



FOLEY PUBLIC SCHOOLS
STUDENT/PARENT HANDBOOK

2024-2025

2024-2025

Foley School Song

Onward Foley, onward Foley
Dash right down that line.
Win for Foley; win for Foley
Victory sure this time
Rah! Rah! Rah!

Onward Foley, onward Foley
Fight on for your fame
Fight Falcons
Fight! Fight! Fight!
To win this game.

Onward Foley, onward Foley
Dash right down that line
Win for Foley, Win for Foley
Victory sure this time
Rah! Rah! Rah!

Hit 'em hard team
Let 'em know team
We're the Foley gang.
Fight Falcons
Fight! Fight! Fight!
To win this game.

V-I-C-T-O-R-Y

Official School Colors

Royal Blue and White



FOLEY PUBLIC SCHOOLS

I.S.D. #51, Foley Public Schools
Foley, MN 56329

INDEX	
2024-2025 SCHOOL CALENDAR	See website
INTRODUCTION	4
ACTIVITY FEE POLICY	6
ADVANCE MAKE-UP	8
ADMISSION TO FOLEY PUBLIC SCHOOLS	8
AFTER / BEFORE SCHOOL POLICY	8
ANIMALS IN SCHOOL	8
ATTENDANCE AND ABSENCES	8
BICYCLES	8
BOOKS	8
BUILDING USE AFTER SCHOOL HOURS	8
BULLYING	8
CLOSED CAMPUS	8
CRISIS TEAM	9
DELIVERIES	9
EMERGENCY CLOSING OF SCHOOL	9
FIELD TRIPS	9
FIRE DRILLS / INTRUDER DRILLS	9
FUNDRAISING	9
HEALTH SERVICES	9
IMMUNIZATIONS	10
INJURY OR ILLNESS	10
INSURANCE	10
INTERNET USE AGREEMENT	10
LOCKERS	10

Welcome To the 2024-2025 School Year!

Thank you for accessing this district-wide handbook. This handbook has been prepared for your reference and use throughout this school year. The rules, policies, and procedures under which Foley Public Schools operate are outlined for you in this handbook and will provide you with answers to most of your questions about what you will need to know about the daily operation of your school. The enclosed guidelines promote an attitude which encourages each student and staff member to perform at their highest level of responsibility and effort.

The regulations in this handbook are in effect as of the beginning of the 2024-2025 school year, have been approved by the Board of Education, and are part of the Independent School District #51 board policy. The handbook is subject to change without notice at the discretion of the Board of Education or the school administration.

EQUAL OPPORTUNITY

No person within the jurisdiction of this school district shall, on the ground of race, color, creed, religion, national origin, gender, age, marital status, status concerning public assistance, sexual orientation, or disability be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity, or regarding any employment procedures or practices. The responsibility for implementing civil rights laws is the district's Human Rights Officer, Dr. Trish Perry, Foley Superintendent. The Title IX office telephone number is 320.968.7175.

EMPLOYMENT BACKGROUND CHECKS

The school district will seek criminal history background checks for all applicants who receive an offer of employment with the school district. The school district also will seek criminal history background checks for all individuals, except enrolled student volunteers, who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, regardless of whether compensation is paid. These positions include, but are not limited to, all athletic coaches, extracurricular academic coaches, assistants, and advisors. The school district may elect to seek criminal history background checks for other volunteers, independent contractors, and student employees.

Mission Statement for the Foley Public Schools

The mission of the Foley Public Schools is to bring together students, parents, staff and community to provide a quality education with an emphasis on developing the full potential of the individual.

Foley Public School's Board of Education

The school board is committed to providing the best possible education and learning opportunities for all students enrolled in Foley Public Schools. Each member of the board is an elected official and is responsible for keeping the educational costs in line with the productivity and enhancement of the Foley Public Schools. The members of the school board are:

Becky Howard
Patric Lewandowski
Sharon Kipka
Stephanie Rudnitski
Ken Anderson
Nathan Anderson
Wayne Wilson

Acting Chairperson
Acting Vice Chairperson
Clerk
Director
Director
Director
Director

Foley Public Schools Administrative Personnel

Our administrative team is composed of numerous administrators and directors. Our administrative team consists of a superintendent of schools, high school principal, intermediate principal, elementary principal, and Community Education Director. We also have a dean of students at the High School and Intermediate School to assist and support students.

