-2024

- First day of school Staff—August 29
- Staff Development —August 30
- Open House – August 30 – 4-6 p.m.
- Labor Day—September 4 – No school
- First day with students—September 5
- Mid-term—October 4
- EdMn Conference—October 19-20
- End of 1st quarter—November 3
- Fall conferences—November 9—4-7 p.m.
- Early dismissal 12:05—November 22
- Thanksgiving—November 23-24—No school
- Mid-term 2nd quarter—December 6
- Early dismissal 12:05—December 22
- Winter Break—December 25-January 1
- School resumes—January 2
- End of semester—January 18
- Teacher In-service – January 19 – No School for students
- President’s Day—February 19—No school
- Mid-term 3rd quarter—February 21
- End of 3rd quarter—March 21
- Teacher In-service – March 22 – No School for students
- Spring Break—March 28-April 1
- Parent/Teacher Conferences – April 4 – 4-7 p.m.
- Mid-term 4th quarter—April 24
- Graduation—May 24—7:00 p.m.
- End of 4th quarter/Last day of school—May 31
- Teacher in-service—June 3

PLC Dates - Early release at 1:40

September 15, October 18, January 15, February 16, March 27, April 24, May 23.

Snow Days

Three snow days are built into the calendar. If not used, the school calendar may be reduced accordingly. If more than three snow days are used, the calendar will be adjusted at the school board’s discretion.

School Closings will be posted on the webpage as well as on WCCO, KSTP, KARE11, and KNUJ



Fee Schedule for 2023-2024

Music – Instrument Rent

Percussion--\$50.00

All other instruments—\$75.00

Additional fees may be charged for renting a second instrument.

Athletic Participation

9-12 - \$85.00

7-8 - \$65.00

Family Limit - \$475.00

Events

Adults \$7.00

Students \$5.00

Preschool Free

An all year athletic season pass may be purchased in the office.

Academics

Academic Options to Consider

PSEO	<ul style="list-style-type: none">• Earn credit towards graduation• Earn college credit at any college where PSEO coursework is taken• PSEO credit may transfer
Dual Credit	<ul style="list-style-type: none">• Art, Composition, and Math classes• May earn college credit through SMSU or Minnesota West• Experience and knowledge for potential job/career
Online	<ul style="list-style-type: none">• Offers opportunities for foreign languages and some electives• Contact Counseling Office for more information• Visit www.northernstaronline.org

PSEO

Post-Secondary Enrollment Options (PSEO) is a program sponsored by the state of Minnesota which allows students the opportunity to take college courses. Students in grades 10-12 have the opportunity to take college courses at eligible schools or online. Students must apply for and meet the admissions requirements of the post-secondary institution they wish to attend. (See counselor or administrator). All PSEO classes will be included in calculating the student's GPA.

Students must inform the school of their intention to enroll in PSEO courses by May 30. Students must inform administration of progress.

Online Learning

Online classes are offered only onsite. Students must be in the building during online classes. Remote learning and distance learning are not options for coursework or as an attendance option.

Dual Credit Courses

Several teachers have been approved to teach college level courses. Students who meet the requirements for these classes may take these classes to earn both high school and college credit.

Drop-Add Policy

Students who need to drop or add a subject have one (1) school day from the beginning of the year or semester to make the change. To drop or add a class a form signed by the student, classroom teacher(s), and a parent is necessary. Students who choose to drop PSEO classes or other online classes must drop them before the posted deadlines or they will be responsible for reimbursing the school district for any costs incurred related to the course.

Reports to Parents

Grades are calculated regularly and are posted online by teachers. Quarter are posted at the end of each quarter. **Students have one week to remove incompletes after which time the grade becomes a failing grade.**

Online access to grades

Teachers post student work and grades online, and parents can access these reports through JMC. Teachers will regularly update information on JMC. Should students have an individual concern regarding a grade, they should meet with the teacher before or after school to continue to support their own academic achievement. If parents have questions about grades after talking with their student, they should contact the teacher directly.

Earning a Comfrey Diploma



Academic Requirements

Subject	Required Credits (9-12)
Social Studies	3.5 credits
Math	3 credits
Science	3 credits
English	4 credits
Fine Arts	1 credit
PE/Health	1.5 Credits
Computer	1 credit
Electives	6 credits
Total Credits to Graduate	23 credits

Graduation Policy

Students who have completed an educational program as prescribed by the State of Minnesota, The Board of Education of District #81, Comfrey High School or a prescribed I.E.P. may participate in graduation exercises and receive a diploma. Students must have all materials turned in and work and grades completed 48 hours prior to commencement in order to participate in the commencement ceremony.

Grade Level Status

To be enrolled as a member of a particular class at Comfrey Public High School, a student must meet the following grade level credit requirements:

10th grade – Accumulation of 5 credits

11th grade – Accumulation of 11 credits

12th grade – Accumulation of 17 credits

School Records

The school has on file grades, attendance, standardized test scores, and discipline records. All records from Comfrey, as well as any other school attended, are included in this file. Original copies may not leave the office, but copies can be made upon request of a student, parent or guardian. There is a cost of 10 cents per page to cover costs.

A student may request that items be removed from the file. In the event that a student or their parent or guardian makes such a request, the person in charge of the record determines the outcome of the request. In the event that the request is denied, the decision may be appealed to the next highest school official and, ultimately, to the school board. Items may also be placed in the office student record provided that such items pertain to a student's work in school.

Student records, or any part thereof, cannot be transferred in writing or orally to any other place without the written consent of the student and the parent or guardian, with the exception of another public school in the state in which the student has already enrolled after transferring from this school. Students who are 18 years of age or older need not seek consent of their parents or guardian to exercise their rights of access or control of transfer of their records. All students' records will be treated in accordance with the provisions of Public Law 93-380, passed by Congress in 1974, and chapter 479 of the 1974 Session Laws of the State of Minnesota.

Records Release Forms

Juniors and Seniors wishing to have transcripts of their school record sent to vocational-technical schools, armed forces, potential employers, parents, etc., must sign a form authorizing the school to release this information. This release will be placed in the student's cumulative file.

Awards and Recognitions



Student Recognition

Comfrey School feels it is important to recognize students who stand out for exhibiting high quality work, positive behavior and effort. Each month one elementary student and one high school student will be selected as student of the month based on staff recommendations, using the following criteria:

1. Class performance
2. Attendance
3. Respect
4. Honesty/Integrity
5. Responsibility/Accountability
6. Work ethic



Academic Integrity

Comfrey school is committed to a policy of honesty, integrity, and respect. We expect that students do their own work without cheating, that they do not allow others to copy their work, and they do not plagiarize.

Depending on the severity of the offense, the number of offenses, and the impact on the curriculum, all students involved in an activity involving plagiarism or any other form of cheating may lose credit for a project or test or may lose class or course credit. According to MSHSL guidelines, the student will be ineligible for one MSHSL extracurricular event.

Honor Roll and Grade Point Average

Students in grades 7-12 are eligible for an "A" and "B" Honor Roll. Eligibility will be on a quarterly basis. Grade Point Average (GPA) will be calculated for seventh through twelfth grades using a 4-point numerical system. Pluses and minuses on report cards will affect the position on the Honor Roll and the GPA. The "B" Honor Roll will consist of students with a GPA of 3.0 and above, and the "A" Honor Roll will consist of students with a GPA of 3.6 and above.

Honor Students

Senior students attaining a 3.0 grade point average will be recognized as honor students at graduation. This cumulative GPA will be based on grades received in grades nine, ten, eleven and twelve and will be calculated prior to graduation. Students attaining a 3.6 GPA will be recognized as High Honor Students.

National Honor Society (NHS)

The National Honor Society is one of the nation's premier organization to recognize outstanding high school students. More than just honor roll, NHS serves to recognize those students who have demonstrated excellence in the areas of scholarship, service, leadership, and character. These characteristics are the hallmark of NHS beginning in 1921.

Selection of NHS Members

At the end of first semester each academic year the advisor requests a list of those students who are scholastically eligible for entry to the NHS. Those students are then given information about joining the NHS as well as access to the activity information forms and data sheets needed regarding service, leadership, and character. Students return these forms to the advisor who passes them along to the committee, established by the principal each year, for the purpose of review and selection of new members. If selected, the student, after reading the Chapter Bylaws decides whether or not to accept admission and all that entails. Those not selected are considered each year they are scholastically eligible.

Excused or Unexcused?

Excused Absences

The following are considered excused absences. These need to be verified at the time of the absence:

1. Illness
2. Absence caused by death in the immediate family—parents, siblings, and grandparents
3. Funeral
4. Participation in a school sponsored activity (co-curricular events, field trips)
5. Attendance at, but not as a participant in, a school sponsored activity (with pre-approval)
6. Medical/dental appointments
7. Court ordered appearances
8. Pre-approved college visits

Unexcused Absences

Any absence not excused by the school is considered an unexcused absence. Unexcused absences may result in additional consequences including loss of privileges, loss of eligibility to attend and/or participate in school events and activities, and other consequences as determined by school administration.

1. Truancy/skipping
2. Oversleeping
3. Hair appointments, picture appointments, nail appointments, tanning appointments
4. Work or other work-related activities
5. Other absences not defined as excused



*When you miss school, you miss classroom instruction and interaction.
You miss out on learning!*

Attendance

Learning experiences which take place in the classroom are an essential part of the child's education, and regular attendance is correlated to successful academic achievement. According to Minnesota compulsory attendance law, students are required by law to attend school on a regular basis. All reasonable efforts should be made by families to ensure that students are in school every student contact day. Each student, his /her parent or guardian, and the school share an obligation to encourage and ensure students' attendance.

The school is the arbiter of whether an absence is excused, exempt, or unexcused based on Minnesota Compulsory Attendance Law. If an absence is unexcused, credit for work missed may not be granted.



The age of majority in Minnesota is 18. All students, regardless of age, are required to follow the rules and regulations as set forth by the District 81 Board of Education and the administrators of Comfrey Public School.

Consequences of Non-Attendance – The parent may no longer be able to verify absence without school nurse approval or written medical verification.

Absences

1. A student will be considered absent when he/she is absent one or more periods.
2. In the case of an absence, parents/guardians must call (507-877-3491) the day of the absence before 8:00 a.m. to inform the school of the student's absence. If there is no phone call, the absence will be counted as unexcused until verification is received.
A phone call from a student does not meet the requirements of an excused absence.
3. A student is expected to make up work missed during an absence. For excused absences, students will receive full credit. For unexcused absences, students will receive half credit. A student or his/her parent/guardian is responsible for requesting information regarding make-up work no later than the day on which the student returns to school.
4. Students will be given two days for each day missed to complete assignments. Teachers have the discretion to modify this policy to respond to individual needs.
5. Excused absences shall be those caused by illness, injury or emergency or granted in advance by the principal for reasons of family or individual needs or convenience. All other absences shall be considered unexcused.
6. Any student who leaves school without permission from the off will receive an unexcused absence.

