

**RICHFIELD PUBLIC SCHOOLS**

**STAFF NOTIFICATION OF VIOLENT BEHAVIOR BY STUDENTS**

**I. PURPOSE**

In an effort to provide a safe school environment, the assigned classroom teacher(s) and certain staff members should know whether a student to be placed in the classroom has a history of violent behavior. Additionally, decisions should be made regarding how to support and manage such student.

The purpose of this policy is to address the circumstances in which data should be provided to classroom teachers and other school staff members about students with a history of violent behavior and to establish a procedure for notifying staff regarding placement of students with a history of violent behavior.

In acknowledgement that supports to students and families are a significant part of this policy, Richfield Public Schools administration will ensure that social emotional and family based supports are offered to students and families where there is a history of violent behavior by the student.

**II. GENERAL STATEMENT OF POLICY**

- A. Any staff member or other employee of the school district who obtains or has information concerning a student with a history of violent behavior shall immediately report the information to the principal of the building in which the student attends school or is attempting to enroll.
- B. Building/program administrator or designee verifies information and consults with the superintendent prior to notification of staff.
- C. Building administrator or designee will consult with the superintendent to determine which staff will receive notice and what data will be shared.
- D. Building/program administrator will notify the parents that the district will be notifying staff that work with their child has been identified as having a history of violent behavior.
- E. The administration will meet with the assigned classroom teacher and other appropriate staff members for the purpose of notifying and determining how staff will manage such student.
- F. Only staff members who have a legitimate educational interest in the information will receive notification.

- 1 G. Social workers and/or school administration will offer direct  
2 supports to families where there is a history of violent behavior by  
3 the student.  
4

5 **III. DEFINITIONS**  
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7 For purposes of this policy and the model notification form, the following  
8 terms have been defined.  
9

10 A. Administration

11 "Administration" means the superintendent, building principal or  
12 other administrative designee.  
13

14 B. Classroom Teacher

15 "Classroom teacher" means the instructional personnel responsible  
16 for the course or room to which a student is assigned at any given  
17 time, including a substitute hired in place of the classroom teacher.  
18

19 C. History of Violent Behavior

20 1. A student will be considered to have a history of violent  
21 behavior if incident(s) of violence, including any  
22 documented physical assault of a school district employee  
23 by the student, have occurred during the current or previous  
24 school year.  
25

26 2. If the district has knowledge that a student has an incident of  
27 violence during the current or previous school year, that incident  
28 and all other past related or similar incidents of violence will be  
29 reported. Knowledge will be based on reports from law  
30 enforcement or school district investigation of violent incidents.  
31

32 D. Incident(s) of Violence

33 "Incident(s) of violence" means willful conduct in which a student  
34 endangers or causes physical injury to person(s) or significant  
35 damage to property, regardless of whether related to a disability or  
36 whether discipline was imposed. This does not include injury or  
37 damage, which is accidental or is the result of negligence.  
38 Administration in collaboration with the superintendent shall be  
39 responsible for determining if an incident rises to the level of an  
40 incident of violence. In so doing the administrator and  
41 superintendent shall consider all surrounding facts and  
42 circumstances, including the existence and extent of injury, the  
43 level of threat, the existence of criminal charges, and the student's  
44 disciplinary history.  
45

46 E. Legitimate Educational Interest

47 "Legitimate educational interest" includes interest directly related to  
48 classroom instruction, teaching, student achievement and  
49 progress, discipline of a student, student health and welfare, and  
50 the ability to respond to a request for educational data. It includes

1 a person's need to know in order to:

2  
3 Perform an administrative task required in the school or the  
4 employee's contract or position description approved by the school  
5 district; used solely within the context of school business and not  
6 for purposes extraneous to the school staff member's areas of  
7 responsibility or to the school;

- 8  
9 1. Perform a supervisory or instructional task directly related to the  
10 student's education;
- 11  
12 2. Perform a service or benefit for the student or the students  
13 family such as health care, counseling, or student job  
14 placement;
- 15  
16 3. Perform a task directly related to responding to a request for  
17 data.

18  
19 **F. School Staff Member**

20 "School staff member" includes:

- 21  
22 1. A person employed by the school board in an administrative,  
23 supervisory, instructional or other professional position.
- 24  
25 2. A person employed by or under contract to the school district to  
26 perform a special task such as but not limited to a,  
27 paraprofessional, school bus driver, a secretary, clerk, a public  
28 information officer, data practices compliance official, or an  
29 attorney or auditor for the period of his or her performance as  
30 an employee or contractor; and,
- 31  
32 3. A substitute for persons listed above for the period of his or her  
33 performance as a substitute.

34  
35 **IV. STAFF NOTIFICATION**

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37 **A. Recipients of Notice**

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39 Each classroom teacher of a student with a history of violent  
40 behavior (see Section III.C., above), will meet with and receive  
41 written notification from the building administration prior to  
42 placement of the student in the teacher's classroom. In addition,  
43 notice will be given by the school administration to other school  
44 staff members who have a legitimate educational interest, as  
45 defined in this Policy.

46  
47 For example, the bus driver of the student or a paraprofessional  
48 assisting on the student's bus would have a legitimate educational  
49 interest in the data while a driver or paraprofessional on a different  
50 bus would not. Different school staff members may have a

1 legitimate educational interest in different amounts of data on a  
2 particular student.