Superintendent of Schools – Dr. Trish Perry
High School Principal – Joel Foss
Intermediate School Principal -Eric Bjurman
Elementary School Principal - Adam Kluver
Activities Director –Eric Inglis
Community Education Director- Alyssa Stewart

Superintendent General Office Number.....320-968-7175
High School General Office Number.....320-968-7246
Intermediate School General Office Number..... 320-968-6251
Elementary School General Office Number..... 320-968-7286
Activities Director Office Number..... 320-968-8406
Community Education Office Number.....320-968-8619

Dean of Students FHS- Tara Gann	Dean of Students Office Number.....	320-968-8424
Dean of Students FIS- Jodi Gatewood	Dean of Students Office Number.....	320-968-6100

Below is a list of our School District Directors. Each director oversees and manages their respective department.

Cheryl Pick- Child Nutrition.....	320-968-8411
Lori Landowski- Child Nutrition.....	320-968-8561
Robert Gross- Transportation.....	320-968-8618
Darwin Fleck- Buildings and Grounds.....	320-968-8409
Nancy Plante- Benton Stearns.....	320-968-8528
Lindy Legatt- District Nurse.....	320-968-8423
Paul Schieffert- Director of Technology.....	320-968-8581
Erin Noska (SMS)- Director of Finance.....	320-968-8488
Kelly Gorecki- Administrative Assistant/HR/MARSS Coordinator.....	320-968-8609

Staff Directory

We invite you to visit our website at [Staff Directory - Foley Public Schools](#). If you do not have access to the internet, please call our district’s main line 320.968.7175 and listen to the prompts.

Communication

Website

All students and families can locate additional information about the school district on our district website: www.foley.k12.mn.us.

Chain of Command

It can be a challenge to determine who to contact in a school system. As a way to clarify the communication protocol, Foley Public School has created this communication tool ([Stay Connected](#)). The goal of this tool is to begin a communication sequence regarding a student’s situation for a point of reference.

eNewsletter

The school district will send out a district-wide eNewsletter.

Parent Portal

Parent Portal is an online application for parents to use to track their child’s progress. Parent portal allows you to check attendance, assignments, report cards, and much more. For additional information, contact your child’s building office.

The Pledge of Allegiance

Students will recite the Pledge of Allegiance to the Flag each morning. Any person who does not wish to participate in reciting the Pledge of Allegiance may elect not to do so. Students must respect another person’s right to make that choice. Minnesota Statutes 121A

EXTRA-CURRICULAR ELIGIBILITY INFORMATION – ATHLETICS & FINE ARTS

The Board of Education believes that student activities at school are a vital part of the total educational program and that they enhance the development of wholesome attitudes and good human relations, as well as knowledge and skills. The Board believes that school citizenship, as reflected in student activities, is a measure of the achievement of important school goals. The Board recognizes that the greatest values to be derived from both curricular and extracurricular student school activities occur when such activities are developed and encouraged through participation among, or the knowledge of, the student body, interested members in the community, and school staff.

All Foley student extracurricular participants must adhere to the eligibility guidelines as spelled out by the Foley School Board, the Granite Ridge Conference and the Minnesota State High School League eligibility bulletins that each participant receives in advance of their season of participation for both athletic and fine arts activities.

Penalties for violation of the eligibility guidelines are included in each bulletin the student participant receives. The student participant and his/her parent/guardian must electronically sign and submit the form prior to the student participating in an activity.

Residents of the Foley District, who are participating in the Post-Secondary Options Program, are enrolled in the Foley Alternative Learning Program or are district residents enrolled in an approved home school program are eligible for activity participation at Foley Senior High School. Students enrolled at other high schools or in an online high school are not eligible unless specifically addressed in MSHSL policy.

Academic Eligibility Guidelines

If a student receives a midterm grade of F in any class(es), the student will be put on the Deficiency List and will be ineligible to compete in Minnesota State High School League events or any other extra-curricular activities. This includes, but is not limited to; athletics, academic activities, drama, and co-curriculars. An ineligible student may attend an event but may not be in uniform. The student may practice. Academic deficiency lists will be determined on the second to last day of every 3rd week of the grading period. To be eligible to participate in post-season activities (playoffs, section, state, etc.) a student must be passing all classes at the time of the competition.