Consequences of Unexcused absences

1. The school will call the parent(s)/guardian(s) any time a student has an unverified absence. If the parent/guardian does not verify the absence, the absence will be counted as an unexcused absence.
2. Every time a student has an unexcused absence, the student will be ineligible for one extracurricular event/practice.

Truancy/ Educational Neglect Intervention Procedures:

1. After the student has had five (5) absences, the school will send a letter to the parents/guardians.
2. After a student has had seven (7) absences, the administrator will request a meeting with the student and the parent(s) to develop an attendance plan.
3. After the student (12 and older) has had seven (7) absences (excluding prior approval and medical visits), the school will send a referral to the County Attorney office requesting a truancy petition. The student and parent/guardian will be offered the opportunity to meet with the County Diversion team. This is a meeting to discuss issues related to the absences and develop a contract with the student/parent/guardian. If the family chooses not to attend the Diversion Meeting, or if absences continue, the matter will be referred to the County Attorney for children 12 and over or County Child Protection for children under 12 years old.
4. **If a student accumulates ten or more absences (excused and/or unexcused) from a course in a semester, the courses will be subject to credit denial.** Absences verified by a medical professional, long-term or chronic illness, funerals and pre-approved family trips will not be counted towards the ten-day excessive absence total. If a student exceeds the absence limit and credit is denied, a written request for a credit review may be submitted by the end of the semester to the principal's office. The request for credit review will be conducted by a committee of faculty members to determine if credit will be granted. Once a determination regarding the request for credit review is made, the student and parent will be notified of the decision. When a student reaches ten (10) absences, a letter will be sent to the parents with a statement that the student may be denied credit and information regarding the appeal process.

After five absences for appointments, students are required to submit a form verifying the appointment.

Tardiness

Students reporting to school late must report to the office to secure a pass to class. A tardy will turn to an absence when 20 minutes have passed after the class has begun. A student may be assigned lunch detention if they have excessive tardies. If a student refuses to attend lunch detention, parents will be notified and extra-curricular activities will be suspended until the detention is satisfied. Further refusal will result in ½ day of in-school suspension.

NOTE: A student will not be counted tardy if they 1) arrive with a pass from a staff member, or 2) arrive late on the school bus due to inclement weather.

Student Responsibilities

- Obtain an admit slip from the office upon returning from an absence.
- Request missed assignments, homework, etc. Complete make-up work within the time guidelines provided by the instructor.

Parent Responsibilities

- Ensure the student regularly attends school.
- Work cooperatively with the school and the student to solve attendance problems.
- CALL THE HIGH SCHOOL OFFICE at 507-877-3491. on or before the day of the absence and provide a reason why the student will be absent. In the event a parent/guardian does not call in to excuse the absence, the absence will become unexcused.

Student Activity Eligibility Regulations

Activities

Students are encouraged to participate in the activities offered by the school. Extracurricular activities include all sports as well as pep band. Pep band attendance is part of the band grade so coaches are asked to exempt students from athletic practices to attend scheduled pep band performances.

Students involved in activities regulated by the Minnesota State High School League are subject to all stipulations in the MSHSL policies. All students will be informed by the Activities Director the specifics of these regulations as well as updates when changes occur. All students are also subject to Comfrey School regulations surrounding participation in student extra-curricular activities both during the school day as well as after school. When an infraction of a school policy takes place, students must miss one major event in which the student is representing Comfrey, as determined by the administration in conjunction with the activity director, from whichever activity in which the student is involved that occurs first. Major events include, but are not limited to, Homecoming coronation/parade, prom, and Senior Trip.

Academic Eligibility and Restriction List

The criteria for academic eligibility is to maintain a grade of sixty-four percent (64%) or higher throughout each quarter of the school year. Students who do not sustain the criteria for academic eligibility will be placed on a Restricted List. The Restricted List is printed every Monday by 8:30 a.m. Should a student be placed on the Restricted List due to academic failure in a class, s/he will be ineligible for competition as long as his/her name is on the Restricted List for that class. While the student is on the Restricted List, s/he is not allowed to compete in any MSHSL activities.

A student will remain ineligible as long as her/his name is on the Restricted List. Before a student may return to competition, all teachers of that student must verify that the student is now passing. This will be verified by the restriction list and teacher confirmation, if necessary.

Disciplinary and Chemical Violation: In accordance with the MSHSL. (Signed form)

Social Media: Any information posted on social media sites such as Facebook, Snapchat, Instagram, etc. which shows/depicts a student violating a MSHSL policy is considered to be at the same level of accountability as information brought to the school by law enforcement. According to the MSHSL, "any evidence brought to the school's attention that a reasonable person could draw the same conclusion of a MSHSL violation being broken, then it becomes the burden for the student or family to present rebuttal information that the student has not committed a violation."

Students are expected to be in good academic standing in order to be eligible for activities/athletics.

Mid-term: If at Mid-term, a student is failing (F), he/she will be ineligible for all extra-curricular activities for one week. If after one (1) week, the student is still failing, he/she will remain ineligible until achieving a passing grade. Once a passing grade is achieved, the activities director must be notified by teacher and student. There is no maximum on how long the student may be ineligible.

Quarter/Semester: If at the end of a quarter or semester a student receives a failure (F) he/she will be ineligible to participate in activities or athletics for one (1) week. If there are no events following the week after the end of a term, the student will not be allowed to participate in his/her next event for the current or upcoming activity season (a season starting within one month of the term end as per MSHSL season dates). For all Fall sports, any student earning an F in the previous year's final term is ineligible for the first event, unless the consequence is served in a spring activity.

Students in grades 7 through 12 who have received failures for the quarter will not be eligible to participate in contests or events for a minimum of two (2) weeks or two (2) events, whichever is greater. For grades 8-12 fall sports, 4th quarter grades from the previous year will be used to determine eligibility.

A student must be in attendance **for the entire school day** in order to participate in an after-school activity unless an absence is required for a previously scheduled appointment. **Verification for these appointments must be turned in to the office.** If a student misses school time due to illness, he/she will not be eligible to participate in any form of after school activities. **Students removed from class for disciplinary reasons are not eligible to participate in after school activities on that day.**

Student Responsibilities

- Recognize that positive consequences are the result of positive choices.
- Recognize that the rights of others are as important as your own.
- Take responsibility for your own learning.
- Make up assignments missed when you're absent.
- Arrive in class on time, fully prepared to work and have all assignments completed.
- Use proper behavior and language at all times.
- Offer positive solutions to problems that may arise.
- Practice good sportsmanship and courtesy at all school activities.
- Take responsibility for keeping all school property clean and in good repair.
- Act courteously to adults and fellow students.

School Discipline Policy

Courtesy, punctuality, and compliance with school regulations are marks of good citizenship and will result in a positive educational experience. There are multiple levels of responsibility. The school board, administrators, and teachers are all responsible for providing a safe and healthy learning environment; parents are responsible for supporting the actions of students and school staff. All partners must act within the bounds of state statutes, state regulations and the provisions of this policy. Comfrey uses video monitoring equipment for surveillance.

The following behaviors are inappropriate and will be addressed by school staff:

- **Dangerous Threats:** Threats to normal school operations or school activities or individuals.
- **School Disruption:** Disturbing or interrupting the peace and good order of the school or school-sponsored activities.
- **Vandalism:** Damage to or destruction of school property or property of others by students.
- **Physical Assault:** An act that intentionally inflicts or attempts to inflict bodily harm upon another.
- **Public Displays of Affection (PDA):** Displays of affection that may be offensive to others. Examples of public displays of affection may include kissing in the school, excessive handholding, and other excessive physical displays of affection.
- **Insubordination:** Refusing to respond appropriately to a staff member's directive.
- **Bullying:** Any form of bullying as defined by Comfrey School District policy.
- **Violation of the Student Dress Code:** Dressing in a manner that interferes with the educational process. Inappropriate items include caps and other headgear, gang related clothing, excessively revealing clothing, clothing that could be interpreted as obscene, profane or that has sexual, racial or ethnic content or clothing that promotes tobacco, alcohol or drug use.
- **Theft:** The act of intentionally taking, using, transferring, concealing, or retaining possession of property of another without his/her consent with the intent to deprive the owner permanently of the property.
- **Verbal Assault:** Abusive, threatening, profane or obscene language either oral or written by a student toward a staff member or another student.
- **Terroristic Threats:** Threatening, directly or indirectly, to commit any crime of violence with the purpose of terrorizing another person.

Students found guilty of violating a state or federal law may forfeit their opportunity to represent Comfrey Public School in public performances and events including Prom and Commencement exercises.

Students who have demonstrated unacceptable citizenship in the school or community may forfeit their opportunity to participate in school activities or events. Examples include: acts of violence, acts of damage, offenses including drugs and alcohol. The administration will have the discretion of making the final decision.

Removal from class

If a student's behavior is found to be inappropriate, a Disciplinary Referral Form will be filled out by the staff member reporting the behavior. Disciplinary action may include a conference with a staff member, loss of school privileges, parent conference with school staff, modified school programs, removal from class, suspension, required counseling sessions, exclusion and expulsion. If in-school suspension is assigned as a consequence, the student's cell phone must be turned in to the office for the duration of the suspension.

Suspensions

Removal from class is the short-term exclusion of a student from class to address inappropriate behavior. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, assigning consequences, or contacting the student's parents. When these measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class. School policy establishes three mandatory grounds for removal from class.

- 1. Willful conduct which materially and substantially disrupts the right of others to an education.**
- 2. Willful conduct which endangers school district employees, the pupil or other pupils, or the property of the school.**
- 3. Willful violation of any rule of conduct specified in the disciplinary policy.**

The length of time of the removal from class shall be at the discretion of the administrator after consultation with the teacher, but shall not exceed three class periods. Students will be required to complete class work missed during the time of removal. Any student who is removed from class will be required to meet with the administrator and provide an explanation for the removal. The administrator will determine actions that need to be taken by the student before the student is allowed to return to class. This may require a meeting with the teacher, an apology, or a meeting with the student and parent.

Disciplinary Action

"Suspension" means an action taken by the school administration, under rules promulgated by the school board, prohibiting a pupil from attending school for a period of no more than ten (10) school days done in accordance with the Pupil Fair Dismissal Act of 2001. Students are expected to make up all classroom work during suspension, but may receive no more than 50% credit for the work.

The following shall be considered grounds for suspension of up to five (5) days:

- Insolence and insubordination
- Violation of the alcohol, tobacco, drug and marijuana rules
- Tampering with safety equipment, such as fire extinguishers and fire alarms
- Arson or attempting arson or use of fireworks
- Theft
- Vandalism
- Physical or verbal violence
- Terroristic threat
-

A teacher, school employee, school bus driver or other agent of a district may use reasonable force in compliance with MN Statute #121A.582 and other laws.

