

# OVERVIEW OF STUDENT RIGHTS AND RESPONSIBILITIES (GR. K-12)

2016-2017 School Year

Independent School District 282  
St. Anthony-New Brighton Schools  
[www.stanthony.k12.mn.us](http://www.stanthony.k12.mn.us)

Dear St. Anthony-New Brighton Parents and Guardians,

Welcome to the 2015 - 2016 school year. A key component of our program is providing a safe and productive learning environment for students, staff, parents and visitors. Every two years, St. Anthony-New Brighton Schools updates their policies. In an effort to communicate district policy in a user-friendly form, St. Anthony-New Brighton publishes this handbook annually to explain student rights, responsibilities and consequences for misbehavior.

We encourage you to take time to review and discuss the information in this *Overview of Student Rights and Responsibilities* with your school-age children, then find a place to keep it for reference as necessary during the coming school year. Related school board policies are available upon request from the school offices and from the School Board link on the St. Anthony-New Brighton School District home page: [www.stanthony.k12.mn.us](http://www.stanthony.k12.mn.us). Teachers will also review parts of this handbook with students at the beginning of the school year.

Thank you for taking the time to become familiar with the important information in this handbook. If you have any questions, please contact your school principal.

Best wishes for an enjoyable and successful school year!

St. Anthony - New Brighton Administration

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**About This Handbook**

*This handbook includes an overview of District 282 policies, regulations and procedures about student rights and responsibilities. Those documents are periodically updated in response to changes in the law and other circumstances. If you have questions or would like more information about a specific issue, contact your school principal.*

# Student Rights

*The School Board recognizes that students are entitled to the civil liberties guaranteed all citizens. One of the primary goals of public education is to prepare students to successfully complete the transition from school into the general society in which they will live and to accept the responsibility commensurate with the rights and privileges that they have and those they will assume.*

*The district shall provide an environment in which students may exercise the rights and privileges of the society with its responsibility.*

*Students have the right to freely express ideas, verbally or in writing, within their school program. Responsible criticism and reasonable dissent are basic to the educational process. However, false statements, disruptive activities, threats, the use of obscenities, profanity or ridicule, and advocating violation of the law or school rules and regulations are unacceptable means of expression.*

*Students have the right to be safe and free from threatening situations on school property, at school activities, in district provided transportation and at school bus stops.*

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## **Harassment, Violence and Hazing**

District 282 is committed to maintaining an education and employment environment that is free from harassment and violence, and hazing on the grounds of gender, sexual orientation, race, religion, color, creed, national origin, marital status, disability, status with regard to public assistance or age. District 282 prohibits any form of harassment and violence, and hazing on the grounds of gender, race, religion, color, creed, national origin, marital status, disability, status with regard to public assistance, sexual orientation or age both on school premises, as well as off school premises, when it is related to or takes place during a school activity.

It is a violation of this policy, School Board Policy 413, for any District 282 personnel (including School Board members, district employees, agents, volunteers, contractors and/or other persons subject to the supervision and control of the district) or student to harass, threaten or ridicule an employee, student, visitor or other person through conduct or communication of a sexual nature or regarding gender, race, religion, color, creed, national origin, marital status, disability, status with regard to public assistance, sexual orientation or age as defined by this policy and supporting administrative regulations. It is a violation of this policy for any District 282 personnel or student to inflict, threaten to inflict or attempt to inflict violence based on gender, racial, religious, color, creed, national origin, marital status, disability, status with regard to public assistance, sexual orientation or age upon any employee, student, visitor or other person. It is a violation of this policy for any District 282 personnel or student to plan, direct, encourage, aid or engage in hazing. The district will act to investigate all complaints, either formal or informal, verbal or written, of gender, racial, religious, color, creed, national origin, marital status, disability, status with regard to public assistance, sexual orientation or age harassment or violence, or hazing, and to discipline or take appropriate action against any student, employee or other district personnel who is found to have violated this policy. District 282 has written procedures for

reporting and investigating all complaints of gender, racial, religious, color, creed, national origin, marital status, disability, status with regard to public assistance, sexual orientation or age harassment or violence, or hazing, provides for appropriate disciplinary action based on results of the investigation and communicates these procedures to district personnel and students. This policy does not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights, initiating civil action or seeking redress under state criminal statutes and/or federal law. Nothing in this policy shall preclude teaching about gender, racial, religious, color, creed, national origin, marital status, disability, status with regard to public assistance, sexual orientation or age issues as part of the school curriculum.

## **Sexual Harassment and Violence**

Sexual harassment is a form of gender discrimination that violates the United States Civil Rights Act and the Minnesota Human Rights Act. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually-motivated physical conduct, other verbal or physical conduct or communication of a sexual nature or that is demeaning or hostile to an individual based upon their gender, when:

- Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education;
- Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education, or
- That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile or offensive employment or education environment.

Sexual violence is a physical act of aggression or force or threat of aggression which involves the touching of another person's intimate parts, or forcing a person to touch any person's intimate parts.

Under certain circumstances, sexual harassment or sexual violence may constitute sexual abuse under Minnesota Statutes 609.341, subd. 10 to 609.345; 609.321 to 609.324 or 626.556, Reporting of Maltreatment of Minors. Nothing in this policy shall prohibit the district from taking immediate action to protect victims of alleged sexual abuse.

## **Harassment and Violence**

Harassment consists of physical or verbal conduct or communication that is demeaning or hostile to an individual's gender, race, religion, color, creed, national origin, marital status, disability, status with regard to public assistance, sexual orientation or age when the conduct:

- Has the purpose or effect of creating a demeaning or hostile employment or education environment;
- Has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance, or
- Otherwise adversely affects an individual's employment or education opportunities.

Gender, racial, religious, color, creed, national origin, marital status, disability, status with regard to public assistance, sexual orientation or age violence is a physical act of aggression or assault upon another because of or in a manner reasonably related to gender, race, religion, color, creed, national origin, marital status, disability, status with regard to public assistance, sexual orientation or age.

## **Hazing**

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

## **Prohibition of Bullying and Intimidation**

District 282 is committed to maintaining an environment free of bullying and intimidation (see School Board Policy 514). Bullying or intimidation means a pattern of conduct that substantially interferes with a student's educational benefits, opportunities or performance that occurs in school, on district property, in a district vehicle, at a school or district activity, at a school bus stop or at other locations that directly affect school programs or activities. Intimidation or bullying includes an intentional gesture or a written, verbal or physical act or threat that a reasonable person under the circumstances knows or should know has the effect of the

following:

- harming a student;
- damaging a student's property;
- placing a student in reasonable fear of harm to his or her person;
- placing a student in reasonable fear of damage to his or her property, or
- presenting a sufficiently severe, persistent or pervasive threat or action and creating an intimidating, threatening or abusive education environment for a student.

## **Anti-Discrimination**

District 282 complies with state and federal laws prohibiting discrimination, including Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1991 and the Minnesota Human Rights Act.

No person protected by these laws shall, on the grounds of race, color, creed, religion, national origin, gender, marital status, disability, status with regard to public assistance, sexual orientation or age, be excluded from participation in, be denied the benefits of or be otherwise subjected to discrimination under any educational program or activity operated by the district.

The superintendent develops and implements programs and processes to:

- Assure district compliance in educational programs, athletics, counseling, activities and facilities;
- Evaluate district operations in terms of applicable federal and state laws prohibiting discrimination;
- Set up a Title IX grievance process and appoint a district Title IX compliance officer, and
- Set up a Section 504 grievance process and appoint a Section 504 compliance officer.

Students are responsible for reporting to their principal any evidence of discrimination on the basis of race, color, creed, religion, national origin, gender, marital status, disability, status with regard to public assistance, sexual orientation or age in the district.

**Title IX Grievance Process** -- Any district student who believes himself or herself to be a victim of discrimination on the basis of gender in violation of Title IX may file a grievance in writing with the District 282 compliance officer (the superintendent) if not grievable by means of another

grievance procedure.

## **Special Education Services for Students**

In accordance with state and federal mandates, District 282 seeks out, assesses and appropriately serves students with disabilities. District staff use a comprehensive child study process to systematically screen, assess and, if appropriate, place students in special education services.

Students are entitled to a free appropriate public education in the “least restrictive environment” (usually the school the child would attend if the child did not have a disability). If you suspect your child has a disability, please contact your principal or special education director. Services are provided in the following areas:

- Specific learning disabilities (SLD)
- Developmental cognitive disability (DCD)
- Speech and language
- Psychological and emotional/behavioral disorders (EBD)
- Other Health Disabilities (OHD)
- Severely Mentally Impaired (SMI)
- Developmental adapted physical education (DAPE)
- Occupational therapy (OT)
- Physical therapy (PT)
- Hearing-, vision- and/or physically-impaired
- Autism Spectrum Disorder
- Early childhood special education (ECSE)
- You may request a copy of the *Notice of Procedural Safeguards* from your principal or download it from the Minnesota Department of Education:  
<http://education.state.mn.us/content/035725.pdf>

## **Section 504 Process for Students**

Section 504 is a federal law which prohibits discrimination against persons with a disabling condition in any program receiving federal financial assistance. The law defines a person with a disabling condition as anyone who:

- Has a mental or physical impairment, which substantially limits one or more major life activities;
- Has a record of such an impairment, or
- Is regarded as having such an impairment.

The district has specific responsibilities under the act, which include

identifying, reviewing and, if the child is determined to be eligible, affording access to appropriate educational accommodation.