If the student is on the probation list and is in an activity:

- The ineligible student must pick up an “Academic Eligibility Form” from the Activities Office and give it to the teacher of the course in question. The student will become eligible when the teacher signs the form and returns it to the Activities Director, who will inform the coach or advisor of the student’s reinstated eligibility.
- Any student who is ineligible to compete may not leave early from school to attend an event.
- End of Trimester Academic Violation: Any student that receives an F on their trimester report card will be deemed ineligible for their next event. The infraction for the 1st and 2nd trimester grading period will be served starting the day after teacher grades are due to the office. If the infraction occurs for the 3rd trimester grading period the infraction will be served the first contest or performance the following fall season or next season of participation in an activity.

ACTIVITY FEE POLICY

A participation fee is being charged for the use of equipment which is supplied by the district for all of the activities recognized in our co-curricular program. The purpose of activity fees is to cut the direct costs of interscholastic activities to assure continuation of the programs for the benefit of the students.

1. Except as indicated, all students who participate in an activity must pay the fee.
2. Fees will be charged for the following activities:
Football, volleyball, girls/boys tennis, dance, girls/boys cross country, girls/boys basketball, wrestling, baseball, softball, swimming/diving, girls/boys golf, girls/boys track, drumline, summer marching band/ colorguard, trap shooting.
- * Note - Team managers will not be assessed fees.
3. Fees will be charged for the following fine arts:
Speech, Knowledge Bowl, One Act Play, Fall/Winter/Spring Plays, Math League.
Classroom drivers education and behind the wheel training are Community Education programs.

4. Fee Breakdown:

a. 9-12 Athletics/Activities	\$90.00	d. 7-8 Fine Arts/Activities	\$70.00
Football	\$100.00	e. Summer March Band	\$80.00
b. 9-12 Fine Arts/Activities	\$70.00	f. Drumline	\$125.00
c. 7-8 Athletics	\$80.00	g. Trapshooting	\$135.00
7-8 Football	\$85.00	h. Others (see list above)	\$55.00

5. Economically disadvantaged students will be exempted from fee assessment according to the following guidelines.
 - a. Students who qualify for free lunch will be assessed the fees at a rate of 40%.
 - b. Students who qualify for reduced lunch will be assessed the fees at a rate of 60%.
 - c. Individual hardship cases will be cleared through the Activities Coordinator on an individual basis.
6. Refunds will be made according to the following guidelines:
 - a. No refunds will be granted after three weeks of practice or after the first contest. The benefits of the sport/activity have accrued to the amount of the fee assessed the student.
 - b. Refunds made prior to the first contest or three weeks must meet the following criteria:
 - An injury/illness documented by a doctor’s report which prevents further participation will qualify for a full refund
 - Students who transfer out of the district will qualify for a full refund.
 - Students who choose to quit a team/club will not be eligible for a refund.
 - Students who are removed from a team/club for a disciplinary reason will not be eligible for a refund.
7. Fee Payment:

- a. Fees are to be paid online, in the High School to Activities Secretary and to Administrative Secretary in the Intermediate School. **Fees are not to be paid to the coaches/advisors.**
- b. All fees must be paid before a student is allowed to participate. Unpaid fees will result in the student becoming ineligible to participate.

TOURNAMENT AND ACTIVITY ATTENDANCE BY STUDENTS

Any Foley student attending an out-of-town activity is expected to attend and remain at the activity.

Tournament Guidelines:

1. Students attending tournaments must ride the school-sponsored spectator bus to and from the event unless you have parent permission to ride other transportation.
2. Students should be in school on that tournament day until the designated bus departure time.
3. The spectator bus will depart for Foley when the Foley participant(s) have finished their day's involvement in the tournament.
4. Students who do not cooperate with the above guidelines will be subject to parent conference, detention, and suspension depending upon the severity of the violation.