Bus Guidelines



Safety

According to the Minnesota School Bus Safety law, riding the school bus is a privilege, not a right. Students are expected to follow the same behavioral standards while riding school buses as are expected on school property or at school activities, functions or events. All school rules are in effect while a student is riding the bus or at the bus stop whether for regular daily transportation, extra-curricular activities, field trips or community education trips. In order to maintain a safe environment, students are expected to obey the driver at all times. Infractions will be addressed upon receiving a report from the bus driver.

Bus Passes

If a student plans to ride a different bus or be a guest on a bus, a handwritten note from a parent or guardian is required and must be given to the driver when the bus is boarded. If a note is not provided, the child will not be able to ride the bus.

School Bus and Bus Stop Rules

The school district school bus safety rules are to be posted on every bus. If these rules are broken, the school district's discipline procedures are to be followed. In most circumstances, consequences are progressive and may include suspension of bus privileges.

Rules at the Bus Stop

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

Rules on the Bus

- Immediately follow the directions of the driver.
- Sit in your seat facing forward.
- Talk quietly and use appropriate language.
- Keep all parts of your body inside the bus.
- Keep your arms, legs, and belongings to yourself.
- No fighting, harassment, intimidation, or horseplay.
- Do not throw any object.
- No eating, drinking, or use of alcohol, tobacco, or drugs.
- Do not bring any weapons or dangerous objects on the school bus.
- Do not damage the school bus.
- Do not stand in aisles or on seats while the bus is stopped or in motion.
- Students K-6 sit in front of the wheel well of the bus.
- Be respectful of other students and belongings.
- No flash photography or flashlights on evening routes will be allowed.

Conduct on School Buses

The school district's general student behavior rules are in effect for all students on school buses. Consequences for school bus/bus stop misconduct will be imposed by the school district under adopted administrative discipline procedures. Serious misconduct may be reported to local law enforcement.

Consequences

Decisions regarding a student's ability to ride the bus in connection with co-curricular and extracurricular events (for example, field trips or competitions) will be in the sole discretion of the school district. Parents or guardians will be notified of any suspension of bus privileges.

Elementary Students (K-6)

- 1st offense - warning
- 2nd offense - 3 school-day suspension from riding bus
- 3rd offense - 5 school-day suspension from riding bus
- 4th offense - 10 school-day suspension from riding the bus/parent meeting
- Further offenses will be individually considered. Students may be suspended for longer periods of time, including the remainder of the school year.

Secondary Students (7-12)

- 1st offense - warning
- 2nd offense - 5 school-day suspension from riding bus
- 3rd offense - 10 school-day suspension from riding bus
- 4th offense - 20 school-day suspension from riding the bus/parent meeting
- 5th offense - suspended from riding the bus for remainder of school year
- When any student goes 60 transportation days without a report, the student's consequences may start over at the first offense.

Other Discipline

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

Vandalism/Bus Damage

Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) within two weeks may result in the loss of bus privileges until damages are paid.

Criminal Conduct

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

The office may change transportation routes due to weather or road conditions.





Dress Code

The policy of the Comfrey 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).

- A. Appropriate clothing includes, **but is not limited to**, the following:
 - Clothing appropriate for the weather
 - Clothing that does not create a health or safety hazard
 - Clothing appropriate for the activity (i.e., physical education or the classroom)
- B. Inappropriate clothing includes, **but is not limited to**, the following:
 - Skimpy tank tops, tops that expose the midriff, and other clothing that is not in keeping with community standards
 - Off the shoulder shirts
 - Excessively short skirts and shorts in which the hem is more than six inches above the knee
 - Clothing bearing a message that is lewd, vulgar, or obscene
 - Apparel promoting products or activities that are illegal for use by minors
 - 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
 - Any apparel or footwear that would damage school property
- C. Hats are not allowed in the building except with the approval of the building principal. This includes caps, hats, and hoods, and other types of headgear. Hats are not allowed on dress-up days unless specific requirements are met.
- D. Outdoor coats/jackets may not be worn during the school day. Students should be prepared for cooler temperatures by keeping a sweater or sweatshirt in their locker.
- E. It is not the intention of this policy 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. Backpacks, book bags, etc. if used, are to be placed in the student's locker during the day. These items are not permitted in classrooms or the cafeteria.
- G. Students may be required to change jeans that have overly large or revealing holes. This decision is at the discretion of the administrator.

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 removed from class(es). The student may be sent home to change or parents/guardians will be notified and may bring appropriate clothing to the school. The student may return to class once clothing is changed to meet dress code guidelines.
- 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.

Parents and students should remember that the question of acceptability is left up to the teacher and administration.

Expectations

Cell Phones and Electronic Devices

Student usage of cell phones is limited to before and after school, between classes, and during lunch period. Cell phones and electronic devices may be used in class ONLY with teacher permission. Cell phones must be turned in to the office if serving in-school suspension. No videotaping or audio recording will be allowed at any time without permission. If devices are used inappropriately, cause a disruption in class, or are used without permission from the teacher, the student will be sent to the office to turn off their device and give it to office staff for the remainder of the day. Refusal to comply may result in loss of cell phone privileges or further disciplinary actions as determined by administration.

Backpacks cannot be brought into classrooms.

Food/Beverages in school

Pop and candy will not be allowed in the computer labs, library, study hall room, lockers, or classrooms. If students are observed with pop and/or candy or these items are found in lockers, these items will be confiscated.

Lockers

Student lockers are the property of the school and are subject to periodic inspection by administration when it is determined that there is a valid reason to do so. If items are lost from lockers that are unlocked, the school will not be held responsible. If students choose to have a lock on the locker, the office will need access. Students will be asked to remove offensive decorations if necessary.

Athletic Bags and Equipment

Athletic bags and equipment must be stored in the locker room or assigned lockers during the school day or during any events.

Public Display of Affection

Students are expected to refrain from intimate behavior including kissing and embracing whether consenting or not, and other inappropriate contact in the halls, classrooms, or school grounds. Staff may correct students if their behavior is not acceptable.

Adult Students

Under Chapter 529 of Minnesota State Statutes 1974 the conduct of all students under 21 years of age attending public secondary shall be governed by a reasonable rules and regulations promulgated by the local board of education. This means that all high school students are covered by the same rules at any school event on school premises or elsewhere as well as during the regular school day.

Procedures

Driving Cars

All students need to park in the school parking lot in an orderly manner. Seniors may park on the street on the side away from the building. Vehicles and bicycles are not to be driven or occupied in the school area during the school day.

Activity Buses/Student Transportation

All students should utilize the transportation which the school provides when going to an event. We ask that parents or legal guardians inform activity advisors and coaches either with a written note or orally when they are providing transportation for students to or from events.

Procedures for Leaving During the Day

Once the students enter the school, they are to remain in the school building until the end of the school day unless permission to leave the building is given by the office after communication with a parent/guardian. **This includes lunch and study hall.** Prior to leaving, a student must receive an out-of-school pass and must sign-out through the office. If the student is returning to school, he/she must sign in at the office.

Out of Building Permits

The school has a responsibility to know where all students are during school days. Therefore, we ask that students not leave the school building during the school day unless properly excused by the school office. Pupils who need a pass for appointments must obtain one in the office and return it to the office when the student returns to school.

Phone Calls

Passes will be given to use the telephone for emergency calls only during class. Non-emergency calls may be made during the noon hour. Parents and friends should not call during school hours unless there is a definite need for contact. Students will not be called out of class to take a phone call in the office.

Educational Visits

Seniors are allowed three (3) days and juniors one (1) day for college or vocational visits. Educational visit forms must be obtained from the counselor at least three (3) days prior to the visit and must be completed and returned to the counselor the day prior to the visit. Students must be in 'good academic standing' to be able to visit post-secondary institutions.

Testing

Most four-year colleges require an admission test (either ACT or SAT). To find out which tests are required, students should check the catalogues of the colleges to which they plan to apply. The ACT test is administered to any juniors who request the test in the spring of each year.

MCA tests in math, reading, and science will be given during the school year. Students in grades 3-8 and 10 will take the MCA reading test, and students in grades 3-8 and 11 will take the MCA in math. Students in grades 5, 7, 8 and 10 will take the science test. The MCA tests are designed to measure student achievement and also to compare assessment data between schools in Minnesota. View the testing schedule on the school website.

Students are expected to be respectful, responsible and safe. Positive behavior guidelines for the bus, hallways, the cafeteria, classrooms, the gym and the playground have been taught to students. Teachers and the administrator watch for examples of these positive behaviors and take the time to recognize positive actions when observed. Students are recognized in various ways for their contributions toward making the school environment a positive one.

Positive Behaviors

Classroom Treats

The Minnesota Department of Health has asked school districts to restrict home prepared foods as snacks in schools. This applies to homemade products, such as cakes, candies, cookies and the like. This restriction has been brought about because of changes in public health standards. A suggestion for treats, if you want to supply them on special occasions, might be commercially prepared foods. Please contact the school before you bring treats.

Parties and Dances

Students in grades 7-12 are encouraged to plan parties/dances. All school social events must be planned in coordination with the class advisor and chaperoned by at least two adults. Students who are not students at Comfrey will be allowed as guests at Comfrey school parties, provided they are signed up ahead of time. A guest at prom needs to be no older than 20 and no younger than 9th grade. Guests at other dances/parties need to be of school age between 7th and 12th grades. Once a student leaves, he/she will not be allowed to reenter. All parties are to end by 12:00 and are to be held on Friday or Saturday night or the last day of school for the week. School parties involving transportation away from Comfrey High School should be planned so that students are back at school by 12:00 a.m. (on a school night, 11:00 p.m.) All parents and supervisors are welcome to attend and observe any school sponsored event during the school year

Cell phones are to be turned off and away during the academic day. Such items are a temptation leading to theft as well as threats and harassment. If students are observed using their cell phone, they will be asked to put it away. In some instances, cell phones may be requested by a staff member. In this case, the student must surrender the cell phone to the staff member. Failure to follow this request will be considered insubordination and may result in disciplinary action. Persistent and continued use of these items after being warned may result in suspension.

Technology

Students must either use school distributed devices or have Hapara activated on their personal device.