## **Suspected Maltreatment of Minors**

School professionals are required to report suspected maltreatment of minors (evidence of child physical or sexual abuse, neglect, emotional maltreatment, mental injury, threatened injury or prenatal exposure to controlled substances; suspected neglect or abuse within the past three years, kidnapping or depriving another of custodial or parental rights). Any person who is required to report this evidence and who willfully fails to do so will be guilty of a misdemeanor. At the same time, any person who reports this evidence is immune from civil or criminal liability that otherwise might result from such action. The principal, teacher, school nurse, school counselor and/or other person who reports evidence may discuss the situation with the child or youth and emphasize that the school is not interested in accusing or punishing anyone, but rather is interested in helping ensure that the maltreatment does not continue. Upon receiving a report of suspected maltreatment of a minor, the employee making the report or the principal must call the proper authorities -- the Child Protection Unit of Hennepin, Ramsey or Anoka County Social Services, the local police department and/or the Minnesota Department of Education -- within 24 hours. A written report must be submitted to the above referred to authorities within seventy-two (72) hours after knowledge of the suspected maltreatment.

## **Student Interviews with Social Services and Law Enforcement Officials**

### ***In Cases Involving Child Abuse or Neglect . . .***

Each local social services and law enforcement agency has specific statutory authority to interview at school, without parental consent, the alleged victim and any other minors who currently reside with or who have resided with the alleged perpetrator.

When a local social services or law enforcement agency determines that an interview should take place on school property, written notification must be received by school officials before the interview.

Such notification shall include the name of the child to be interviewed, the purpose of the interview and a reference to the statutory authority to conduct an interview on school property. If the interview is to

be conducted by the local social services agency, the notification shall be signed by the Hennepin, Ramsey or Anoka County Social Services director or his or her designee.

The time, place and manner of the interview on school premises shall be within the discretion of the school administrator, but any such conditions must be reasonable and the interview must be conducted not more than 24 hours after receipt of the notification unless another time is agreed to between district officials and the local social services or law enforcement agency. Every effort shall be made to reduce disruption of the child's educational program, other students and school staff when an interview is conducted on school premises.

Interviews with students during school hours by county social services officials must follow these guidelines:

- Investigating officers must remain in the administration office;
- The interview must be conducted in a private room or area where confidentiality can be maintained;
- The local social services or law enforcement agency shall determine the people who may attend the interview, and
- District personnel should take no action in the investigative process.

School officials may not disclose to the child's parent, legal custodian or guardian the contents of the interview notification or any other related information regarding the interview until notified in writing by the local social services or law enforcement agency that the investigation or assessment has been concluded.

### ***In Cases Other Than Those Involving Child Abuse or Neglect . . .***

When a local social services and/or law enforcement agency gives notice of intention to conduct an interview on school property in connection with an investigation into alleged child abuse under the terms of state law, the district must cooperate. The district has no power to refuse to allow the interview to take place, to determine who will attend the interview or to determine who will be informed about the interview.

Other than in connection with an investigation into alleged child abuse, as described above, the administration will grant permission to social service officials to interview students only when the interview is to be held in a closed room away from the view of students and adults, and when prior

written permission has been received from the student's parent or guardian for the interview.

Other than in connection with an investigation into alleged child abuse, the administration will grant permission to law enforcement officials to interview a student regarding his or her alleged misbehavior or the alleged misbehavior of others on school grounds and/or during the school day only when the interview is to be held in a closed room away from the view of students and adults. In such a situation, the school administrator or law enforcement official shall attempt to inform the student's parent or guardian about the interview the same day it occurs.

Law enforcement officials will be allowed to interview students in school regarding their alleged misbehavior or the alleged misbehavior of others outside of the school day only when the interview is to be held in a closed room away from the view of students and adults. If the interview is in regards to the alleged misbehavior of others outside of the school day, the law enforcement official must receive prior permission from the student's parent or guardian to conduct the interview. Administration will grant permission to law enforcement officials to interview a student regarding his or her alleged misbehavior if it is in connection to a criminal investigation. The school administrator or law enforcement official shall attempt to inform the student's parent or guardian about the interview the same day it occurs.

A classroom teacher may never excuse a student at the request of a social services or law enforcement official unless this request has been checked out and approved by the appropriate school administrator.

School staff members shall neither request nor interfere with a law enforcement decision to remove a student from school for law enforcement purposes; however, reasonable efforts shall be made to inform a student's parent or guardian of the involvement of law enforcement. Law enforcement officers shall not be involved in an educational decision to remove a student from school as a disciplinary consequence.

## ***Safety and Security***

### ***At Each School***

- All visitors are asked to report to the school office when they arrive at school.
- All visitors are given a nametag or badge to wear while they are in the building.
- Staff must question people in the building whom they don't recognize and who are not wearing a nametag or badge, and to



- question people who are “hanging around” the building after hours.
- Students and staff are expected to immediately report to a teacher or administrator any suspicious behavior or situation that makes them uncomfortable.
- All outside doors are locked during the school day.
- Portions of the building that will not be needed after the regular school day are closed off.
- Safety and security information is included in newsletters and handbooks for students, staff and parent(s).

### **District Wide**

- All district employees are to wear photo-identification badges while in district schools and offices or on district property.
- All visitors are to wear identification badges in district buildings.
- Safety and security information is included in the *Overview of Student Rights and Responsibilities* handbook, and in staff and community publications.
- District 282 and each of its schools have emergency plans that are reviewed and, as appropriate, revised each year. Students are subject to discipline and referral to law enforcement for incidents of misconduct caught on videotape.

## **Protection and Privacy of Student Records**

### **Privacy Rights**

Educational records which identify or could be used to identify a student, other than directory information (see below), may not be released to members of the public without the written permission of the student’s parent or guardian, or the student if he or she is 18 years of age or older. This general rule is subject to specific and limited exceptions, which are described in School District Policy 515, Protection and Privacy of Student Records.

### **Directory Information**

“Directory information” includes a student’s name, parent’s name and telephone number, date and place of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, grade levels, degrees and awards received, the most recent previous educational agency or institution attended, school of attendance, photographs for school-approved publications, newspapers and

videotapes, and photographs for publication on school-approved Internet and World Wide Web pages.

Notice must be provided to the parents at the beginning of the school year relative to the designation of directory information.

Directory information may be released to the public without prior parent, guardian or student consent unless the parent, guardian or student (if the student is age 18 or older) has objected in writing to the release of one or more category(ies) of such information.

Parent(s), guardian(s) or students age 18 or older may object to the release of directory information by completing a form provided by the school. If filed, the denial of release of information will remain in effect until it is modified or rescinded by the parent, guardian or eligible student.

### **Inspection of Records**

Parent(s)/guardian(s) of a student, or a student who is age 18 or older, may request to inspect and review any of the student’s educational records except those which are, by state or federal law, made confidential.

The district will comply with the request immediately, if possible, and, if not, within 10 days exclusive of weekends and holidays.

Copies of records may be obtained upon written request. A copying and handling fee will be charged.

### **Challenge to Accuracy of Records**

A parent, guardian or student age 18 or older who believes that specific information in the student’s educational records is inaccurate, misleading, incomplete or violates the privacy or other rights of the student, may request that the district amend the record in question. Challenges may be made by written request submitted to the district office.

### **Special Education Records**

At the time of the student’s graduation or when the student reaches age 21, special education records are no longer needed to provide educational services to the child.

Requests for destruction of special education records can be made by:

- The graduated student, age 18 or older, or
- The non-graduated student, age 21 or older, or
- The parent or guardian of a 17-year-old or younger graduated student, or
- A person assigned guardianship of a former student with a

disability who is no longer eligible for special education services.

Special education records are defined as any records stored in the district's child study files that include a referral form and the subsequent steps of evaluation and/or assessment, including: raw data, any record of staffing and/or team meeting, and individualized educational plan (IEP), periodic review and annual review.

A former District 282 student (or the parent or guardian of such a student) who is the subject of special education data may request destruction of special education records by calling 612-706-1126 or writing to the director of special education. Former students who are in doubt as to whether they are subjects of special education data or want more information regarding destruction of data may call 612-706-1126.

### ***Transfer of Records to Other Schools***

District 282 forwards educational records of students to other schools and school districts in which a student seeks or intends to enroll upon request of that school or school district. A parent, guardian or student who is age 18 years or older may request and receive a copy of the records which are transferred and may, pursuant to policy, challenge the accuracy of the records. The district does not, however, notify parent(s), guardian(s) or students age 18 or older prior to such transfer.

### ***Types and Purposes of Data Gathering***

Educational programs administered by the district involve the submission by students of assignments, reports and the taking of tests. Information required to be submitted by students in connection with such reports, assignments and tests is private data under the terms of the Minnesota Government Data Practices Act, Minnesota Statute 13.01, et. seq. Such information is gathered and used as part of the educational process, in part to determine what the student is learning and what the student needs to learn.

There is no legal requirement that students submit such data, but their failure to do so will have a direct result upon grades which are measured by evaluating such information.

Such information is treated as private information and is not to be disclosed to third parties without permission of the parent(s) or guardian(s) of minor students or students age 18 or older.

The district maintains the information described above in its educational records.

There are two student record systems:

- **Cumulative records** gathered on all students in the regular education program, including group achievement and ability measures, interest inventories and other records, and logs and notes as appropriate; and
- **Child study records** gathered when direct and indirect services and programs are delivered to individual students, including individually administered achievement tests, sensory and motor function tests, intellectual measures and other records, and logs and notes as appropriate. Such services and programs include but are not limited to psychological services, special education services, Title I services, English-as-a-Second-Language services and Gifted and Talented services.

### ***Location of Records***

The educational records gathered on students are maintained in secure locations in district schools.

- **Cumulative records** are maintained in the school the student attends. When the student graduates or transfers out of District 282, the records are maintained at the school of last attendance for one year. After one year the records are moved to the District Office and archived.
- **Current child study records** are stored in the school the student attends. Historical child study records are transferred once per year to the District Office where they are archived. Questions may be addressed to the director of special education or to the principal of the school the student attends. Records are released to outside individuals or agencies only according to provisions in School District Policy 515, Protection and Privacy of Student Records. Parent(s), guardian(s) or students age 18 or older may request an opportunity to review records and/or receive copies of records according to provisions in School Board Policy 515.