FEES

Public education in Minnesota is free to all students who are residents. However, fees may be charged under the following circumstances:

1. A project in art, industrial arts, or other course that has excess of the material requirements of the minimum course outline, will require a deposit of approximately half of the project cost be paid to the high school office within two weeks of the start of class, if the student elects to do such a project with the approval of the instructor. The student may elect to take such projects home and the cost of such projects must be paid as the material is used. Students may provide their own materials for such projects with the approval of the instructor.
 2. Cost of school equipment or material destroyed, broken or unduly damaged through carelessness or failure to follow instructions, in the amount necessary to restore the item involved to their original condition.
 3. A deposit for lab or shop breakage may be returned at the end of the school year for the unused amount. This deposit is applicable only if the student is enrolled in a course involving laboratory or shop work.
 4. Rental charges on school-owned music instruments, if the student requests use of the instrument.
 5. Driver Education offered through Community Education.
 6. Costs of trips which are made available from time to time but are not a part of a course, should the students elect to participate in the field trip.
 7. Costs of the yearbook, graduation items or class ring should the student elect to order any of these items.
 8. Admission fees for concerts, plays, athletic events and other activities which the student may attend at his/her option.
- These procedures are in accordance with the Minnesota School Fee Law, M.S.A., 120.71-120.76.

ALCOHOL/CHEMICAL USE AND ABUSE

Foley Independent School District No. 51 recognizes alcohol/chemical use and abuse as a problem that can be prevented or treated. The concern with chemical abuse is directed to its effects on student performance in school and associated activities. In accordance with a general concern for the students and staff, the School Board has adopted the following policy statement regarding chemical abuse:

The use of illicit drugs and the unlawful possession and use of alcohol is wrong, harmful and clearly prohibited by the District. As per state law, Foley Public Schools has an **Alcohol/Chemical Pre Assessment Team** composed of teachers and administrators. This team will receive student chemical and alcohol referrals.

The following goals are strived for:

- To establish procedures whereby all school personnel will actively seek out students who are abusing alcohol or chemicals and notify an Assessment Team member who in turn will contact parents and advise both students and parents of district policy and procedures, as well as possible evaluation and treatment programs.
- Students disclosing their use of alcohol or chemicals for the purpose of obtaining help with this problem will be treated in a non-punitive way by school personnel.
- In the event treatment outside the school district becomes necessary, every effort must be made to affect a successful reentry into the school community.
- **First-time** alcohol/chemical violators and a parent will be required to attend a conference with school officials composed of some or all of the following personnel; principal, counselors, law enforcement and others as appropriate. The student must then follow the recommendations of this committee which may include participation in an appropriate school support/insight group and/or scheduling a chemical dependency evaluation at the student's expense. The recommendations from this committee must be followed and completed prior to the student being allowed participation in Foley High School's Commencement. If the violation occurred at school or at a school sponsored event, the student will also be suspended from school (See Discipline Policy).

- **Second & subsequent offenses:** Students will complete the process as outlined for first-time violators. Students or their guardians will be responsible for the fees charged for these chemical health treatment programs. As stated above, the recommendations must be followed and completed prior to the student being allowed participation in Foley High School's Commencement.
- To prohibit any student under the influence of unauthorized or illegal alcohol or chemical substances to attend school classes or activities.
- To allow no unauthorized or illegal alcohol or chemical substances on district property or at school activities.
- Students apprehended using, possessing and/or exchanging such substances will be treated according to existing school procedures, including notification of law enforcement agencies and the application of school supervision and/or expulsion procedures.

Student Attendance Policy 503

The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student.

ADVANCE MAKE-UP

Advance notice is required for planned absences. Students should give a minimum of two days' notice of the absence.

ADMISSION TO FOLEY PUBLIC SCHOOLS

"Admission to the public school is free to any person who resides within the district which operates the school who is under 21 years of age, and who satisfies the minimum age requirements imposed by this section. Notwithstanding the provisions of any law to the contrary, **the conduct of all students under 21 years of age attending a public secondary school shall be governed by a single set of reasonable rules and regulations adopted by the local board of education.**" MN statute, 120.06 CH. 529. Eligible Special Education students are entitled to services up to their 22nd birthday .

AFTER/BEFORE SCHOOL POLICY

Students who are in the school buildings before or after school hours must be under the supervision of a teacher or a coach/advisor.