Technology

- Students should have an opportunity to access technology resources and the Internet to facilitate learning and for educational and personal growth in the use of technology, resource sharing, information gathering and communication skills. Staff will blend thoughtful use of technology throughout the curriculum and will educate students about appropriate online behavior.
- The proper use of the Internet is the joint responsibility of students, parents and employees of the district. Our schools are required to attempt to block or filter Internet access to any visual depictions that are obscene or otherwise harmful to minors. We work with teachers, parents, and students to teach our students to be responsible while online. Outside of school, parents are responsible for monitoring their student's use of the district system and of the Internet.
- Comfrey Public School expects staff to provide thoughtful student use of the Internet throughout the curriculum and to provide students with guidance and instruction in its use. It is impossible to assure that staff can continually monitor each learner; therefore, it is important to emphasize the need for each student's cooperation to act responsibly. Students are expected to abide by the Comfrey Public School acceptable use rules and guidelines.
- Misuse of computer equipment or network; deletion or violation of password protected information, computer programs, data, passwords, or system files; inappropriate accessing of files, directories, Internet sites; deliberate contamination of system; and unethical use of information or violation of copyright laws is prohibited. It is expected that students will abide by the Acceptable Use Agreement. **Parents are expected to read and discuss this guideline with their child. Note: Severity of network intrusion could result in police and/or federal investigation.**
- Students shall use online resources or tools in connection with the teacher assignments in a positive and respectful manner. Any actions that may harass, discriminate or threaten the safety of others will be investigated. If a student receives a comment on any device used in school that makes him/her feel uncomfortable or is not respectful, he/she must report this to a teacher, and must not respond to the comment.
- A person is guilty of computer damage if the person intentionally and without authorization and with intent to injure or defraud alters any computer, computer system, computer network, computer software, or any other property specifically related to computers. Using District 81 computers to write vulgar or threatening messages is also prohibited. Behavior of this kind is subject to school disciplinary action and possible criminal prosecution under Minnesota Statute 609.893.
- A person is deemed as using unauthorized computer access if the person intentionally and without authority attempts to or does penetrate a computer security system. This would include the e-mail system for District 81 staff.

Emergency Procedures

Fire Drills

When the fire alarm sounds, all pupils, all teachers and all employees must leave the building according to the plan explained by teachers. Students move out to the walks along the street. The first one out of the building should go to the corners of the block to make room for the last ones out. There should be an opening directly in line with the doors so as not to interfere with the firefighters. The first drill will be announced ahead of time so that staff can discuss fire drill procedures with their class. The State Fire Marshall's office calls for an average of one fire drill per month with a minimum of five per year mandated.

Tornado Drill

In the case of a tornado warning or drill, students should move quickly and orderly to the designated interior location following the directions posted by the classroom door. Student should remain in this location until the "all clear" signal is given.

Bomb Threats

In case of a bomb threat, the school will be placed on lockdown and law enforcement will be contacted. Law enforcement will determine the safest way to address the situation whether that be remaining in lockdown or evacuating the building. If law enforcement recommends evacuation students will exit the building via the appropriate fire exit and proceed directly across the street to the south, east, or north. Once out of the building, students should proceed according to further instructions.

Hard Lock Down – Code Red

In the case of an internal or external threat:

- Students should be kept in classrooms. If the event takes place during passing time or lunch, students will be ushered into classrooms, the gym or any protected area that can be secured with a locked door.
- Lock all doors.
- Follow procedures described in emergency response manual.
- Do not evacuate if the fire alarm sounds.

Soft Lock Down – Code Yellow

- Lock doors.
- Keep students in the classroom. If this event happens during lunch or a passing period, gather as many students as possible and usher them into classrooms, the gym or other areas.
- Keep everyone in their assigned areas until the 'all clear' has been announced.

School Services

Announcements

Announcements will be posted throughout the school each day. They are also found on the school website. Information of importance regarding school activities will be given at this time. Students will be responsible for information provided. Students who prepare announcements must secure the approval of their activity advisors and the office. All announcements should be in the office by 8:20 a.m. of the day of publication.

Child Study Committee

The child study committee is utilized in working with those students identified as having behavioral problems or having a need for special education services. The procedures used involve early intervention by parents or guardians, the teaching staff, administration and all support personnel available within the school district as well as any outside professionals as needed.

Enrichment/Academic Support

Specific time will be set aside for seventh grade students and students who are not enrolled in band to provide academic support and academic enrichment. For a portion of each day, students will be assigned to a setting which will provide an opportunity to engage in work designed to enrich and support the academic work taking place in Comfrey School. This is NOT designed to be a study hall to complete work for other classes.

Inclement Weather

Any announcements of school closings will be posted on the website. KEYC, KSTP and KARE11 will also list the information. In addition, KNUJ radio will announce any closings.

Library

Students are encouraged to use the Comfrey library and will need a Comfrey Community Library card to check out materials. Students are reminded that the library is part of the school and as such all policies and expectations need to be followed.

Lost and Found

If a student loses any item of property, he/she should notify the office as soon as possible so that a notice can be posted. Should an item of property belonging to someone else be found, it should be turned in to the office immediately.

Pledge of Allegiance

Minnesota Statute 121A.11 mandates that students are made aware of this provision: "Anyone who does not wish to participate in reciting the pledge of allegiance for any personal reason may elect not to do so. Students must respect another person's right to make that choice."

Health and Wellness

The school district is committed to providing a healthy school environment that promotes and protects student health, well-being, and the opportunity to achieve and thrive by supporting healthy eating and physical activity. Our goal is to support a wellness policy designed to create smarter, happier students and a healthier community.

PLEASE NOTE: All food sold during the school day must meet federal health standards, which are designed to reduce sugar and expand nutritious options.

School Lunch

- Students in grades 7 through 11 are supervised under a closed lunch structure where they must remain in the cafeteria unless excused by the supervising staff. Students are not permitted to leave school grounds during this time.
- Students in grade 12 who are in good standing may eat in the student lounge. Students may have the privilege revoked if their conduct does not meet Student Expectations or they are not academically in good standing.



- **Food in classrooms is allowed only on special occasions with teacher permission and administrative approval.**
- **Water is allowed in classrooms and other building areas with teacher permission.**
- **Beverages that are not in clear or original containers may be checked at any time and may be confiscated. Teachers have the right to set classroom guidelines.**

Menu Planning

It is our hope that students will choose a variety of foods to create a healthy, well-balanced meal that they will eat. While school districts have some flexibility in what foods we offer to our students, we are required to plan menus in accordance with guidelines set by the United States Department of Agriculture (USDA).

Requirements for Lunch: 2 oz. meat/meat alternate daily; 1 cup (2 or more servings) fruit and/or vegetable daily; 8-12 servings of grains/bread weekly (Depending upon age of child); and 8 ounces milk daily.

Requirements for Breakfast: 8 ounces of milk daily; ½ cup fruit, vegetable, or juice daily; and either 2 grains/bread servings daily, or 1 grains/ bread serving and 1 ounce of meat/meat alternate.

We believe that nutritious meals are essential to helping students learn. Milk is included with each meal. Also available for purchase

are ala carte snack items. Please encourage your child to take a nutritious, well-balanced meal that includes fruits and vegetables.

Paying for Meals

Each child is assigned a Personal Identification Number (PIN) that is entered as they go through the meal line. All students are eligible for one breakfast and one lunch each day at no cost. Additional food items are available for purchase with cash or with funds from student lunch accounts. Parents will be notified when account balances are low.

Health

Health & Medication

- Minnesota State Law requires that all students show proof of immunizations before entering school. The school nurse keeps a record and will notify students when immunizations are due.
- Students who are injured should report to the school office. The school cannot diagnose, prescribe, or give treatment or medication, except in an emergency, without consent of parent/guardian. The school will refer serious injuries and illnesses to a medical doctor after contacting the parent for permission and cooperation.
- The school will administer medications only by written orders from a medical doctor co-signed by a parent or guardian. The medication must be in the original prescription container. Students shall not keep medication of any type in lockers or in their possession; medications must be brought to the office.
- Parents/guardians shall complete and return a health information card which will include pertinent health information and emergency telephone number(s).
- A student needing to be excused from physical education activity must have a written note signed by a parent, guardian or doctor.
- Extended excuses from physical education classes must be accompanied by a statement from a doctor.

Illness/Injury at School

When a student becomes ill or injured at school, they are evaluated by office staff. The parent/ guardian or designated emergency contact will be notified if the student needs to go home or if parent/ guardian consultation is required. If emergency care is needed, 911 will be called.

BLOODBORNE PATHOGENS

Blood borne pathogens are always a potential (HIV, HBV). If your student's clothes become bloodied at school, your child will not be permitted to remain with their class until clothes are changed. Parents may be called if there are no clothes available for them to change into.

When a Student Should Stay Home	When to Return to School	Illness
<ul style="list-style-type: none">• Severe colds, coughs, or sore throat• Eye infections, especially if mattery discharge is present• New skin rashes, especially if draining – unless medical opinion states that rash is not contagious• Temperature of 100* or more with or without symptoms of an illness• Nausea, vomiting, diarrhea, or abdominal pain• Any other sign of an acute illness• Until results of laboratory tests (i.e., throat cultures, nasal swab) are known.	<ul style="list-style-type: none">• Well enough to participate in normal school activities• Free of all symptoms for 24 hours (i.e. has not vomited, had diarrhea, abdominal pain in 24 hours)• Temperature remains normal for a 24-hour period without the use of fever reducing medication• On an antibiotic for at least 24 hours• Your health care provider provides a note stating that your child can return to school.	<p>If a child is thought to have a possible infectious disease, disease prevention and control guidelines will be followed. In some cases, a physician's note may be required for re-entry into school. Visits to the physician are at the parent's expense.</p>

SCHOOL HEALTH

Our school nurse is here for 4 hours/week. The nurse is here to promote and maintain the health and well-being of all students and empower all learners to reach their academic potential. This is done by:

- Promoting a healthy and safe school environment.
- Collaborating with parents, health care providers, and community partners.
- Identifying health related barriers to learning.
- Managing chronic health conditions.
- Developing individual health plans for students with significant health concerns.
- Reducing health related absences.
- Monitoring immunization status.
- Delegating and supervising first-aid care, medication administration, and health procedures
- Planning and implementing vision, hearing, color vision (2nd grade), and scoliosis screenings (5th and 6th grades) and referrals
- Providing health consultations and education to students, staff, and families
- Coordinating prevention and control of communicable disease

EMERGENCY SITUATIONS

- If a student requires emergency care (either due to illness or injury), school personnel will attempt to contact the parent, guardian, or other designated emergency contact.
- If parent or specified contact is unavailable, and the school nurse/school staff deems an ambulance is necessary, 911 will be called and the student will be transported at parent's expense.
- It is extremely important for parents to keep the school updated on current phone numbers for emergency purposes. Parents and guardians can update this information on the portal.

IMMUNIZATIONS

Immunizations required for kindergarten are the following:

- 5 DTP (diphtheria, tetanus, pertussis)
- 4 Polio
- 3 Hepatitis B
- 2 MMR (mumps, measles, rubella)
- 2 Varicella (or a statement from the physician regarding the history of chicken pox with the month and year listed)
- Hepatitis A is required for child care centers and preschools

Immunizations required for 7th grade also include a Tdap booster and Meningococcal vaccine. Immunizations for all students must be completed before the start of the school year and turned in to the school office. Transfer students have 30 days to complete missing immunizations. Students may be excluded from school until all immunizations are completed. If parents oppose immunizations, a medical or conscientious form provided by the school nurse must be signed by the parent, physician (if a medical exemption), or notary and filed with the school. Parents who choose the exemption need to understand that in case of a disease outbreak, their child may be excluded from school for a period of time.