### ***Complaints for Non-Compliance***

Parent(s), guardian(s) and students age 18 or older may submit written complaints of violation of rights accorded them by 20 USCA Section 1232(g) to the Family Educational and Privacy Act Office, U.S. Department of Education, Washington, DC 20201.

### ***For More Information***

This review of the data privacy rights of students, parent(s) and

guardian(s) in the educational records maintained by District 282 is intended only to be a summary of the provisions of School District Policy 904.7, and applicable state and federal law. The regulation is available on the district web site. Requests for copies of the regulation and questions should be addressed to:

Superintendent  
Independent School District 282  
3303 33<sup>rd</sup> Ave. NE  
St. Anthony, Minnesota 55418  
612-706-1000  
www.stanthony.k12.mn.us

### ***Protection of Pupil Rights Amendment***

The Protection of Pupil Rights Amendment (PPRA) gives students and parents rights regarding student surveys and other matters. PPRA, as revised by the No Child Left Behind (NCLB) Act of 2001 now requires the following:

Districts must directly notify parents and students each year of their rights under the law.

Districts must receive written consent of the parent or adult student before administering any student surveys funded by the United States Department of Education (USDOE) if the survey includes “protected” information regarding any of the following “protected” topics:

- Political affiliations or beliefs of the student or the student’s parents;
- Mental or psychological problem of the student or his or her family;
- Sexual behavior or attitudes;
- Illegal, antisocial, self-incriminating behavior;
- Critical appraisals of the student’s family;
- Privileged relationships recognized by law such as those with attorneys, physicians and ministers;
- Religious practices, affiliations, or beliefs of the student or his or her family, or
- Income (does not include requests for information used to determine eligibility in state and/or federal programs or for receiving financial assistance).

Parents have the right to notice, and an opportunity to “opt out” of any of the following:

- A survey not funded by the USDOE that includes one or more of the “protected” topics;
- Activities involving the collection, disclosure or use of personal information obtained from students for the purpose of marketing, selling or otherwise distributing said information to others, or
- Any non-emergency invasive physical exams or screenings that are required for attendance, administered and scheduled by the school in advance, and not necessary to protect the immediate safety of the student or other students, except for hearing, vision, or scoliosis screenings, or others as permitted or required by state law.

Parents and eligible students have the right to inspect certain materials prior to a district participating in a survey. A request to inspect materials can be made to the building principal. Available for review will be:

- Surveys that seek information about the protected topics;
- Documents and instruments used to collect personal information from students if used in marketing, sales or distribution to others, and
- Instructional materials used as part of the educational curriculum or as part of student surveys conducted under sections listed above.

Parents and eligible students can report violations of the PPRA by contacting the United States Department of Education Policy Compliance Office, 400 Maryland Avenue SW, Washington DC 20202-4605.

Collection, protection and use of data obtained from students is governed by District Policy 515 (Student Records) and corresponding administrative regulations.

### ***Patriotic Exercise***

Student appreciation and understanding of the United States of America, the American heritage and democratic ideals are enhanced by ceremonies and other observances. The Pledge of Allegiance shall be said at every school and schools shall regularly involve students in activities and programs to increase student understanding of the United States of America and its heritage. In accordance with the law, individuals who wish to opt out of saying the Pledge of Allegiance or participation in patriotic exercises due to personal beliefs will be permitted to do so.

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## Student Responsibilities

*Student responsibilities include: conscientious effort in school work and activities; respect for the rights of other students, staff and visitors; and adherence to and cooperation in upholding local, state and federal laws, and district and school policies, rules and regulations. Most of all, students share with the administration and staff, the responsibility of establishing and maintaining a safe, stimulating and productive learning environment.*

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### Student Attendance

A major student responsibility at all grade levels is regular attendance. Many studies correlate regular attendance with success in school. Regular attendance means that the academic learning process is not interrupted, less time is spent on make-up assignments, and students benefit from participation and interaction with others in class. State law requires every child between seven and 17 years of age to receive instruction. Students with excessive absences will be considered truant. Establishing a pattern of good attendance will benefit the student in school and in the workplace. It is the responsibility of each student and parent to see that the student attends and arrives on time everyday school is in session. The district has established more detailed guidelines for high school and middle school student attendance, as follows.

#### Middle School/High School Student Attendance

**Expectation** - With the exception of school-authorized and excused absences, middle and high school students are expected to attend class every day.

#### Participation in Extra or Co-curricular activities

Middle School: To participate in co-curricular or extra-curricular activities students must be in school by 12:00 p.m. on the day of the event.

High School: To participate in co-curricular or extra-curricular activities students must be in school for every class on the day of the event.

#### Attendance Numbers:

Middle School: 612-706-1034

High School: 612-706-1108

**Types of Absences** – There are two types:

**1. Excused absence:** Any absence that is approved by both the school and

the parent/guardian is an excused absence. If the parent approves the absence but the school does not, the absence will be considered unexcused. Examples are doctor's appointments, college visits, court appointments, religious holidays, legitimate illness or emergency. Notes are required from the doctor's office to excuse absences due to doctor appointments. Notes from the parents stating that the student has an appointment will not be accepted without the note from the doctor's office.

*Missed academic work for excused absences:*

**High school:** Missed academic work may be completed; the student will have two days of time to make up missed work for each day of absence.

**Middle School:** A student shall be allowed two school days for the first day absent and one day for each additional day missed to make up work and receive full credit. School work not turned into the teacher within the guidelines will result in the assignment receiving a lower grade or no credit. In the case of a prolonged excused absence, a deadline shall be mutually agreed upon by the teacher, student and, if necessary, the principal or counselor. A daily participating grade based upon attendance may be part of courses offered at St. Anthony Middle School.

**2. Unexcused absence.** Any absence that is not approved by both the school and the parent/guardian is an unexcused absence.

*Missed academic work for unexcused absences:*

**High School/Middle School:** Missed academic work will be recorded as a zero, with no credit given for the period or days absent. With each unexcused absence the student's grade will be dropped by 1/3 letter grade and cannot be made up. If a student has five unexcused absences in a class during the same semester they

will fail that class.

### **Tardy**

Tardies are defined as being late to class without a pass.

*High School:* An unexcused tardy to school of 15 minutes or more is an unexcused absence. Three unexcused tardies equal an unexcused absence. Detention can be served to “buy back” a tardy for a single class. It is the student’s responsibility to serve the detention or they can suffer the grade reduction.

*Middle School:* Students who arrive late to school should go directly to the Middle School Office. If they arrive late without an acceptable written excuse signed by a parent/guardian OR if the school has not received a phone call explaining their tardiness, they will be marked tardy (unexcused). Oversleeping is never an excused tardy. Consequences for tardies to class will be determined by the grade level teams. An unexcused tardy of 15 minutes or more is an unexcused absence and three unexcused tardies equals an unexcused absence.

### **Truancy**

In cases where a pattern of excessive absences has been established, the school may respond with any of the following: a warning letter, contact by the school nurse or counselor and an attendance contract. If a student is absent ten (10) or more school days in a given year, a doctor’s note may be required to excuse future absences. In cases of excessive unexcused absences and tardies to school, a truancy report will be filed with the county attorney.

## **Student Fees and Fines**

Fees may be charged in areas considered to be co-curricular, supplementary to the education requirements for graduation or otherwise permitted by state law.

Schools shall charge students for lost or damaged/destroyed books, materials, supplies and equipment which are owned by the district; including damage to school buses. Schools will fine student for parking violations on school property.

See Appendix A for a list of fees and fines.

## **Student Behavior and Discipline**

Behavior is a student’s demeanor and conduct in relation to:

- Treatment of other people;
- Care for property;
- Responsibility for personal possessions, and
- Accountability for own actions.

Students are expected to behave in accordance with federal, state and local laws and rules; and district and school policies, rules and regulations, and athletic and activities rules and regulation; and in a way that respects the rights and safety of others. Staff will take corrective action to discipline a student and/or to modify a student’s behavior when a student’s behavior does not fall within these parameters.

School staff will report suspected criminal misconduct by a student to law enforcement. Law enforcement officers shall be permitted to carry out necessary law enforcement functions in the schools, including the removal of a student from school grounds in appropriate circumstances.

Actions which may be used by staff to discipline students and/or encourage them to modify their behavior include but are not limited to: discipline slips, loss of privileges, student conference, parent or guardian notification, parent or guardian conference, fine, restitution, detention, removal from class, in-school suspension, dismissal from school, out-of-school suspension, exclusion, expulsion, referral to law enforcement authorities and recommendation of alternative community services.

### **Discipline:**

- Sets behavioral limits and guidelines to lead students to and through adulthood;
- Develops individual respect for law, authority, property, and the rights of others and self, and
- Develops a mature individual capable of self-control and direction.

Disciplinary efforts are to be as positive as possible, and are to include recognizing and strengthening appropriate behavior. Every student and employee in District 282 is entitled to learn and work in a safe school environment. Therefore, the district is responsible for making reasonable rules and regulations governing student behavior and conduct, and maintaining proper control and discipline. To ensure this, it is important that the district establish and communicate clear student behavior expectations and support these expectations with appropriate consequences that are applied consistently.

Some additional district guidelines on student behavior and discipline include the following:

**Victims** -- When an incident occurs in which one or more students have been physically or emotionally harmed by the misbehavior of another student(s), district staff shall be sensitive to the need to provide support to the victim(s) and to inform their parent(s) or guardian(s) about the incident.

**Physical Restraint** -- In certain instances, it becomes necessary for staff to use physical restraint to provide a safe environment for students.

Reasonable force will be used on a student without her or his consent when used by an administrator, teacher or other staff member in the exercise of lawful authority to restrain or correct such a student. Special care will be taken with students with disabilities to follow any guidelines for physical restraint, which may be written into their individual education plan (IEP).

**Physical restraint** may be used by staff members:

- To quell a disturbance threatening injury to others;
- To obtain possession of weapons or other dangerous objects upon the person or within the control of a student;
- For self-defense;
- To protect other persons and/or property;
- To direct the movement or actions of a student to avoid undue or deliberate disruption of the classroom or other parts of the school, or
- To protect an individual from his or her own actions.