ANIMALS IN SCHOOL

Students who bring animals to school must have prior, written approval. All domesticated animals brought to school must be properly vaccinated. Non-domesticated animals are not allowed in the classrooms because of health concerns. Animals in the classroom will be used for educational purposes only and are not to be in the area indefinitely. Every effort will be made to determine if there are any sensitive occupants with allergies. Teachers will inform parents when an animal will be used in the classroom. When there are concerns about allergies, asthma or other health related issues, animals will not be allowed in school.

BICYCLES

Students who ride bicycles to school must keep their bikes in the bike rack provided.

BOOKS

All books are on loan to students free of charge. These books become the responsibility of the student. If a book is lost, stolen, or damaged, it must be paid for. If a missing book is found, money will be refunded depending on the book's condition.

BUILDING USE AFTER SCHOOL HOURS

Any use of the school building after school hours must be cleared in advance through the building principal, community ed. director, or activities coordinator with the application form provided prior to the event.

BULLYING Policy 514

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with a student's ability to learn and/or a teacher's ability to educate students in a safe environment. Bullying is aggressive behavior that is intentional, involves an imbalance of power and/or is repeated over time. Any person who believes he or she has been the target of bullying or any knowledge or belief of conduct that may constitute bullying or prohibited conduct defined as bullying shall report the alleged acts immediately to an appropriate school district official. For more information, please refer to the full district policy on bullying that is printed at the back of this handbook under Policy 514.

CLOSED CAMPUS

Foley Public Schools is a closed campus. You are to arrive at a specified time and you are not to leave at any time including lunch without the written permission of the principal. Should it become necessary for you to leave school, you must report to the principal's office for a

pass. **Written permission from your parent or legal guardian must be presented in order to leave the building.** A violation of the policy may result in detention or suspension.

CRISIS TEAM

The School District Crisis Team will coordinate the providing of services to students who may be in need of assistance because of a personal, family, or community crisis. If you are aware of a crisis which could affect one of our student body members, please contact the school counselors or principal as soon as possible.

DELIVERIES

We strongly recommend that deliveries of items to students (balloons, flowers, etc.) not be arranged to occur at school. These items cannot be delivered to the classroom and end up in the office areas until students can pick them up at the end of the day. Transporting these items home, especially for those who ride the school bus, can also be a problem. Because of time constraints, the school will not be responsible for deliveries that the student does not pick up.

DISTRIBUTION OF NON SCHOOL-SPONSORED MATERIALS ON SCHOOL PREMISES

The school district recognizes that students and employees have the right to express themselves on school property. This protection includes distributing nonschool-sponsored material, subject to school district regulations and procedures, at a reasonable time and place and in a reasonable manner. For detailed information, please refer to [Policy 505](#).

STUDENT RECORDS

Student records are classified as public, private, or confidential. State and federal laws protect student records from unauthorized inspection or use and provide parents/guardians and eligible students with certain rights. For the purposes of student records, an “eligible” student is one who is 18 or older or who is enrolled in an institution of post-secondary education. For more information on the rights of parents/guardians and eligible students regarding student records refer to [Policy 515](#)

EMERGENCY CLOSING OF SCHOOL

If school is closed due to weather conditions or other emergency, an announcement will be made first using Foley’s Student Information System, Infinite Campus and published at www.foley.k12.mn.us, broadcast on the following radio stations: WCCO (830 AM), WJON (1240 AM, 94.9 FM), KBK (95.5 FM) and KCLD (104.7 FM) and broadcast from TV stations: KSTP (channel 5), WCCO (channel 4), KARE (channel 11) and KMSP (channel 9). Announcements will also be made through Facebook and Twitter. Check www.foley.k12.mn.us for school and activity postponements or cancellations. Do not call school for this information. Students should not arrive at school before 9:30 a.m. on a two-hour late-start day.

FIELD TRIPS [Policy 610](#)

Refer to District Policy 610

FIRE DRILLS/INTRUDER DRILLS

Fire drills and intruder drills are conducted periodically. Fire drills are held to familiarize students with procedures for leaving the building safely, quickly, and quietly during an emergency. An exit route is posted in each room. When the fire alarm sounds, you will move to the designated area. You should remain quiet so that you can hear any directions that are given. After leaving the building, continue in an orderly fashion to the designated area away from the exit. Stay with your class while waiting for permission to return. Return when you receive the "All-Clear" signal from the office. When an intruder drill is conducted the school will follow “lockdown” procedures. Students are expected to follow the directions of supervising staff members.