MEDICATION

For the safety of students, it is recommended that medication be given at home whenever possible. If medication must be given during school hours, a Medication Authorization Form must be completed by your provider and accompany the medication. Medication must be brought to school in the original container or prescription bottle and labeled with:

- Name and strength of drug
- Dosage
- Time of administration
- Pharmacy name and number
- Child's name
- Name of physician

Medication should be brought to school by a parent/guardian or responsible adult. If there is medication remaining after treatment or at the end of the school year, please make arrangements for pick up. Ask your pharmacist to put the medication in two containers, one for school and one for home.

A new Authorization to Administer Medication form is required:

- When the dosage or time of administration is changed
- At the beginning of each school year
- If discontinued medication is restarted.

A doctor's note is needed if medication is discontinued during the school year.

Over the counter medication must be in the original container with dosing recommendations visible and accompanied by an Authorization to Administer Medication form signed by your physician.

It is the joint responsibility of the parent/guardian, student, and school personnel to see that the medication is given at the right time.

Students can carry prescription medication with them if they have written consent from parents **and** licensed health care provider. **This applies to inhalers, epipens, and diabetes medication.** The parent or guardian is responsible for maintaining the supply of all medications. The school district may revoke a student's privilege to possess and self administer these medications if the school district determines that the student is abusing the privilege.

Secondary students can carry over-the-counter non-prescription pain relievers that **do NOT** contain ephedrine if they have written consent from the parent/guardian and is on file in the school office. The privilege to self medicate can be revoked at anytime if unsafe use of medication is observed. This means that medication must be taken as prescribed and not shared with anyone else.

Medications that remain unclaimed will be destroyed at the end of the school year.

Rules regarding school administration of drugs and medicine are found in MN Statutes 121A.22, 121A.221, 121A.222, 121A.220.

LICE

"Head lice can be a nuisance but they have not been shown to spread disease. Personal hygiene or cleanliness in the home or school has nothing to do with getting head lice," as stated by the CDC. If live lice are seen, parents will be notified and asked treat their child. Mass screening at school will not be done. It is the responsibility of the parents to routinely check their child throughout the school year and notify the school if any lice are found. Due to confidentiality reasons, classroom notes will not be sent home regarding lice found in a particular class.

Head Lice, Fleas or Scabies: If a student is found to have head lice, fleas or scabies, parents will be notified. It is the expectation of the school that you and your student seek the appropriate medical attention immediately.

According to the CDC, “a concussion is a type of traumatic brain injury—or TBI—caused by a bump, blow, or jolt to the head or by a hit to the body that causes the head and brain to move rapidly back and forth. This sudden movement can cause the brain to bounce around or twist in the skull, creating chemical changes in the brain and sometimes stretching and damaging brain cells.” Signs and symptoms of a concussion include:

- Can’t recall events prior to or after a hit or fall.
- Appears dazed or stunned.
- Forgets an instruction, is confused about an assignment or position, or is unsure of the game, score, or opponent.
- Moves clumsily.
- Answers questions slowly.
- Loses consciousness (even briefly).
- Shows mood, behavior, or personality changes.
- Headache or “pressure” in head.
- Nausea or vomiting.
- Balance problems or dizziness, or double or blurry vision.
- Bothered by light or noise.
- Feeling sluggish, hazy, foggy, or groggy.
- Confusion, or concentration or memory problems.
- Just not “feeling right,” or “feeling down”.

If your child is diagnosed with a concussion, a note from the doctor should be brought to school regarding instructions on level of activity that your child should follow and when cleared to fully participate in all activities.

MANDATED REPORTING

The State of Minnesota has mandated that teachers who have knowledge of, or reasonable cause to believe that a child is being maltreated by parents or others, should immediately report such information to the local welfare agency, police department, or county sheriff.

It is the responsibility of the parent/ guardian to notify the appropriate school staff of any medical condition that may impact the health or safety of their child during the school day or in school activities. **Parents need to inform their Bus Company or after school programs including sports of any health concerns for their child.**

Parent/Guardian Guide to Statewide Testing

This document provides basic information to help parents/guardians make informed decisions that benefit their children, schools and communities.

Why statewide testing?

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

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

Why does participation matter?

A statewide assessment is just one measure of your student's achievement, but your student's participation is important to understand how effectively the education at your student's school is aligned to the academic standards. Students who do not participate will receive a score of "not proficient."

- Students who receive a college-ready score on the high school MCA are not required to take a remedial, noncredit course at a Minnesota State college or university in the corresponding subject area.
- Educators and policy makers use information from assessments to make decisions about resources and support provided.
- Parents and the general public use assessment information to compare schools and make decisions about where to purchase home or to enroll their children.
- School performance results that are publicly released and used by families and communities, are negatively impacted if students do not participate in assessments.

Academic Standards and Assessments

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

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

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

Why are these assessments effective?

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

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

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

Because test content represents the academic standards as completely as possible, preparing for and taking the assessments uses the very same knowledge, processes and strategies included in the standards.

Are there limits on local testing?

As stated in 120B.301, for students in grades 1-6, the cumulative total amount of time spent taking locally adopted districtwide or schoolwide assessments must not exceed 10 hours per school year. For students in grades 7-12, the cumulative total amount of time spent taking locally adopted districtwide or schoolwide assessments must not exceed 11 hours per school year.

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

Where do I get more information?

Students and families can find out more on our [Statewide Testing page](https://education.state.mn.us/Students%20and%20Families/Statewide%20Testing/) (education.state.mn.us > Students and Families > Statewide Testing).

When do students take the assessments?

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

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

When do I receive my student's results?

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

How much time is spent on testing?

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

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

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



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

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

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

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

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

Student's District/School _____ Grade _____

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

_____ I received information on statewide assessments and choose to opt my student out. MDE provides a *Parent/Guardian Guide to Statewide Testing* on the [MDE website](#) (Students and Families > Statewide Testing).

Reason for refusal:

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

_____ MCA/MTAS Reading MCA/MTAS Science

_____ MCA/MTAS Mathematics _____ ACCESS or Alternate ACCESS for ELLs

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

I understand that by signing this form, my student will receive a score of "not proficient" and he/she waives the opportunity to receive a college-ready score that could save time and money by not having to take remedial, noncredit courses at a Minnesota State college or university. My school and I may lose valuable information about how well my student is progressing academically. In addition, opting out may impact the school, district, and state's efforts to equitably distribute resources and support student learning.

Parent/Guardian Name (print) _____

Parent/Guardian Signature _____

To be completed by school or district staff only.

Student MARSS number _____

Comfrey School District Chromebook Use Agreement

Device Purpose

The Comfrey Public School District is supplying students with a Chromebook device. As a way of monitoring Chromebook use, the program Hapara has been installed on all devices.

Basic information about Comfrey's Chromebooks

1. This device is property of the Comfrey Public School District. The network is provided for students to conduct research, complete assignments, publish their work, and communicate with others.
2. The supplied device is an educational tool **not intended for gaming, social networking or high end computing. It is also not intended as a device for entertainment.**
3. Teachers and administrators have the right to set guidelines and requirements, monitor the use of Chromebooks and assign consequences for misuse. The following indicators of misuse are unacceptable at all times:
 - a. Attempting to block Hapara or refusing to reveal to a teacher/administrator how Chromebook is being used.
 - b. Refusing to submit Chromebook to teacher/administrator upon request.
 - c. Attempting to reopen tabs after they have been closed by a teacher/administrator.
 - d. Responding to Hapara or teacher controls in a disrespectful or defiant manner.
 - e. Posting anything inappropriate or disrespectful online.
4. Students are responsible for good behavior on school computer networks just as they are in a classroom or in a school hallway.
5. Network storage areas are similar to school lockers. Network administrators may review files and communications to maintain system integrity and ensure that the system is used responsibly. Users should not expect that files stored on District servers will always be private. Inappropriate material may be deleted by the administrator or technology coordinator.
6. **Access to the network is a privilege-not a right.**

Student Owned Devices

Student owned devices will be allowed (outside purchase instead of the district supplied device.)

1. Students who choose to bring their own personal device do not rescind the District's right to inspect the device at any time while on school district property.
2. Students **must have Hapara enabled** on their device. If they refuse, they will not be able to bring their own and will have to use the district's supplied device.
3. The Comfrey Public School District is not responsible for damage, loss, theft or IT issues of student owned devices.

Insurance

Comfrey Public School District requires that Chromebook insurance be purchased prior to distribution of the Chromebook to your child. The annual fee will be \$20 per device and must be paid when the student picks up their Chromebook.

Comfrey School District-Appropriate Use Policy Student-Internet Use Agreement

Internet resources can be valuable for a student's education. School Internet access is a privilege which may be authorized as well as withdrawn. Students are expected to be aware of and abide by the following:

1. Student Personal Safety

Personal contact information may not be entered on Internet sites open to public access. This includes student address, phone numbers and personal e-mail addresses.

2. Internet Use

Students may use school Internet access, including e-mail, only for teacher-directed educational activities and only when authorized.

3. Prohibited Computer and Device Uses

Students are strictly prohibited from:

- Accessing or creating files or materials without authorization
- Accessing storing or creating offensive, profane, or pornographic files/software/applications. This applies to all activity whether on or off school property.
- Using of Internet games, MUD (multi-user domains), IRCs or web chats
- Plagiarizing works or violating copyrights or trademarks
- Damaging, altering, or modifying hardware or software
- Attempting to bypass computer security
- Downloading and using non-approved software
- Using the internet to harm, defame, harass or otherwise cyberbully individuals
- Unauthorized use during class time
- Using the school district system to engage in any illegal act or violate any law
- Posting private information about another person, personal information about themselves, or other personally identifiable information
- Deleting any account information and passwords on file with the Comfrey School District
- Using the school district system for conducting business

4. Expectation of Privacy

Students do not have an expectation of privacy in files, disks, documents, e-mail, etc., which have been used or created with District equipment.

5. Disciplinary Actions

Disciplinary actions will be taken to meet the specific concerns related to violations of this agreement (e.g. loss of access to computers, suspension, law enforcement involvement, etc.).

Appendix

School Policies

Drug-Free School

Tobacco Free Environment

Student Discipline

Bullying Prohibition Policy

School Meals Policy

Internet Acceptable Use and Safety

418 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. Use or possession of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products, and controlled substances before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.
- B. A violation of this policy occurs when any student, teacher, administrator, other school district personnel, or member of the public uses or possesses alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, edible cannabinoid products, or controlled substances in any school location.
- C. An individual may not use or possess cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public school, as defined in Minnesota Statutes, section 120A.05, subdivisions 9, 11, and 13, including all facilities, whether owned, rented, or leased, and all vehicles that the school district owns, leases, rents, contracts for, or controls.
- D. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

III. DEFINITIONS

- A. "Alcohol" includes any alcoholic beverage containing more than one-half of one percent alcohol by volume.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code section 812, including analogues and look-alike drugs.
- C. "Edible cannabinoid product" means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug.
- D. "Nonintoxicating cannabinoid" means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed by injection, inhalation, ingestion, or by any other immediate means.
- E. "Medical cannabis" means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; (4) combustion with use of dried raw cannabis; or (5) any other method approved by the Commissioner of the Minnesota Department of Health ("Commissioner").
- F. "Possess" means to have on one's person, in one's effects, or in an area subject to one's control.