Such acts shall not be construed to constitute corporal punishment within the meaning and intent of this policy.

## ***Student Behavior Expectations and Consequences for Misbehavior***

The consequences for misbehavior are designed to be fair, firm and consistent for all students in District 282. They apply to K-12, and early childhood students in any school or other district building, on district property, in district provided transportation, at school bus stops, and at school or district events. Because it is not possible to list every misbehavior that occurs, misbehaviors not included here will be responded to as necessary by staff. Minor misbehaviors are dealt with by bus drivers, chaperones, classroom teachers, counselors, administrators and other appropriate district staff.

- Cheating, lying, plagiarism, copyright violations, and other “academic” misbehaviors will result in the student receiving a zero

grade for the offense. The parents may question the decision by meeting with the teacher and the principal. If the teacher and principal decide that the zero grade is appropriate, their decision may be appealed to the Superintendent within five (5) days. The Superintendent will then conduct a hearing. If the grade of zero is affirmed, the parents and student may appeal the Superintendent’s decision to the School Board. At a closed meeting, the School Board shall review all of the documented evidence and shall make a final decision.

- High school students participating in co-curricular activities will also be expected to abide by the bylaws of the Minnesota State High School League, regardless of whether the particular activity is sponsored by the League.

In addition to the consequences detailed in this handbook, a school or the Transportation Department may respond to student misbehavior in a variety of ways which include, but are not limited to: dismissal from school, removal from class, reports to probation services, criminal reports, community service, fines, loss of driving and parking privileges (at the high school level), and chemical evaluation.

Administrators may involve law enforcement authorities as necessary. If a student violates a district policy or regulation, which is also a violation of a law, the student will be referred to the police in addition to being dealt with as described here. In accordance with state law, administrators will refer to the juvenile delinquency or criminal justice system any student who brings a firearm to school unlawfully. School staff members shall not interfere with a law enforcement decision to remove a student from school for law enforcement purposes; however, reasonable efforts shall be made to inform a student’s parent or guardian of the involvement of law enforcement. Law enforcement officers shall not be involved in an educational decision to remove a student from school as a disciplinary consequence.

## **Consequences**

For each misbehavior described in the following charts, there are specific consequences for first, second, third and fourth violations. The definitions of those consequences, and other consequences for misbehavior, are as follows:

“★” (**middle school**) -- Student conference and/or parent/guardian notification; may include, but is not limited to parent conference, restitution, detention and up to one day out-of-school suspension.

“★” (**high school**) -- Student conference and/or parent/guardian notification; may include, but is not limited to parent conference, restitution, detention, one day suspension from bus and up to one day out-of-school suspension.

**Detention** -- Requirement for a student to remain in school or attend school outside normal school hours.

**Dismissal** -- Dismissing a student from school for less than one school day.

**Exclusion** -- Action taken by the School Board to prevent a student from enrolling or re-enrolling for a period of time not to extend beyond the school year.

**Expulsion** -- A School Board action to prohibit an enrolled student from further attendance for up to 12 months from the date the student is expelled.

**Expulsion from Bus** -- School administrator action to prohibit a student from riding a school bus or other district provided vehicle for up to 12 months from the date of the expulsion from the bus.

**Fine** -- A financial penalty assessed of a student by the school.

**Mediation** -- Mediation is designed to:

- Prevent minor misbehaviors from escalating to the point where disciplinary consequences need to be applied. (For example, teasing, name-calling, spreading rumors, etc., can be mediated if both parties are willing to participate.)
- Resolve interpersonal conflicts that may also require disciplinary consequences. (For example, after a student has received the designated disciplinary consequences for physical fighting, he or she could be offered the option of mediation to prevent the problem from escalating in the future.)

**Notification of Parent or Guardian** -- Conversation (in person or by telephone) and/or written contact between a school employee (usually a teacher, student support staff member or administrator) and a student's parent or guardian.

**Notification of Police** -- Contact by the school administration with the local police department to inform them about an illegal misbehavior engaged in by a student.

**Parent Conference** -- Scheduled meeting between a school employee and a student's parent or guardian.

**Removal from Class** -- Action taken by a teacher, principal or other district employee to prohibit a student from attending one or more class period or activity period for up to five days.

**Restitution** -- Compensation or compensatory service required of a student

who has damaged, taken or destroyed school or personal property.

**Suspension from Bus** -- Action taken by an administrator to prohibit a student from riding a school bus or other district provided transportation for a specific number of days per incident.

**Suspension, In-school** -- Action taken by a teacher, principal or other district employee to prohibit a student from attending more than one class and/or activity period for a period of time not to exceed five days.

**Suspension, Out-of-school** -- Action taken by the school administration to prohibit a student from attending school for a period of no more than ten school days. (A one-day suspension is for a consecutive period of time equivalent to one school day. For example, if a student is suspended at noon, he or she may be suspended until noon the following school day.) A student who is on out-of-school suspension may not be in the school, on school or district property or attend school or district activities during the period of the suspension. If a student's total days of removal from school exceeds 10 cumulative days in a school year, the district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian prior to removing the student from school, and with the permission of the parent or guardian, arrange for a mental health screening for the student. The purpose of the meeting shall be to attempt to determine the student's need for assessment, other services, or whether the parent or guardian should have the student assessed to determine whether the student needs treatment for a mental health disorder.

**Violent Student Behavior (VSB)** -- A student who engages in a behavior identified as “VSB” (violent student behavior) in the consequences chart will be identified as a student with a history of violent behavior.

## ***Staff Notification of Violent Behavior by Students (VSB)***

A classroom teacher has a legitimate educational interest in knowing which students placed in the teacher's classroom have a history of violent behavior. Teachers must be notified before such students are placed in the teacher's classroom. Students, who become identified as having a history of violent behavior as the year progresses, will constitute the need for teacher notification.

**Identification of Students with a History of Violent Behavior** -- A

student who engages in a behavior identified as “VSB” (violent student behavior) in the consequences chart will be identified as a student with a history of violent behavior.

**Notification to Teachers/Staff** – Building principals will provide staff with a written notification and place a copy in the student’s educational record and retained pursuant to the school district’s records retention schedule. Written notification should be provided to all of the student’s classroom teachers. Building principals have discretion to provide notice to other staff members who also interact with the student. Written notification to the teacher will occur prior to the placement of a student in the teacher’s classroom whenever possible. Once a student has been identified as a student with a history of violent behavior, notification will occur for the remainder of the school year and the following school year. The period of notification will be extended accordingly for each new incident of violent behavior that occurs.

**Notification to the Parent of a Student Identified as Having a History of Violent Behavior** – Parental notification of a student having a history of violent behavior will be consistent with notification practices in this handbook.

**Notice to Other School Districts** – This notice is an educational record and will be transferred to an enrolling school district.

**Training** – Pursuant to Minnesota Statute 121A.64, representatives of the School Board and representatives of the teachers will discuss the needs of students and staff. The parties may discuss necessary training which may include training on conflict resolution and positive behavior interventions and possible intervention services such as student behavioral assessments.

**Written Notification from Law Enforcement** – A school that receives formal notification from law enforcement or the court system about a student’s delinquent conduct in the community shall process that notification as required by Minnesota Statute 121A.75. This may include notification of appropriate staff if necessary to protect others from needless vulnerability and to allow staff members to work with the student in an appropriate manner. Notification shall be in accordance with the law and shall not be governed by the district’s procedures for staff notification of students with a history of violent behavior. The handling and retention of records received pursuant to Minnesota Statute 121A.75 shall be according to the requirements of that statute and Minnesota Statute 120A.22, subd. 7.

**Record of Notice** – The administration must keep a copy of the Staff Notification of Violent Behavior by Students, on file to provide a record of those staff members notified under this section.



## Misbehaviors and Consequences

Students are expected to not engage in the following activities. The consequences apply regardless of whether the misbehavior took place in school, on district property, in a district or district provided vehicle, at a school or district activity, or at a school bus stop. The consequences may also apply for misbehaviors which take place at other locations, but directly affect school programs or activities. *Administrators retain the right to vary from the guidelines on a case-by-case basis. The administrator may recommend longer suspensions, expulsion, denial of transportation privileges or other discipline. This may include more severe consequences for students with multiple offenses in different categories of misbehavior.*

### Middle School and High School Disciplinary Definitions and Guidelines

OFFENSE	First offense	Second offense	Third offense
1. <b>Abusive/Obscene Language or Gestures</b> - Disrespectful or threatening language or gestures that cause another person to be embarrassed or afraid. (6-12)	★	★	1 – 5 day suspension
2. <b>Academic Dishonesty</b> - Academic dishonesty is “any act that violates the rights of another in academic work or that involves misrepresentation of a student’s work. Scholastic dishonesty includes (but is not limited to) cheating on assignments and examinations; plagiarism, which means misrepresenting as one’s own work that which has been done by another; submitting the same or substantially similar papers for more than one course without the consent of all instructors concerned; depriving another of necessary course materials; or sabotaging another’s work.” (CLA, University of Minnesota) Academic consequences may also be assigned. (grades 6 – 12)	Teacher discretion	School practice	1 day suspension
3. <b>Alcohol or Chemical, Possession or Use</b> - Any student admitting to or found by a credible witness (e.g. any school personnel, law enforcement agent, parent/guardian of the student in violation, etc.) to be using, under the influence of, or possessing any alcohol or illicit drugs on school property or at school-sponsored events. Penalties for students reported by a credible witness using or possessing alcohol or illicit drugs off of school property (and not in MHSL) will result in a conference with the principal/District Support Services Coordinator. Note: If stated in writing in advance, coaches and activity advisors may impose additional consequences as deemed appropriate. They will also provide participants with a list of what constitutes a leadership position.* See Tobacco Use Violation and Alcohol and Drug Use Violations Appendix B for clarification and further explanation.			