3  
4 B. Determination of Who Receives Notice

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6 The determination of which classroom teachers and school staff  
7 members have a legitimate educational interest will be made by the  
8 building principal in consultation with the superintendent. The  
9 superintendent will provide guidance to school administration as to  
10 what data will be shared with staff.

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12 C. Form of Written Notice

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14 The notice given to classroom teachers and school staff members  
15 will be provided in writing at a meeting and will include the  
16 following:

- 17  
18 1. Name of the student;  
19  
20 2. Date of notice;  
21  
22 3. Notification that the student has been identified as a student  
23 with a history of violent behavior as defined in Section III, C  
24 of this Policy; and;  
25  
26 4. Reminder of the private nature of the data provided.

27  
28 If appropriate, the notice will also include any or all of the following:

- 29  
30 5. Explanation of what occurred in each incident of violent  
31 behavior, if known, specifically including any mitigating  
32 factors;  
33  
34 6. Types of situations that might trigger violent behavior by the  
35 student, if known;  
36  
37 7. Successful strategies or interventions, if known; and;  
38  
39 8. Documents that the staff member may review to assist  
40 understanding of the student (e.g. IEP or § 504 plan).

41  
42 D. Record of Notice

- 43  
44 1. The administration will retain a copy of the notice or other  
45 documentation provided to classroom teachers and school staff  
46 members notified under this section.  
47

1                   2. Retention of the written notice or other documentation provided  
2                   to classroom teachers and school staff members is governed by  
3                   the approved Records Retention Schedule.

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5           E.    Meetings Regarding Students with a History of Violent Behavior

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7                   1.    If the administration determines, in his or her discretion, that  
8                   the classroom teacher and/or school staff members with a  
9                   legitimate educational interest in such data reasonably  
10                  require access to the details regarding a student's history of  
11                  violent behavior for purposes of school safety and/or  
12                  intervention services for the student, the administration will  
13                  convene a meeting(s) to share and discuss such data.

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15                  2.    The persons present at the meeting(s) may have access to  
16                  the data described in Section III.C., above.

17  
18           F.    Law Enforcement Reports

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20                       Staff members will be provided with notice of disposition orders or  
21                       law enforcement reports received by the school district in  
22                       accordance with Policy 515, Protection and Privacy of Pupil  
23                       Records. Where appropriate, information obtained from disposition  
24                       orders or law enforcement reports also may be included in a  
25                       Notification of Violent Behavior. Notice will be given to staff within a  
26                       reasonable time, not to exceed 10 business days.

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28   **V.    MAINTENANCE AND TRANSFER OF RECORDS**

29  
30                       A report, notice, or documentation pertaining to a student with a history of  
31                       violent behavior are educational records of a student and will be retained,  
32                       maintained, and transferred to a school or school district in which a  
33                       student seeks to enroll in accordance with Policy 515, Protection and  
34                       Privacy of Pupil Records.

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36   **VI.   PARENTAL NOTICE**

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38           A.    The administration will notify parents annually that the school  
39           district gives classroom teachers and other school staff members  
40           with a legitimate educational interest notice about students' history  
41           of violent behavior.

42           B.    Prior to providing the written notice of a student's violent behavior  
43           to classroom teachers and/or school staff members, the  
44           administration will inform the student's parent or guardian that such  
45           notice will be provided.

46           C.    Parents will be given notice that they have the right to review and  
47           challenge records or data, including the data documenting the  
48           history of violent behavior) in accordance with Policy 515,  
49           Protection and Privacy of Pupil Records.

1           D.       Supports will be offered to families through the school social worker  
2                    or administrative designee.

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4       **VII.    TRAINING NEEDS**

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6           Representatives of the school administration and representatives of the  
7           teachers will discuss the needs of students and staff. The parties may  
8           discuss necessary training which may include training on conflict  
9           resolution and positive behavior interventions and may discuss necessary  
10          intervention services such as student behavioral assessments.

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13       **Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices  
14                            Act)  
15                            Minn. Stat. § 120A.22, Subd. 7 (School Attendance -  
16                            Education Records)  
17                            Minn. Stat. § 121A.45 (Grounds for Dismissal)  
18                            Minn. Stat. § 121A.64 (Notification of Students with Violent  
19                            Behavior)  
20                            Minn. Stat. § 121A.75 (Law Enforcement Notice to Schools)  
21                            Rules Parts 1205.0100-1205.2000 (Data Practices)  
22                            20 U.S.C. § 1232g (Family Educational Rights and Privacy  
23                            Act)  
24                            34 C.F.R. §§ 99.1-99.67 (Rules Implementing FERPA)  
25                            Minn. Laws 2003, 1<sup>st</sup> Sp., Ch. 9, Art. 2, § 53

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27       **Cross References:** MSBA/MASA Model Policy 515 (Protection and Privacy of  
28                            Pupil Records)

29  
30       ADOPTED BY THE BOARD OF EDUCATION: December 15, 2003  
31       REVISED BY THE BOARD OF EDUCATION: June 17, 2008  
32       REVISED BY THE BOARD OF EDUCATION: December 16, 2019