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

H. "Sell" means to sell, give away, barter, deliver, exchange, distribute or dispose of to another, or to manufacture; or to offer or agree to perform such an act, or to possess with intent to perform such an act.

I. "Toxic substances" includes: (1) glue, cement, aerosol paint, containing toluene, benzene, xylene, amyl nitrate, butyl nitrate, nitrous oxide, or containing other aromatic hydrocarbon solvents, but does not include glue, cement, or paint contained in a packaged kit for the construction of a model automobile, airplane, or similar item; (2) butane or a butane lighter; or (3) any similar substance declared to be toxic to the central nervous system and to have a potential for abuse, by a rule adopted by the Commissioner.

I. "Use" means to sell, buy, manufacture, distribute, dispense, be under the influence of, or consume in any manner, including, but not limited to, consumption by injection, inhalation, ingestion, or by any other immediate means.

IV. EXCEPTIONS

A. A violation of this policy does not occur when a person brings onto a school location, for such person's own use, a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.

B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minnesota Statutes section 624.701, subdivision 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).

C. A violation of this policy does not occur when a person uses or possesses a toxic substance unless they do so with the intent of inducing or intentionally aiding another in inducing intoxication, excitement, or stupefaction of the central nervous system, except under the direction and supervision of a medical doctor.

V. PROCEDURES

A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, must comply with the school district's student medication policy.

B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.

C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.

D. Employees are subject to the school district's drug and alcohol testing policies and procedures.

- E. Members of the public are not permitted to possess controlled substances, intoxicating cannabinoids, or edible cannabinoid products in a school location except with the express permission of the superintendent.
- F. No person is permitted to possess or use medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility. This prohibition includes (1) vaporizing or combusting medical cannabis on any form of public transportation where the vapor or smoke could be inhaled by a minor child or in any public place, including indoor or outdoor areas used by or open to the general public or place of employment; and (2) operating, navigating, or being in actual physical control of any motor vehicle or working on transportation property, equipment or facilities while under the influence of medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products.
- G. Possession of alcohol on school grounds pursuant to the exceptions of Minnesota Statutes section 624.701, subdivision 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

VI. SCHOOL PROGRAMS

- A. Starting in the 2026-2027 school year, the school district must implement a comprehensive education program on cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, for students in middle school and high school. The program must include instruction on the topics listed in Minnesota Statutes, section 120B.215, subdivision 1 and must:
 - 1. respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl; and
 - 2. refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, and treatment for a substance use disorder.
- B. School district efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with Minnesota Statutes, sections 120B.10 and 120B.11.
- C. Notwithstanding any law to the contrary, the school district shall have a procedure for a parent, a guardian, or an adult student 18 years of age or older to review the content of the instructional materials to be provided to a minor child or to an adult student pursuant to this article. The district must allow a parent or adult student to opt out of instruction under this article with no academic or other penalty for the student and must inform parents and adult students of this right to opt out.

VI. ENFORCEMENT

- A. Students
 - 1. Students may be required to participate in programs and activities that provide education against the use of alcohol, tobacco, marijuana, smokeless tobacco products, electronic cigarettes, and nonintoxicating cannabinoids, and edible cannabinoid products.
 - 2. Students may be referred to drug or alcohol assistance or rehabilitation programs; school based mental health services, mentoring and counseling, including early identification of mental health symptoms, drug use and violence and appropriate referral to direct individual or group counselling service. which may be provided by school based mental health services providers; and/or referral to law enforcement officials when appropriate.

3. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.

B. Employees

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

C. The Public

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

Legal References: Minn. Stat. § 120B.215 (Education on Cannabis Use and Substance Use)
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.40-§ 121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)
Minn. Stat. § 152.01, Subd. 15a (Definitions)
Minn. Stat. § 152.0264 (Cannabis Sale Crimes)
Minn. Stat. § 152.22, Subd. 6 (Definitions; Medical Cannabis)
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)
Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)
Minn. Stat. § 340A.101 (Definitions; Alcoholic Beverage)
Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)
Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)
Minn. Stat. § 342.09 (Personal Adult Use of Cannabis)
Minn. Stat. § 342.56 (Limitations)
Minn. Stat. § 609.684 (Abuse of Toxic Substances)
Minn. Stat. § 624.701 (Alcohol in Certain Buildings or Grounds)
20 U.S.C. § 7101-7122 (Student Support and Academic Enrichment Grants)
21 U.S.C. § 812 (Schedules of Controlled Substances)
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)
21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)
34 C.F.R. Part 84 (Government-Wide Requirements for Drug-Free Workplace)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 516 (Student Medication)

419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of

aerosol or vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.

- B. "Heated tobacco product" means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- D. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- E. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. "Vaping" means using an activated electronic delivery device or heated tobacco product.

IV. EXCEPTIONS

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

V. VAPING PREVENTION INSTRUCTION

- A. The school district must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The school district may use instructional materials based upon the Minnesota Department of Health's school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the school district's locally developed health standards.

[NOTE: In addition, school districts may choose to require (a) evidence-based vaping prevention instruction to students in grades 9 through 12; and/or (b) a peer-to-peer education program to provide vaping prevention instruction.]

VI. ENFORCEMENT

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

VII. DISSEMINATION OF POLICY

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

Legal References: Minn. Stat. § 120B.238 (Vaping Awareness and Prevention)
Minn. Stat. §§ 144.411-144.417 (Minnesota Clean Indoor Air Act)
Minn. Stat. § 609.685 (Sale of Tobacco to Persons Under Age 21)
2007 Minn. Laws Ch. 82 (Freedom to Breathe Act of 2007)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 506 (Student Discipline)

506 STUDENT DISCIPLINE

I. PURPOSE

The purpose of this policy is to ensure that students are aware of and comply with the school district's expectations for student conduct. Such compliance will enhance the school district's ability to maintain discipline and ensure that there is no interference with the educational process. The school district will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

II. GENERAL STATEMENT OF POLICY

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

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

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

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

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

III. DEFINITIONS

- A. "Nonexclusionary disciplinary policies and practices" means policies and practices that are alternatives to dismissing a pupil from school, including but not limited to evidence-based positive behavior interventions and supports, social and emotional services, school-linked mental health services, counseling services, social work services, academic screening for Title 1 services or reading interventions, and alternative education services. Nonexclusionary disciplinary policies and practices include but are not limited to the policies and practices under sections 120B.12; 121A.575, clauses (1) and (2); 121A.031, subdivision 4, paragraph (a), clause (1); 121A.61, subdivision 3, paragraph (r); and 122A.627, clause (3).
- B. "Pupil withdrawal agreement" means a verbal or written agreement between a school administrator or district administrator and a pupil's parent to withdraw a student from the school district to avoid expulsion or exclusion dismissal proceedings. The duration of the withdrawal agreement cannot be for more than a 12-month period.

IV. POLICY

- A. The school board must establish uniform criteria for dismissal and adopt written policies and rules to effectuate the purposes of the Minnesota Pupil Fair Dismissal Act. The policies must include nonexclusionary disciplinary policies and practices consistent with Minnesota Statutes, section 121A.41, subdivision 12, and must emphasize preventing dismissals through early detection of problems. The policies must be designed to address students' inappropriate behavior from recurring.
- B. The policies must recognize the continuing responsibility of the school for the education of the pupil during the dismissal period.
- C. The school is responsible for ensuring that alternative educational services, if the pupil wishes to take advantage of them, must be adequate to allow the pupil to make progress toward meeting the graduation standards adopted under Minnesota Statutes, section [120B.02](#) and help prepare the pupil for readmission in accordance with section Minnesota Statutes, section 121A.46, subdivision 5.
- D. For expulsion and exclusion dismissals and pupil withdrawal agreements as defined in Minnesota Statutes, section 121A.41, subdivision 13:
 - 1. for a pupil who remains enrolled in the school district or is awaiting enrollment in a new district, the school district's continuing responsibility includes reviewing the pupil's schoolwork and grades on a quarterly basis to ensure the pupil is on track for readmission with the pupil's peers. The school district must communicate on a regular basis with the pupil's parent or guardian to ensure that the pupil is completing the work assigned through the alternative educational services as defined in Minnesota Statutes, section 121A.41, subdivision 11. These services are required until the pupil enrolls in another school or returns to the same school;
 - 2. a pupil receiving school-based or school-linked mental health services in the school district under Minnesota Statutes, section 245.4889 continues to be eligible for those services until the pupil is enrolled in a new district; and
 - 3. the school district must provide to the pupil's parent or guardian information on accessing mental health services, including any free or sliding fee providers in the community. The information must also be posted on the school district website.

V. AREAS OF RESPONSIBILITY

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.
- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of Behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is

necessary under the circumstances to restrain a student to prevent imminent bodily harm or death to the student or another.

- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to restrain a student to prevent imminent bodily harm or death to the student or another.
- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student to prevent bodily harm or death to the student or another.
- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the behavior of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.
- I. Reasonable Force Reports
 - 1. The school district must report data on its use of any reasonable force used on a student with a disability to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c), as outlined in section 125A.0942, subdivision 3, paragraph (b).
 - 2. Beginning with the 2024-2025 school year, the school district must report annually by July 15, in a form and manner determined by the MDE Commissioner, data from the prior school year about any reasonable force used on a general education student to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c).
 - 3. 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.

VI. STUDENT RIGHTS

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

VII. STUDENT RESPONSIBILITIES

All students have the responsibility:

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

VIII. CODE OF STUDENT CONDUCT

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.
 - 1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such

- property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
2. The use of profanity or obscene language, or the possession of obscene materials;
 3. Gambling, including, but not limited to, playing a game of chance for stakes;
 4. Violation of the school district's Hazing Prohibition Policy;
 5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
 6. Violation of the school district's Student Attendance Policy;
 7. Opposition to authority using physical force or violence;
 8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;
 9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
 10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
 11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
 12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
 13. Violation of the school district's Weapons Policy;
 14. Violation of the school district's Violence Prevention Policy;
 15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
 16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
 17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
 18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
 19. Violation of any local, state, or federal law as appropriate;

20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Use of a cell phone in violation of the school district's Internet Acceptable Use and Safety Policy;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district's Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;

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

IX. RECESS AND OTHER BREAKS

- A. "Recess detention" means excluding or excessively delaying a student from participating in a scheduled recess period as a consequence for student behavior. Recess detention does not include, among other things, providing alternative recess at the student's choice.
- B. The school district is encouraged to ensure student access to structured breaks from the demands of school and to support teachers, principals, and other school staff in their efforts to use evidence-based approaches to reduce exclusionary forms of discipline.
- C. The school district must not use recess detention 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.
- D. The school district must not withhold recess from a student based on incomplete schoolwork.
- E. The school district must require school staff to make a reasonable attempt to notify a parent or guardian within 24 hours of using recess detention.

- F. The school 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.
- G. The school 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.