OFFENSE	First offense	Second offense	Third offense
(grades 6 – 12)	1. Two days OSS 2. MHSL rules enforced (all students) 3. Police citation	1. Five days OSS 2. Removal from leadership positions for 12 months 3. MHSL rules enforced (all students) 4. Police citation	1. Five days OSS 2. Removal from leadership positions for 12 months 3. MHSL rules enforced (all students) 4. Police citation
4. <b>Alcohol or Chemicals, Possession with Intent to Distribute or Sell</b> - Selling, distributing, delivery, exchanging or intending to sell, deliver, exchange or distribute any alcoholic, narcotic or controlled substance is prohibited. (grades 6 – 12)	Up to 10 day suspension Possible recommendation for expulsion Police referral		
5. <b>Arson</b> - Intentional destruction or damage to school property or other property by means of fire. (grades 6 – 12)	Up to 10 day suspension Possible recommendation for expulsion Possible police referral and VSB*		
6. <b>Assault, Aggravated</b> - Committing an assault upon another person with a weapon or a device used as a weapon, or an assault which inflicts great bodily harm upon another person. (grades 6 – 12)	Up to 10 day suspension Possible recommendation for expulsion Possible police referral and VSB*		
7. <b>Assault, Physical</b> - Acting with intent to cause fear in another person of immediate bodily harm or death, or intentionally bullying, inflicting or attempting to inflict bodily harm upon another person. (grades 6 – 12)	Up to 10 day suspension. Possible police referral and VSB*	10-day OSS Possible recommendation for Expulsion, Possible police referral and VSB	
8. <b>Bomb Threat</b> - Intentionally making, publishing or conveying in any manner a bomb threat.			

Administrators retain the right to vary from the guidelines on a case-by-case basis.  
VSB – violent student behavior see pages 16-17

“★” See page 14

OFFENSE	First offense	Second offense	Third offense
(grades 6 – 12)	Up to 10 day suspension. Possible police referral and VSB*		
9. <b>Burglary</b> - Entering any school location without consent with the intent to commit a crime is prohibited, or entering a building without consent and committing a crime. (grades 6 – 12)	Up to 5 day suspension Possible police referral	Up to 10 day suspension Possible police referral	Up to 10 day suspension Possible police referral Possible recommendation for expulsion
10. <b>Bus Misconduct</b> - Behaviors that jeopardize the safe and comfortable transportation of students. Consequence may be the loss of bus privileges. (6-12)	★	★	5 – 10 days off the bus
11. <b>Cafeteria Misconduct</b> - Behaviors which are not in compliance with lunchroom conduct guidelines. Students are not allowed to leave the building or its premises during the lunch period. (grades 6 – 12)	★	★	Removal from lunchroom
12. <b>Computer Misuse</b> - Use of school computer in an inappropriate manner, that is not part of the educational process. (grades 6 – 12)	Teacher discretion.	★	★
13. <b>Computer Fraud</b> - Changing grades on teacher’s computer or accessing teacher files through the server. (hacking)  (grades 6 – 12)	5 – 10 day OSS possible move for expulsion		
14. <b>Damage of Property (Vandalism)</b> – Defacing, cutting or otherwise damaging property that belongs to the school, district, other students, employees or others. (6-12)	★, 1-day suspension, possible police referral, restitution	3-day suspension, police referral, restitution	5-day suspension, police referral, restitution and VSB
15. <b>Disruptive Behavior</b> - Disruptive behavior is prohibited. Disruptive behaviors are acts that disrupt or threaten to disrupt the educational process. (grades 6 – 12)	★	★	1-3 day suspension

Administrators retain the right to vary from the guidelines on a case-by-case basis.  
VSB – violent student behavior see pages 16-17

“★” See page 14

OFFENSE	First offense	Second offense	Third offense
<p>16. <b>Dress and Grooming</b> - Dress and grooming on a school location must be appropriate to the school setting and not be lewd*, obscene*, abusive* related or discriminatory*. Dress or grooming which is disruptive of the classroom or school atmosphere is not allowed.</p> <p>(6 – 12)</p> <p>* <b>Lewd and Obscene</b> is defined as follows: 1) The average person, applying contemporary community standards, would find that the clothing taken as a whole appeals to the prurient interest of minors of like age; 2) The clothing depicts or describes sexual conduct in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of like age, and 3) The clothing taken as a whole lacks serious literary, artistic, political or scientific value for minors.</p> <p>* <b>Disruptive</b> is defined as reasonably forecasted to materially and substantially interfere with the requirements of appropriate discipline in the operation of the school or the work of the school or to impinge on the rights of other students.</p> <p>* <b>Abusive</b> is defined as insulting, contemptuous or defamatory.</p> <p>* <b>Discriminatory</b> is defined as demonstrating prejudice against groups or individuals, as referred to in the district’s anti-discrimination policy.</p>	★ may be asked to change	★	1 day dismissal
<p>17. <b>False Reporting</b> - Deliberately reporting false information about the behavior of self, a student or staff person is prohibited.</p> <p>(grades 6 – 12)</p>	★	1-3 days suspension	3-5 days suspension
<p>18. <b>Fighting, Punching</b> - Adversarial physical contact (differentiated from poking, pushing, shoving or scuffling) in which physical contact is made or exchanged.</p> <p>(grades 6 – 8)</p> <p>(grades 9 – 12)</p>	<p>Up to 3 day suspension</p> <p>Up to 3 day suspension Possible police referral</p>	<p>3-5 day suspension and VSB*</p> <p>3-5 day suspension and VSB* Police referral</p>	<p>5-10 day suspension and VSB* Possible recommendation for expulsion</p> <p>5-10 day suspension and VSB* Possible recommendation for expulsion</p>
<p>19. <b>Fire Alarm, False</b> - Intentionally giving a false alarm of a fire, or tampering or interfering with any fire alarm is prohibited.</p> <p>(grades 6 – 12)</p>	<p>1-5 day suspension. Police referral Restitution</p>	<p>10 day suspension Police referral Restitution</p>	

Administrators retain the right to vary from the guidelines on a case-by-case basis.  
VSB – violent student behavior see pages 16-17

“★” See page 14

OFFENSE	First offense	Second offense	Third offense
20. <b>Fire extinguisher</b> - Unauthorized handling of a fire extinguisher. (grades 6 – 12)	★ Restitution	1-5 day suspension Restitution, Police referral	5 day suspension Restitution, Police referral
21. <b>Food and Drink</b> - Pop and other food items are only allowed in the cafeteria area during lunch or after school unless it is part of a supervised classroom activity. Pop is not allowed in the auditorium or media center. (grades 6 – 8)	Item confiscated	★	★
22. <b>Harassment (including Religious, Racial and Sexual)</b> -Participating in or conspiring with others to engage in acts that injure, degrade, intimidate or disgrace other individuals, including indecent exposure, displaying pornography and words or actions that negatively impact an individual or group based on their racial, cultural or religious background, their sex, their sexual orientation, any disabilities they may have or their color, creed, national origin, marital status, status with regard to public assistance or age. (grades 6 – 12)	Warning, meeting with District Support Services for intervention	Written warning filled out and filed with dean of students/counselor	Referral to Superintendent
23. <b>Hazardous Objects</b> - Lighters/matches/laser pointers, etc. Students are not allowed to possess these items on school property (6-12)	★	★	★
24. <b>Insubordination</b> - Willful refusal to follow an appropriate direction given by a staff member. Refusal to follow or ignoring the instruction of staff members. (6 – 12)	Up to 2 day suspension	Up to 5 day suspension	5 -10 day suspension
25. <b>Interfering with School Authorities</b> - Interfering with administrators, teachers, or other adults by force, violence, intimidation, threats or by other means. (6 – 12)	Up to 3 day suspension	Up to 5 day suspension	10 day OSS Recommendation for Expulsion
26. <b>Medication</b> - All medication prescription or over the counter should be kept in and administered in the Nurse’s office. See Appendix C for details on over the counter drugs. (6 – 12)	★	★	★
27. <b>Misrepresentation, Records or Identification Falsification- Records or Identification Falsification</b> - Falsifying signatures or data, or refusing to give proper identification or giving false information to a staff member. (6-12)	★	Up to 3 day suspension	Up to 5 day suspension

OFFENSE	First offense	Second offense	Third offense
28. <b>Nuisance Devices</b> - Causing a nuisance with objects that cause distractions, such as MP3 players, pagers, radios, headsets, cellular phones, universal remote controls and laser pointers. Students are not allowed to use these during school hours; unless it is approved by a teacher for their class only.  (6-12)	★	★	★
29. <b>Out of Building, off campus</b> (6-8)	★	★	★
30. <b>Outdoor Conduct/Snowballs, etc.</b> - Students are not to touch others in a rough manner — no pushing, shoving, grabbing, tripping, kicking. Students are not to throw snowballs, or any object at each other. (6 – 12)	★	★	★
31. <b>Pushing, Shoving, Scuffling, Kicking</b> (6-12)	★	★	Up to 1 day suspension
32. <b>Records or Identification Falsification</b> (6-8 )	★	1-3 day suspension	3-5 day suspension
33. <b>Robbery, Extortion, Blackmail or Coercion</b> - Obtaining property from another person by use of force or threat of force or under false pretenses. (6-12)	Up to 3 day suspension and VSB* Possible police referral	Up to 5 day suspension and VSB* Possible police referral	Up to 10 day suspension and VSB* Police referral Recommendation for expulsion
34. <b>Sexual Misconduct</b> - Engaging in nonconsensual sexual intercourse or sexual contact or indecent exposure with another person, including intentional touching of clothing covering a person’s intimate parts, or intentional removal or attempted removal of clothing covering a person’s intimate parts or clothing covering a person’s undergarments, if the action is performed with sexual or aggressive intent, is prohibited. Engaging in consensual sexual contact or indecent exposure with another person is prohibited. No public display of affection. (6-12)	Up to 10 day OSS Possible move for expulsion Possible police referral		
35. <b>Skipping On Campus</b> - Being on campus but purposely not being in the assigned classroom.			