X. DISCIPLINARY ACTION OPTIONS

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

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

- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

XI. REMOVAL OF STUDENTS FROM CLASS

- A. The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

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

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

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

A student must be removed from class immediately if the student engages in assault or violent behavior. "Assault" is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict, bodily harm upon another.

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

C. Procedures for Removal of a Student From a Class.

If a teacher makes the decision that a student must be removed from class, the office will be contacted, and the student will be sent to the office;

2. The teacher will fill out a behavior form describing the incident. The administrator will meet with the student and will document the conversation with the student, add comments from

the behavior form to the documentation, and will create a full report of the situation which will be kept in the student's file..

D. Period of Time for which a Student may be Removed from a Class (may not exceed five (5) class periods for a violation of a rule of conduct)

1. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

E. Responsibility for and Custody of a Student Removed from Class.

1. Upon be instructed to leave a class, the student should go directly to the office;
2. The student will go independently to the office, and a phone call will be made to the office stating that the student is on his/her way;
3. There is no requirement that the student be accompanied, but the teacher may call the office and request that someone be sent up to accompany the student to the office;
4. The student will meet with the administrator as soon as he/she is available and the incident will be documented;
5. The student will stay in the office until the end of the class period. The administrator will discuss the length of the removal with the teacher after a full report has been completed.

F. Procedures for Return of a Student to a Specific Class from Which the Student was Removed.

1. Unless the teacher requests an extended removal period based on the severity of the infraction, the student will return to class the next class period;
2. The teacher may require a meeting with the student before readmission to class. This meeting may include administration and/or parents.

G. Procedures for Notifying a Student and the Student's Parents or Guardian of Violation of the Rules of Conduct and of Resulting Disciplinary Actions;

1. Parents will be notified by the administrator when a student is removed from class for more than one class period. Parents will be told what happened and what consequences have been assigned.
2. Parents will be informed if there is a need for a readmission plan and may request a meeting with the teacher. This request must be made through contact with the administrator.

H. Disabled Students; Special Provisions.

1. If a Disabled Student or student with Special Provisions is removed from class, special education staff will be informed and will work with the teacher and administration to determine the appropriate consequences and readmission plan;
2. Special education staff will work with administration to determine whether further assessment is needed or if other services are required.

XII. DISMISSAL

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

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

The school district shall not dismiss any student without attempting to use nonexclusionary disciplinary policies and procedures before dismissal proceedings or pupil withdrawal agreements, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

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

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

C. Disciplinary Dismissals 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 under Nonexclusionary discipline have been exhausted, and only in circumstances where there is an ongoing serious safety threat to the child or others.

D. Suspension Procedures

1. "Suspension" means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. School administration must allow a suspended pupil the opportunity to complete all school work assigned during the period of the pupil's suspension and to receive full credit for satisfactorily completing the assignments. The school principal or other person having administrative control of the school building or program is encouraged to designate a district or school employee as a liaison to work with the pupil's teachers to allow the suspended pupil to (1) receive timely course materials and other information, and (2) complete daily and weekly assignments and receive teachers' feedback.

3. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the student's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
4. The definition of suspension under Minnesota Statutes, section [121A.41, subdivision 10](#), does not apply to a student's dismissal from school for one school day or less, except as provided under federal law for a student with a disability. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
5. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6th) consecutive day of suspension or the tenth (10th) cumulative day of suspension has elapsed.
6. Alternative education services must be provided to a pupil who is suspended for more than five (5) consecutive school days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minnesota Statutes, section 123A.05 selected to allow the student to progress toward meeting graduation standards under Minnesota Statutes, section 120B.02, although in a different setting.
7. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.

8. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
 - a. strongly encourage a parent or guardian of the student to attend school with the student for one day;
 - b. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
 - c. petition the juvenile court that the student is in need of services under Minnesota Statutes chapter 260C.
9. 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.)
10. 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.
11. 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.
12. 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.

E. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56; describe the nonexclusionary disciplinary practices accorded the student in an attempt to avoid the expulsion proceedings; and inform

the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district must advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE) and is posted on its website.

6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing,

and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of the Minnesota Department of Education (Commissioner) of the basis and reason for the decision.

18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minnesota Statutes section 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

XIII. ADMISSION OR READMISSION PLAN

A school administrator 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. 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.

XIV. NOTIFICATION OF POLICY VIOLATIONS

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

In addition, the school district must report, through the MDE electronic reporting system, each exclusion or expulsion, each physical assault of a school district employee by a pupil, and each pupil withdrawal agreement within thirty (30) days of the effective date of the dismissal action, pupil withdrawal, or assault, to the MDE Commissioner. This report must include a statement of the nonexclusionary disciplinary practices, or other sanction, intervention, or resolution in response to the assault given to the pupil and the reason for, the effective date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the pupil's age, grade, gender, race, and special education status.

XV. STUDENT DISCIPLINE RECORDS

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

XVI. STUDENTS WITH DISABILITIES

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

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

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

XVII. OPEN ENROLLED STUDENTS

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minnesota Statutes section 124D.03) or Enrollment in Nonresident District (Minnesota Statutes section 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minnesota Statutes chapter 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of seventeen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

XVIII. DISCIPLINE COMPLAINT PROCEDURE

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.

The Discipline Complaint Procedure must, at a minimum:

1. provide procedures for communicating this policy including the ability for a parent to appeal a decision under Minnesota Statutes, section 121A.49 that contains explicit instructions for filing the complaint;
2. provide an opportunity for involved parties to submit additional information related to the complaint;
3. provide a procedure to begin to investigate complaints within three school days of receipt, and identify personnel who will manage the investigation and any resulting record and are responsible for keeping and regulating access to any record;
4. provide procedures for issuing a written determination to the complainant that addresses each allegation and contains findings and conclusions;
5. if the investigation finds the requirements of 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 staff with training, coaching, or other accountability practices to ensure appropriate compliance with policies in the future; and

6. prohibit reprisals or retaliation against any person who asserts, alleges, or reports a complaint, and provide procedures for applying appropriate consequences for a person who engages in reprisal or retaliation.

XIX. DISTRIBUTION OF POLICY

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

XX. REVIEW OF POLICY

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota Students)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.26 (School Preassessment Teams)
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. §§ 121A.60 (Definitions)
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
Minn. Stat. § 122A.42 (General Control of Schools)
Minn. Stat. § 123A.05 (State-Approved Alternative Program Organization)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 (School Boards' Approval to Enroll in Nonresident District; Exceptions)
Minn. Stat. Ch. 125A (Special Education and Special Programs)
Minn. Stat. § 152.22, Subd. 6 (Definitions)
Minn. Stat. § 152.23 (Limitations)
Minn. Stat. Ch. 260A (Truancy)
Minn. Stat. Ch. 260C (Juvenile Safety and Placement)
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Act)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

Cross References: MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)
MSBA/MASA Model Policy 501 (School Weapons)
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
MSBA/MASA Model Policy 503 (Student Attendance)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)

MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)
MSBA/MASA Model Policy 610 (Field Trips)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

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514 BULLYING PROHIBITION POLICY

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited:
1. on the school premises, at the school functions or activities, on the school transportation;
 2. by the use of electronic technology and communications on the school premises, during the school functions or activities, on the school transportation, or on the school computers, networks, forums, and mailing lists; or
 3. by use of electronic technology and communications off the school premises to the extent such use substantially and materially disrupts student learning or the school environment.
- B. A school-aged child who voluntarily participates in a public school activity, such as a cocurricular or extracurricular activity, is subject to the policy provisions applicable to the public school students participating in the activity.
- C. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources. This policy also applies to sexual exploitation.

D. 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.

Malicious and sadistic conduct and sexual exploitation by a school district or school staff member, independent contractor, or enrolled student against a staff member, independent contractor, or student that occurs as described in Article II.A above is prohibited.

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

F. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.

G. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.

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

I. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures, including the school district's discipline policy (See MSBA/MASA Model Policy 506). The school district may take into account the following factors:

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

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

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

Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from school district property and events.

J. The school district will act to investigate all complaints of bullying reported to the school district and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

III. DEFINITIONS

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

- A. "Bullying" means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:
1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
 2. materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

The term "bullying" specifically includes cyberbullying, malicious and sadistic conduct as defined in this policy, and sexual exploitation.

- B. "Cyberbullying" means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. "Intimidating, threatening, abusive, or harming conduct" means, but is not limited to, conduct that does the following:
1. Causes physical harm to a student or a student's property or causes a student to be in reasonable fear of harm to person or property;
 2. Under Minnesota common law, violates a student's reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or
 3. Is directed at any student or students, including those based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.
- E. "Malicious and sadistic conduct" means creating a hostile learning environment by acting with the intent to cause harm by intentionally injuring another without just cause or reason or engaging in extreme or excessive cruelty or delighting in cruelty.
- F. "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.

- G. "Prohibited conduct" means bullying, ~~or cyberbullying as defined in this policy,~~ malicious and sadistic conduct, sexual exploitation, or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about prohibited conduct. bullying.
- H. "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.
- I. "Student" means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

- A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.
- C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a third party designated by the school district shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.

- D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.
- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.
- F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.

- G. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. SCHOOL DISTRICT ACTION

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

VI. RETALIATION OR REPRISAL

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

VII. TRAINING AND EDUCATION

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

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

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

- 1. Engage all students in creating a safe and supportive school environment;

2. Partner with parents and other community members to develop and implement prevention and intervention programs;
 3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
 4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
 5. Teach students to advocate for themselves and others;
 6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
 7. Foster student collaborations that, in turn, foster a safe and supportive school climate.
- F. The school district may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
- G. The school district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (See MSBA/MASA Model Policy 515) in the student handbook.

VIII. NOTICE

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

IX. POLICY REVIEW

To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minnesota Statutes, sections

121A.031 [and 121A.0312](#) and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definitions)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.03 (Model Policy)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
[Minn. Stat. § 121A.0312 \(Malicious and Sadistic Conduct\)](#)
Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. Ch. 124E (Charter Schools)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
MSBA/MASA Model Policy 423 (Employee-Student Relationships)
MSBA/MASA Model Policy 501 (School Weapons Policy)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 507 (Corporal Punishment)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Policy)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

534 SCHOOL MEALS POLICY

I. PURPOSE

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the school district's nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy of the school district is to provide meals to students in a respectful manner and to maintain the dignity of students by prohibiting lunch shaming or otherwise ostracizing the student. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for a la carte items or second meals as well as to maintain the financial integrity of the school nutrition program.

II. PAYMENT OF MEALS

- A. All a la carte items or second meal purchases are to be prepaid before meal service begins. Families may add money to student accounts through electronic payment or by paying at the school office. A student who does not have sufficient funds will not be allowed to charge a la carte items or a second meal until additional money is deposited in the student's account.
- B. A school that participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage at or above the federal percentage determined for all meals to be reimbursed at the free rate must participate in the federal Community Eligibility Provision in order to participate in the free school meals program.
- C. Each school that participates in the free school meals program must:
 - (1) participate in the United States Department of Agriculture School Breakfast Program and the United States Department of Agriculture National School Lunch Program; and
 - (2) provide to all students at no cost up to two federally reimbursable meals per school day, with a maximum of one free breakfast and one free lunch.
- D. Once a meal has been placed on a student's tray or otherwise served to a student, the meal may not be subsequently withdrawn from the student by the cashier or other school official, whether or not the student has an outstanding meals balance.
- E. When a student has a negative account balance, the student will not be allowed to charge a snack item.
- F. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION

- A. The school district will make reasonable efforts to notify families when meal account balances are low or fall below zero.
- B. Families will be notified of an outstanding negative balance once the negative balance reaches \$0.

- C. Reminders for payment of outstanding student meal balances will not demean or stigmatize any student participating in the school lunch program, including, but not limited to, dumping meals, withdrawing a meal that has been served, announcing or listing students' names publicly, providing alternative meals not specifically related to dietary needs; providing nonreimbursable meals; or affixing stickers, stamps, or pins.

IV. UNPAID MEAL CHARGES

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free or reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances will be turned over to the superintendent or superintendent's designee for collection. In some instances, the school district does use a collection agency to collect unpaid school meal debts after reasonable efforts first have been made by the school district to collect the debt. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district will not impose any other restriction prohibited under Minnesota Statutes, section 123B.37 due to unpaid student meal balances. The school district will not limit a student's participation in any school activities, graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities or access to materials, technology, or other items provided to students due to an unpaid student meal balance.

V. COMMUNICATION OF POLICY

- A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:
 - 1. all households at or before the start of each school year;
 - 2. students and families who transfer into the school district, at the time of enrollment; and
 - 3. all school district personnel who are responsible for enforcing this policy.
- B. The school district will post this policy on the school district's website, or the website of the organization where the meal is served, in addition to providing the required written notification described above.
- C. If the school district contracts with a third party for its meal services, it will provide the vendor with its school meals policy. The school district will ensure that any third-party provider with whom the school district enters into either an original or modified contract after July 1, 2021, adheres to the school district's school meals policy.

Legal References: Minn. Stat. § 123B.37 (Prohibited Fees)
Minn. Stat. § 124D.111 (School Meals Policies; Lunch Aid; Food Service Accounting)
42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)
7 C.F.R. § 210 *et seq.* (School Lunch Program Regulations)
7 C.F.R. § 220.8 (School Breakfast Program Regulations)

USDA Policy Memorandum SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies (2016)
USDA Policy Memorandum SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments (2016)
USDA Policy Memorandum SP 23-2017, Unpaid Meal Charges: Guidance and Q&A

Cross References: None

524 INTERNET ACCEPTABLE USE AND SAFETY POLICY

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. LIMITED EDUCATIONAL PURPOSE

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

IV. USE OF SYSTEM IS A PRIVILEGE

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

V. UNACCEPTABLE USES

A. While not an exhaustive list, the following uses of the school district system and Internet resources or accounts are considered unacceptable:

1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit, or distribute:

- a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
 - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
 - d. information or materials that could cause damage or danger of disruption to the educational process;
 - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
 3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.
 4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
 5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.
 6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.
 - a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
 - b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
 - (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from

a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or

- (2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

In addition, prior to posting any personal contact or personally identifiable information on a school-related webpage, employees shall obtain written approval of the content of the postings from the building administrator.

- c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as "Facebook," "Twitter," "Instagram," "Snapchat," "TikTok," "Reddit," and similar websites or applications.
7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person's account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.
 8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
 9. Users will not use the school district system for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.
 10. Users will not use the school district system to engage in bullying or cyberbullying in violation of the school district's Bullying Prohibition Policy. This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.
- B. The school district has a special interest in regulating off-campus speech that materially disrupts classwork or involves substantial disorder or invasion of the rights of others. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations may include, but are not limited to, serious or severe bullying or harassment targeting particular individuals, threats aimed at teachers or other students, failure to follow rules concerning lessons, the writing of papers, the use of computers, or participation in other online school activities, and breaches of school security devices. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.
 - C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an

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

VI. FILTER

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

VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

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

VIII. LIMITED EXPECTATION OF PRIVACY

- A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.

- D. Parents may have the right at any time to investigate or review the contents of their child's files and e-mail files in accordance with the school district's Protection and Privacy of Pupil Records Policy. Parents have the right to request the termination of their child's individual account at any time.
- E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, school district employees should be aware that data and other materials in files maintained on the school district system may be subject to review, disclosure, or discovery under Minnesota Statutes chapter 13 (Minnesota Government Data Practices Act).
- F. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

IX. INTERNET USE AGREEMENT

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

X. LIMITATION ON SCHOOL DISTRICT LIABILITY

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

XI. USER NOTIFICATION

- A. All users shall be notified of the school district policies relating to Internet use.
- B. This notification shall include the following:
 - 1. Notification that Internet use is subject to compliance with school district policies.
 - 2. Disclaimers limiting the school district's liability relative to:
 - a. Information stored on school district diskettes, hard drives, or servers.
 - b. Information retrieved through school district computers, networks, or online resources.

- c. Personal property used to access school district computers, networks, or online resources.
 - d. Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
- 3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
- 4. Notification that, even though the school district may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
- 5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents.
- 6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by Public and Private Personnel Data Policy, and Protection and Privacy of Pupil Records Policy.
- 7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
- 8. Notification that all provisions of the acceptable use policy are subordinate to local, state, and federal laws.

XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

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

XIII. NOTIFICATION REGARDING TECHNOLOGY PROVIDERS

- A. "Technology provider" means a person who:
 - 1. contracts with the school district, as part of a one-to-one program or otherwise, to provide a school-issued device for student use; and

2. creates, receives, or maintains educational data pursuant or incidental to a contract with the school district.
- B. "Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
- C. Within 30 days of the start of each school year, the school district must give parents and students direct and timely notice, by United States mail, e-mail, or other direct form of communication, of any curriculum, testing, or assessment technology provider contract affecting a student's educational data. The notice must:
1. identify each curriculum, testing, or assessment technology provider with access to educational data;
 2. identify the educational data affected by the curriculum, testing, or assessment technology provider contract; and
 3. include information about the contract inspection and provide contact information for a school department to which a parent or student may direct questions or concerns regarding any program or activity that allows a curriculum, testing, or assessment technology provider to access a student's educational data.
- D. The school district must provide parents and students an opportunity to inspect a complete copy of any contract with a technology provider.
- E. A contract between a technology provider and the school district must include requirements to ensure appropriate security safeguards for educational data. The contract must require that:
1. the technology provider's employees or contractors have access to educational data only if authorized; and
 2. the technology provider's employees or contractors may be authorized to access educational data only if access is necessary to fulfill the official duties of the employee or contractor.
- F. All educational data created, received, maintained, or disseminated by a technology provider pursuant or incidental to a contract with a public educational agency or institution are not the technology provider's property.

XIV. SCHOOL-ISSUED DEVICES

- A. "School-issued device" means hardware or software that the school district, acting independently or with a technology provider, provides to an individual student for that student's dedicated personal use. A school-issued device includes a device issued through a one-to-one program.
- B. Except as provided in paragraph C, the school district or a technology provider must not electronically access or monitor:
1. any location-tracking feature of a school-issued device;
 2. any audio or visual receiving, transmitting, or recording feature of a school-issued device; or
 3. student interactions with a school-issued device, including but not limited to keystrokes and web-browsing activity.

- C. The school district or a technology provider may only engage in activities prohibited by paragraph B if:
1. the activity is limited to a noncommercial educational purpose for instruction, technical support, or exam-proctoring by school district employees, student teachers, staff contracted by the school district, a vendor, or the Minnesota Department of Education, and notice is provided in advance;
 2. the activity is permitted under a judicial warrant;
 3. the school district is notified or becomes aware that the device is missing or stolen;
 4. the activity is necessary to respond to an imminent threat to life or safety and the access is limited to that purpose;
 5. the activity is necessary to comply with federal or state law, including but not limited to Minnesota Statutes section 121A.031; or
 6. the activity is necessary to participate in federal or state funding programs, including but not limited to the E-Rate program.
- D. If the school district or a technology provider interacts with a school-issued device as provided in paragraph C, clause 4, it must, within 72 hours of the access, notify the student to whom the school-issued device was issued or that student's parent and provide a written description of the interaction, including which features of the device were accessed and a description of the threat. This notice is not required at any time when the notice itself would pose an imminent threat to life or safety, but must instead be given within 72 hours after that imminent threat has ceased.

XV. CELL PHONE USE

1. Students are prohibited from using cell phones and other electronic communication devices during the instructional day. Students also are prohibited from using a cell phone or other electronic communication device to engage in conduct prohibited by school district policies including, but not limited to, cheating, bullying, harassment, and malicious and sadistic conduct.
2. If the school district has a reasonable suspicion that a student has violated a school policy, rule, or law by use of a cell phone or other electronic communication device, the school district may search the device. The search of the device will be reasonably related in scope to the circumstances justifying the search.
3. Students who use an electronic communication device during the school day and/or in violation of school district policies may be subject to disciplinary action pursuant to the school district's discipline policy. In addition, a student's cell phone or electronic communication device may be confiscated by the school district and, if applicable, provided to law enforcement. Cell phones or other electronic communication devices that are confiscated and retained by the school district will be returned in accordance with school building procedures.

XVI. LIMIT ON SCREEN TIME FOR CHILDREN IN PRESCHOOL AND KINDERGARTEN

A child in a publicly funded preschool or kindergarten program may not use an individual-use screen, such as a tablet, smartphone, or other digital media, without engagement from a teacher or other students. This section does not apply to a child for whom the school has an individualized family service plan, an individualized education program, or a 504 plan in effect.

XVII. IMPLEMENTATION; POLICY REVIEW

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 124D.166 (Limit on Screen Time for Children in Preschool and Kindergarten)
Minn. Stat. § 125B.15 (Internet Access for Students)
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
15 U.S.C. § 6501 *et seq.* (Children’s Online Privacy Protection Act)
17 U.S.C. § 101 *et seq.* (Copyrights)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
47 U.S.C. § 254 (Children’s Internet Protection Act of 2000 (CIPA))
47 C.F.R. § 54.520 (FCC rules implementing CIPA)
Mahanoy Area Sch. Dist. v. B.L., 594 U.S. ___, 141 S. Ct. 2038 (2021)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969)
United States v. Amer. Library Assoc., 539 U.S. 194 (2003)
Sagehorn v. Indep. Sch. Dist. No. 728, 122 F.Supp.2d 842 (D. Minn. 2015)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, 894 F.Supp.2d 1128 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), *aff’d* on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee’s Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Grievance Procedures and Process)
MSBA/MASA Model Policy 603 (Curriculum Development)
MSBA/MASA Model Policy 604 (Instructional Curriculum)
MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)
MSBA/MASA Model Policy 806 (Crisis Management Policy)
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)