Administrators retain the right to vary from the guidelines on a case-by-case basis.  
VSB – violent student behavior see pages 16-17

“★” See page 14

OFFENSE	First offense	Second offense	Third offense
(9-12 ) (for Middle School- see Truancy)	Next time they have that class ISS for that period	1 day of ISS	1-3 days of ISS
36. <b>Skipping Off Campus-</b> Purposely being out of the building instead of being in the assigned classroom. (9-12 )	1 day of ISS	1-3 day ISS	1-3 day OSS
37. <b>Tardy to Class-</b> Tardy to class is anyone who is late to class for less than 15 minutes. (6-8 ) (9-12)	Teacher discretion Warning	Teacher discretion Warning	Teacher discretion Grade drops
38. <b>Terroristic Threat</b> -- Threatening, directly or indirectly, to commit a crime of violence with the purpose to terrorize another or with reckless disregard of the risk of causing terror in another.  (grades 6-12)	Up to 5-day suspension and VSB•	Recommendation for Expulsion and VSB•	
39. <b>Theft, Or Receiving or Possessing Stolen Property</b> - Taking, using, receiving, transferring, hiding or possessing property of another person or school without permission. This includes not turning in found property to the school office.  (6-12 )	Up to 3 days ISS Restitution Possible police referral	Up to 3 days of OSS Restitution Police referral	Up to 5 day OSS Restitution Police referral
40. <b>Truancy-</b> Absence from classes, the lunchroom, or other school activities without permission from the parent and the school. Also, leaving school premises during school hours without permission. Truancy is a violation of Minnesota State Law. (6-12)	★	★	★

Administrators retain the right to vary from the guidelines on a case-by-case basis.  
VSB – violent student behavior see pages 16-17

“★” See page 14

OFFENSE	First offense	Second offense	Third offense
<p>41. <b>Tobacco Possession</b> - Any student admitting to or found by a credible witness (e.g. any school personnel, law enforcement agent, parent/guardian of the student in violation, etc.) to be using or possessing any tobacco or smoking products (including any form of e-cig) on school property or at school-sponsored events will be subject to the following penalties:            If reported by a credible witness, students reported using or possessing tobacco products off of school property will result in a conference with the principal/District Support Services Coordinator            Note: Any tobacco, smoking or e-cig violation will constitute a Code of Conduct Violation with the MSHSL and coaches and activity advisors may impose additional consequences as deemed appropriate. They will also provide participants with a list of what constitutes a leadership position.            * See Tobacco Use Violation and Alcohol and Drug Use Violations Appendix B for clarification and further explanation.            (6-12)</p>	<p>One day in-school suspension            MSHSL rules (all students)            Local law enforcement officials will issue a citation</p>	<p>Three days in-school suspension            Removal from leadership positions            MSHSL rules (all students)            Local law enforcement officials will issue a citation</p>	<p>Five day OSS            Removal from leadership positions            MSHSL rules (all students)            Local law enforcement officials will issue a citation</p>
<p>42. <b>Weapon or Look-alike Weapon, Possession</b> - Possessing any firearm, whether loaded or unloaded, or any device intended to look like a firearm; any knife; any device or instrument designed as a weapon and capable of producing severe bodily harm, or intended to look like a device or instrument capable of producing severe bodily harm; or any other device, instrument or substance, which, in the manner in which it is used or intended to be used, is calculated or likely to produce severe bodily harm or looks like it is calculated or likely to produce severe bodily harm.            (6-12)</p>	<p>Up to 10 days suspension and VSB*            Police referral            Recommendation for expulsion</p>		
<p>43. <b>Unique Situations-</b> Discipline situations that arise which are not covered by these guidelines will be handled on a case by case basis.</p>			



## ***Student Transportation: Behavior Expectations***

Riding a school bus is a privilege, not a right. To help ensure the safety of students, transportation employees and other motorists, students are expected to abide by all student behavior rules outlined in board policy and reviewed in this handbook. In addition, while riding in a district vehicle or district provided transportation, in accordance with state law students shall not transport gasoline, animals, or any other dangerous or objectionable objects, except for animals specifically trained to assist people who are blind or have other disabilities. Students who violate these or other district policies and regulations while riding in a district vehicle or at a school bus stop will be disciplined which may result in denial of transportation privileges in addition to the consequences listed. The bus driver is responsible for maintaining appropriate student behavior on the bus and is authorized to assign students to specific seats. The driver will report students who violate the rules to the student's school principal or dean. If a student's transportation privileges are denied because of the student's misbehavior, the student's parent(s) or guardian(s) will be responsible for transporting the student to and from school. (Student behavior policies will be adjusted – as required by federal and state laws and regulations – for special education students who have individual education plans [IEPs].) Video cameras are used on some school buses, and students may be videotaped. The use of video cameras is intended to decrease student misbehavior and allow safe bus operation for students, drivers and other motorists.

## **Special Education Students: Consequences for Misbehavior**

In general, all students are expected to comply with district policies, regulations and rules on student behavior. However, for special education students the policies, regulations and rules may be adjusted as required by federal and state laws and regulations, and by the student's individual education plan (IEP). Whenever possible, the staff will develop positive interventions to manage the behavior of special education students rather than administer a punishment.

### **In-School Suspension (ISS)**

A special education student may receive ISS.

### **Out-of-School Suspension (OSS)**

A special education student may receive OSS for no more than 10 consecutive school days, in accordance with applicable federal law. An IEP team meeting must be held within 10 school days of an OSS when the student is removed from his or her current placement for five or more consecutive school days, or when the student's total days of removal from his or her placement during the school year exceeds 10 cumulative days in a school year.

If a student's total days of removal from school exceeds 10 cumulative days in a school year, the district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian prior to removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student. The purpose of the meeting shall be to attempt to determine the student's need for assessment, other services or whether the parent or guardian should have the student assessed to determine whether the student needs treatment for a mental health disorder.

After 10 total days of cumulative absence in a school year, a functional behavioral assessment will also take place. A written notice of the meeting will be sent to the student's parent or guardian. The team will:

- Conduct a review of the relationship between the student's disability and the behavior subject to disciplinary action;
- Determine the appropriateness of the student's education plan, and
- Review the student's IEP and amend the goals and objectives or develop an alternative IEP.

If the team determines that the incident is a manifestation of the student's disability, the OSS may still take place, or a change of placement may take place with the agreement of the student's parent(s) or guardian(s).

If the team determines that the incident is not a manifestation of the student's disability, action will be taken in accordance with the appropriate due process.

If at any time the team determines that the student cannot follow district policies and regulations on student behavior due to his or her disability and that a regulated procedure is necessary, an assessment will be conducted which may lead to writing a Behavior Intervention Plan into an IEP.

### **Expulsion/Exclusion**

An expulsion or exclusion is initiated with an out-of-school suspension. Before proceeding with an expulsion or exclusion, the district must initiate a review of the student's individual education plan (IEP), review the relationship between the student's disability and the behavior subject to disciplinary action, determine whether the behavior resulting in proposed expulsion or exclusion was a manifestation of the student's disability and determine the appropriateness of the student's education plan. A written notice of the meeting and a notice of suspension will be sent to the student's parent(s) or guardian(s).

The team will:

- Determine whether the misconduct is a manifestation of the student's disability (including reviewing the technical soundness of the student's behavior management plan);
- Review any assessments and determine the need for further assessment, and
- Review the IEP and amend the goals and objectives or develop an alternative IEP.

If the team determines that the incident is a manifestation of the student's disability, an OSS may still take place, and expulsion or exclusion may not take place. However, the district may use due process procedures to propose a change in the student's IEP and placement.

If the team determines that the incident is not a manifestation of the student's disability, the school may proceed with appropriate procedures to expel or exclude the student. Educational services must continue during the expulsion period.

### **Exceptions**

In accordance with the federal Individuals with Disabilities Education Act (IDEA) Improvement Act of 1997, if a student with an IEP in a school or at a school function is in possession of a dangerous weapon as defined in federal law; has, uses, solicits sale of or sells medications or illegal drugs; or causes serious physical or emotional injury as a result of physical or verbal assault, the

following course of action may be followed.

If the IEP team determines that the student's behavior was a manifestation of the student's disability, the student may not be expelled for the behavior. However, one or more of the following actions may take place:

- The student may be removed from school for 10 school days or less, and placed in an interim alternative educational setting for up to 45 calendar days if the conduct is a drugs or weapons offense as described above;
- The district may request a local due process hearing to seek an order to remove the student from school or to change the student's current educational placement for up to 45 days if the district believes that maintaining the student in the current educational placement is substantially likely to result in injury to the student or to others, and/or
- The district may initiate a change in placement procedures for the student, subject to the parent(s)' or guardian(s)' right to due process.

## **Involvement of Law Enforcement Officers and Crisis Teams**

Law enforcement officers may not be used to perform educational interventions, including regulated procedures, either on an emergency basis or in accordance with an IEP. Law enforcement officers shall not be involved in an educational decision to remove a student from school as a disciplinary consequence.

School staff members will report a crime suspected to have been committed by a child with a disability to law enforcement and law enforcement will be allowed to exercise its responsibilities to respond to reports of criminal conduct, including the removal of a student from school grounds in appropriate circumstances. School staff members shall neither request nor interfere with a law enforcement decision to remove a student from school for law enforcement purposes; however, reasonable efforts will be made to inform a student's parent or guardian of the involvement of law enforcement.

School staff members will not utilize a county crisis team to remove a student from school grounds except when authorized by a student's IEP or when requested by a parent, guardian or eligible student in an emergency situation.

The school district will seek to establish an agreement with the county regarding procedures to coordinate the implementation of Minnesota Statutes 245.487 – 245.488 for students with a serious emotional disturbance or other students who have an IEP whose behavior may be addressed by crisis intervention.

## **Special Education Students: Consequences for Misbehavior in District Provided Transportation**

The following information applies to special education students who have a behavioral disability or who have behavioral problems related to another disability.

The student's principal will respond to misbehavior of early childhood-grade 5 students. The principal or dean will respond to the misbehavior of students in grades 6-12.

**First Offense** - The driver warns the student, discusses the behavior with the student and documents the discussion.

**Second Offense** - The driver writes a discipline slip, discusses the behavior with the student and documents the discussion.

**Third Offense** - The driver writes a referral, discusses the referral with the student and gives the referral to the student's principal.

After receiving a referral, the principal or dean contacts the student's individual education plan (IEP) case manager to review the incident and, taking the IEP into consideration, determine the proper intervention. The principal or dean makes sure that the student's parent(s) or guardian(s) are informed of the outcome of the discussion by telephone and with a letter.

If a decision is made to suspend a student's bus riding privileges and/or to suspend or exclude a student from school, the principal or dean contacts the student's IEP case manager to make sure that appropriate due process is followed. The principal or dean also contacts the special education director if additional support is needed.

**Determining Consequences of Misbehavior** -- The principal or dean determines, in consultation with the IEP case manager, whether the misbehavior is caused by or is a result of the student's disability.

If the misbehavior may have been caused by or be a result of the student's disability, the misbehavior will be addressed within the scope of programmatic or managerial strategies, as deemed appropriate by the child study team. This does not, however, prevent the principal or dean from taking interim measures, which may be necessary for the immediate protection of persons or property.

If the misbehavior was not caused by nor was a result of the student's disability, the principal or dean will determine an appropriate course of action.

**Misbehavior While Being Transported to Outside Placement** -- When a student misbehaves who is bused to a site other than a District 282 school, the district Special Education Department will contact the parent(s) or guardian(s)

and will inform the principal or dean about the disposition of the matter.

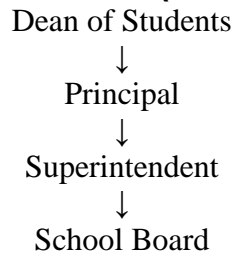
***In-Transit Behavior Emergency*** -- If there is an emergency related to the behavior of a special education student while in transit on a school bus, the driver will contact the dean or principal, the special education director who serves as the liaison to the Transportation Department or the transportation safety/driver trainer.

## ***Resolving Concerns***

Students who are concerned about a specific disciplinary action or student conduct violation may consult with their parent(s) or guardian(s), teachers and/or student support services staff (counselors, psychologists, etc.) to informally resolve the concern. If the concern cannot be resolved using these informal channels, students and parent(s) or guardian(s) may appeal their concerns through the channels listed in the appeals process shown below. (Students, parent[s] and guardian[s] are expected to appeal concerns in the order indicated by the arrows.) However, an OSS and/or an expulsion may be initiated and completed before or during the exhaustion of the appeal process set forth below.

All district employees are expected to deal with students in a firm, fair and consistent fashion, to treat all students with respect and to recognize individual differences among students.

### **Appeals Process (Grades 6-12)**



## ***Search and Seizure***

If the school administration has a reason to believe an illegal act or violation of school rules has been committed, or is about to be committed, they are authorized to search the student and her or his personal property, or any school district property used by the student, and seize any item the possession of which

is specifically prohibited by law, district policies or school rules.

Whenever feasible, the student will be present when her or his property or school property which she or he uses is being searched.

A general search of school properties, including but not limited to lockers or desks, may occur at any time, and items belonging to the school may be seized. (See below for more information regarding school lockers.) Schools may use specially trained dogs to detect and alert officials to the presence of prohibited items and illicit substances in lockers, common areas and/or school parking areas. If a dog alerts to an item in a locker or a vehicle it may be searched by school officials.

All items seized will be given to the proper authorities or returned to the true owner.

**School Lockers** -- School lockers are the property of the district. At no time does the district relinquish its exclusive control of lockers provided for the convenience of students.

Inspection of the interior of lockers may be conducted by school authorities for any reason at any time, without notice, without student consent and without a search warrant.

The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules.

As soon as practicable after the search of a student's personal possessions, school authorities must provide notice of the search to students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.

## ***Process for Student Dismissal: Removal from Class, Suspension, Exclusion and Expulsion***

### **Grounds for Dismissal**

A student may be dismissed on any of the following grounds:

- Willful violation of any district policy or regulation, or school or classroom rule. Such regulations must be clear and definite to provide notice to students that they must conform their conduct to those requirements.
- Willful conduct that significantly disrupts the right of others to an education, or the ability of school personnel to perform their duties, or school-sponsored co-curricular activities; or
- Willful conduct that endangers district employees, the student or other

students, surrounding persons or school property.

### **Removal from Class/In-School Suspension (ISS)**

“Removal from class” and “removal” are defined as any actions taken by a teacher, principal or other district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five days.

“In-school suspension” (ISS) is defined as any actions taken by a dean, principal or other district employee to prohibit a student from attending more than one class and/or activity period.

“Class period” or “activity period” is defined as a block of time devoted to one subject area or activity.

A student may be removed from a class or activity period, or receive ISS after the teacher consults with and receives approval from the principal or his or her designee.

- The decision for removal or ISS will be made by the principal or his or her designee. The student will be notified verbally. The parent(s) or guardian(s) will be notified by telephone or first class U.S. mail.
- The student will be removed from class or receive ISS without an informal administrative conference if he or she exhibits willful conduct which materially and substantially disrupts the right of others to an education or willful conduct which endangers district employees, the student or other students or school property.
- The school retains custody of the student during the removal from class or ISS. The principal or his or her designee is responsible for the student who has been removed from class or suspended.
- Students will return to class upon completion of the removal or suspension period.
- After a student has been removed from class more than 10 times in one school year, the school shall notify and meet with the student’s parent or guardian to discuss the problem that is causing the student to be removed from class.

A student will be removed from class on the following grounds, as well as other grounds, as determined by the School Board:

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 district employees, the student, or other students, or the property of the school.
3. Willful violation of any rule of conduct specified in the discipline policy

adopted by the School Board.

### **Suspension from School/Out-of-School Suspension (OSS)**

The administration may suspend a student from school when necessary. Before any out-of-school suspension (OSS) begins, the school administration will attempt to contact a parent or guardian of the student to be suspended.

*Suspension from School for One Day or Less* -- When a student is suspended from school for one day or less, the student and his or her parent or guardian shall be notified about his or her suspension at or before the suspension is to take effect except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

*Suspension from School for More than One Day* -- “Suspension” means an action taken by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than 10 school days. (This definition does not apply to dismissal from school for one school day or less.)

When a student is suspended for more than one day, the student shall have an informal administrative conference 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 or before the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension and provide an explanation of the evidence, and the student may present the student’s version of the facts. The following documents 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 either in person or by U.S. mail within 48 hours of the conference:

- A written notice containing the grounds for suspension;
- A brief statement of the facts;
- A description of the testimony;
- A readmission plan;
- A copy of Minnesota Statutes 121A.40 to 121A.56, and
- Appropriate alternative educational services (when the suspension exceeds five 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 assessment, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center selected

to allow the student to progress toward meeting graduation requirements.)

If a student's total days of removal from school exceeds 10 cumulative days in a school year, the district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian prior to removing the student from school, and with the permission of the parent or guardian, arrange for a mental health screening for the student. The purpose of the meeting shall be to attempt to determine the student's need for assessment, other services, or whether the parent or guardian should have the student assessed to determine whether the student needs treatment for a mental health disorder.

The district shall make reasonable efforts to notify the parent(s) or guardian(s) of the suspension by telephone as soon as possible following suspension.

In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to self or to surrounding persons or property, the written notice shall be served upon the student and the student's parent(s) or guardian(s) by U.S. mail within 48 hours of the conference. Service by U.S. mail is complete upon mailing. A copy will be retained by the principal.

**Consecutive Suspensions** - Suspension may not be consecutively imposed against the same student for the same course of conduct or incident of misconduct except in the following circumstances:

- When the student will create an immediate and substantial danger to self or to surrounding persons or property, or
- When the district is in the process of initiating an expulsion, in which case the administration may extend the suspension up to 15 days. A separate administrative conference is required for each period of suspension.

**Notice of Right to be Reinstated** - Whenever a student fails to return to school within 10 days of the termination of dismissal, the school administrator shall inform the student and his or her parent(s) or guardian(s) by U.S. mail of the student's right to attend and to be reinstated in the public school.

## Exclusion and Expulsion

Exclusion means a School Board action to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year.

Expulsion means an action taken by the School Board to prohibit an

enrolled student from further attendance for up to 12 months from the date the student is expelled.

- The School Board is the only authority that may exclude or expel a student. No exclusion or expulsion may be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent(s) or guardian(s). A Waiver of Hearing will be used for this purpose.
- A Notice of Intended Action and Hearing will be handled by the superintendent in the following manner:
  - ❖ Be served upon the student and his or her parent(s) or guardian(s) personally or by U.S. mail;
  - ❖ Contain a complete statement of facts, a list of witnesses and a description of their testimony;
  - ❖ State the date, time and place of the hearing;
  - ❖ Be accompanied by a copy of Minnesota Statutes 121A.40-121A.56;
  - ❖ Describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings, and
  - ❖ Inform the student and parent(s) or guardian(s) of the right to:
    - ... Have a representative of the student's own choosing, including legal counsel, at the hearing. (The district shall advise the student's parent(s) or guardian(s) 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);
    - ... Examine the student's records before the hearing;
    - ... Present evidence, and
    - ... Confront and cross-examine witnesses.

**Hearing** -- The hearing shall be scheduled within 10 days of the service of the written notice unless an extension, not to exceed five days, is requested for good cause by the School Board, student, or parent(s) or guardian(s).

- The School Board shall appoint a hearing officer for exclusion or expulsion of students.
- The superintendent shall designate the site of hearings. Clerical assistance and supplies expenses shall be borne by the district.
- The hearing shall be at a time and place reasonably convenient to the student and parent(s) or guardian(s).
- The hearing shall be closed unless the student, or parent(s) or guardian(s) request an open hearing.
- The student shall have a right to a representative of his or her own

choosing, including legal counsel. If a student is financially unable to retain counsel, the board shall advise the student's parent(s) or guardian(s) of available legal assistance.

- The hearing shall take place before an independent hearing officer.
- The hearing shall be conducted in a fair and impartial manner.
- The School Board shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
- Testimony shall be given under oath. The hearing officer or a member of the board shall have the power to issue subpoenas and administer oaths.
- At a reasonable time before the hearing, the student, parent(s) or guardian(s), or his or her representative shall be given access to all public school district records pertaining to the student, including any tests or reports upon which the proposed action may be based.
- The student, parent(s) or guardian(s), or his or her representative shall have the right to compel the attendance of any official employee or agent of the district or any public employee or any other person who may have evidence upon which the proposed action may be based, and to confront and cross-examine any witness testifying for the district.
- The student, parent(s) or guardian(s), or his or her representative shall have the right to present evidence and testimony, including expert psychological or educational testimony.
- The student cannot be compelled to testify in the dismissal proceedings.
- A copy of the hearing record will be made available to the student or his or her parent(s) or guardian(s) or representative in transcript form as determined by the School Board upon request and without charge.
- The recommendation of the hearing officer shall be based solely on substantial evidence presented at the hearing, and must be made to the board and served upon the parties within two days of the end of the hearing.
- The School Board shall base its decision upon the recommendation of the hearing officer, and shall render its decision at a special meeting within five days after receiving the recommendation.
- The School Board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's recommendations 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 Minnesota

Commissioner of Education of the basis and reason for the decision.

**Appeal** -- A party to an exclusion or expulsion decision made under Minnesota Statutes 121A.40 to 121A.56 may appeal the decision to the Minnesota Commissioner of Education within 21 calendar days of School Board action.

- Upon being served with a notice of appeal, the district shall provide the commissioner and the parent(s) or guardian(s) with a complete copy of the hearing record within five days.
- All written submissions by the appellant must be submitted and served on the respondent within 10 days of its actual receipt of the transcript.
- All written submissions by the respondent must be submitted and served on the appellant within 10 days of its actual receipt of the written submissions of the appellant.
- In accordance with state law, the decision of the School Board will be implemented during the appeal to the commissioner.
- In an appeal under this section, the commissioner may affirm the decision of the agency, may remand the decision for additional findings, or may reverse or modify the decision if the substantial rights of the petitioners may have been prejudiced because the administrative findings, inferences, conclusions or decisions are:
  - In violation of constitutional provisions;
  - In excess of the statutory authority or jurisdiction of the school district;
  - Made upon unlawful procedure, except as provided in Minnesota Statute 121A.48;
    - Affected by other error of law;
    - Unsupported by substantial evidence in view of the entire record submitted,
- or
  - Arbitrary or capricious.

The commissioner or his or her representative shall make a final decision based upon the record of evidence. The commissioner shall issue a decision within 30 calendar days of receiving the entire record and the parties' written submission on appeal. The commissioner's decision shall be final and binding upon the parties after the time for appeal expires under Minnesota Statute 121A.50.

**Judicial Review** - The decision of the Minnesota Commissioner of Education made under Minnesota Statutes 121A.40 to 121A.56 is subject to judicial review under Minnesota Statutes 14.63 to 14.69. The decision of the commissioner is stayed pending an appeal under this section.

**Reports to Service Agency** - The School Board shall report any action taken pursuant to Minnesota Statutes 121A.40 to 121A.56 to the appropriate public service agency, when the student is under the supervision of such agency.

**Report to Minnesota Commissioner of Education** - The School Board shall report such exclusion or expulsion within 30 days of the effective date of the action to the Commissioner of Education.

- This report shall 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 School Board must include state student identification numbers of affected students on all dismissal reports required by the Department of Education.

**Notice of Right to Be Reinstated** - Whenever a student fails to return to school within 10 school days of the termination of dismissal, a school administrator shall inform the student and the student's parent(s) or guardian(s) by U.S. mail of the student's right to attend and to be reinstated in the public school.

**Admission or Readmission Plan** - A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. Non-application of Compulsory Attendance Law – The provisions of section 120A.22, subdivision 5, shall not apply to any pupil during a dismissal pursuant to sections 121A.40 to 121A.56. The plan may include measures to improve the student's behavior and require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving his or her behavior.



# Appendix A: Fees

## Textbooks and Fees

Textbooks are furnished without charge to the student. Books should be handled with care. A fine will be charged for lost or damaged books.

First year ---	85% of original cost
Second year ---	70% of original cost
Third year ---	55% of original cost
Fourth year ---	40% of original cost
Fifth year ---	25% of original cost
Sixth year ---	10% of original cost

## Activity Fees: High School

There is a maximum total fee (cap) of \$500.00 per family, per school year.

Hockey	\$270.00
Gymnastics	\$170.00
Basketball	\$120.00
Football	\$120.00
Baseball	\$95.00
Softball	\$95.00
Cross Country	\$95.00
Soccer	\$95.00
Swimming	\$95.00
Tennis	\$95.00
Track	\$95.00
Volleyball	\$95.00
Wrestling	\$95.00
Golf	\$95.00
Speech	\$75.00
Mock Trial	\$55.00
Math Team	\$55.00
Science Team	\$30.00
Knowledge Bowl	\$95.00
Drama	\$40.00 (per play)

## Appendix C: Medications

### **Authorization**

All medications (prescription and over-the-counter) to be administered at school shall have the *Authorization for Administration of Medication at School* form completed by the health professional and parent. Nurses may accept a verbal order from a physician to be followed with written authorization. Orders will be good for the school year (including the following summer sessions), but will need to be renewed at the start of a new school year. Orders will also be renewed when dosage changes occur.

**Prescription Medications** Prescription medications must be in an appropriately labeled pharmacy container. The dosage listed on the pharmacy label must agree with the dosage requested by parent and prescribing health professional. When dosage changes occur, the labels will be marked with the new dosage until the next prescription refill, when a new bottle will be required. In order to provide continuity of administration for prescription medications, a nurse may allow a family two days to provide the required written authorization if a verbal or written parent request has been received.

**Over-the-Counter Medications** Over-the-counter medications shall be in their original containers and labeled with the student's name. Health professional and parent authorization must be received before administration of over-the-counter medication.

### **Student Self-Carry/Administration of Prescription Medication**

Under some circumstances, students may be authorized to carry and self-administer medications. Examples may include, but are not limited to, inhalers and epi-pens. A student's parent/guardian and

physician will complete an Authorization to Self-Administer Medication form. The nurse will assess the student's knowledge and skills pertaining to his/her treatment. Self-administration will be approved if the student is considered knowledgeable and able to self-administer medication safely.

### **Student Self-Carry/Administration of Non-Prescription Pain Relief Medication (E.g., Acetaminophen or Ibuprofen)**

A secondary student (grades 7-12) may possess and use nonprescription pain relief in a manner consistent with the labeling, if the school district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit the parent portion of the *Authorization to Self-Administer Medication* form for the student to self-administer the medication each school year. The school district may revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudo ephedrine as its sole active ingredient or as one of its active ingredients.

**Storage** All medications shall be stored in a locked cabinet, with the exception of refrigerated medications and those carried by students with special permission. Controlled substance medications will be counted (or liquid level noted) upon receipt in the health office and noted on the Medication Administration form.

**Record Keeping** Medication administration will be recorded on a *Medication Administration* form. Dates and initials of administering personnel shall be recorded for each dose administered. Signatures and corresponding initials will be included on the form. Medication will be administered within a half hour before or after the time indicated on the form. Administration time will also be noted

for medication not given within this hour time, and any other PRN medications. Dosage changes should have a discontinued date for the old dose and the new dose with a start date. Discontinued meds should be indicated with a discontinued date and removed from the active file. Medications and dosage will be recorded by using the medication name followed by dosage in milligrams. The number of tablets or liquid measure may be included in parenthesis as an aid for non-licensed staff.

**Responsibility** A registered nurse will review all new medications and all dosage changes before the initial dose is given at school. Only registered nurses may delegate the administration of medication. Health assistants to whom this responsibility is delegated will receive in-service training by the nurse regarding the medication and appropriate administration. An RN or LPN will give medications that are taken rectally or by injection. Emergency medications (Epi-pens, glucagon) will be delegated to staff only if the situation cannot be covered by an RN or LPN. In these situations, parents and administration will be consulted and a plan developed for safe storage and administration.

**Field Trips** Medications to be given to students on day field trips will be pre-packaged by nurses to be administered by the delegated district employee. Sealed medication envelopes will include the student name, medication, dosage, number of pills, and time to be administered. Other PRN medication will also be sent with the responsible school personnel including any emergency plan that

dictates the use of such medication. Medication to be used on overnight school trips will be provided by parents directly to the accompanying health professional or teacher.

**Return of Unused Medication** Unused medication will be returned at the end of the school year or at the time the medication is discontinued. Advance notice (postcard, phone call, or newsletter) will be given to families indicating the school plans for medication return. Parents will be asked to inform the health office if they would prefer to pick up the medication or would like the medication destroyed. Medication not picked up by the parents according to their plan will be destroyed at the end of the school year. Medication to be returned via an elementary student will be sent in a sealed bag at the end of the specified school day.

**Errors** In the event of a medication error, the parent/guardian and the school administrator will be notified by phone in a prompt manner. The student's physician will also be consulted as needed. Medication errors will be documented on a *Medication Error* form and sent to the school administrator.

**Unauthorized Use of Medication** Students observed by school personnel self-administering unauthorized medication on school grounds will be reported to parents by the school nurse or building administration. Cough drops will not be considered a medication under this policy. School protocol shall dictate the storage and use of cough drops.