FUNDRAISING

All fundraising activities must have the approval of the principal prior to committing to any fundraiser. All organizations seeking approval for fundraising must have a definite predetermined fundraising goal. Non-school fundraisers will not be permitted. All sales are to be conducted in the cafeterias, commons and locker area.

HEALTH SERVICES

Services offered by health services include: vision, hearing, and scoliosis screening, health education programs, health assessment and counseling, and health record review. **It is the parent’s responsibility to have current emergency information on file.** Students who become ill in school should request a pass from their teacher and report to the nurse/health aide. The health of the student will be assessed and parents will be contacted if necessary. Students should not go home ill without first seeing the nurse/health aide.

IMMUNIZATIONS

State law requires that all children in a public or parochial school be immunized in accordance with the law. Documentation should be received prior to enrolling at Foley Public Schools. Information will be recorded on their health records. Parents should notify the school with any updates or changes as soon as possible.

INJURY or ILLNESS

If a child becomes ill or is injured in school and needs medical attention, parents will be notified by school personnel. If parents are unable to be contacted, emergency contacts will be called. In the case where no contact was able to be made, the student will be kept in the health office until dismissal time. **It is essential that emergency contact information be kept current.**

INSURANCE

The school district does not carry accident insurance on students. If you are interested in accident insurance please contact an insurance agent of your choice.

INTERNET USE AGREEMENT LINK POLICY

[Internet Use Agreement](#)

LOCKERS Students must have a signed Acceptable Use Policy (AUP) prior to accessing the internet on the Foley Public School network.

All students are assigned a locker. All lockers are the property of the school to be used by the student for the storage of school supplies, equipment and clothing. **As school property, lockers may be searched by school officials for any reason at any time without notice, without student consent, and without a search warrant.** School officials may also search students’ personal possessions contained in a locker when school officials have a reasonable suspicion that the search will uncover evidence of a violation of school rules or state law. Personal locker decorations must be in good taste and may be applied only to the inside door of the locker with masking tape, not scotch tape. Students are responsible for their lockers and all of its contents. **VALUABLES SHOULD NOT BE KEPT IN YOUR LOCKERS.** Only padlocks purchased from the Foley Schools will be allowed on student lockers. Closed bottles of juice, water or pop may be kept in lockers. Students are required to keep their assigned locker and are not allowed to share or change their locker space with another student. Damage to a locker should be reported to the office. A fee may be assessed if the locker is not cleaned or is damaged during the school year.

LOST AND FOUND

All articles found in the school and on the school grounds should be taken to the main office in each building. Check for lost items in the office. Foley Schools is not responsible for lost or stolen items. Unclaimed items will be donated to local charities periodically.

LUNCH POLICY FOR DISTRICT 51

LUNCH PRICES FOR SCHOOL YEAR 2024-2025

Student breakfast - Student	FREE	Student lunch – Elementary	FREE
Staff	\$2.50	Student lunch – Intermediate	FREE
		Student lunch – High School	FREE
		Adult Lunch –	\$5.00

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language), should contact the responsible state or local agency that administers the program or USDA’s TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to USDA. The letter must contain the complainant’s name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted to USDA by:

- (1) Mail:
U.S. Department of Agriculture

Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
(2) Fax: (833)256-1665 or (202) 690-7442; or
(3) Email: program.intake@usda.gov.
This institution is an equal opportunity provider.

LUNCH CHARGE PROCEDURE

Foley Schools Child Nutrition Department strives to provide quality meals for both breakfast and lunch to all students. The meals will be **FREE** to all students this year. In order to maintain consistency throughout the district, we will follow the following Lunch Charge Procedures.

- If your student brings a home lunch and wants milk, this carton of milk is not **FREE! Cost will be .50 cents. This is considered a la carte. They could take a free milk off of the share cart if it is available.**
- **A FREE Meal** needs to be a fully reimbursable meal, which means they need to take 3-5 components which one of the items needs to be a fruit or vegetable.
- To purchase any extra items for a la carte or after school snack shop, their account balance needs to have money in it or they can also pay with cash. They will need to check prior to getting extra items to make sure they have money in their account from the cashier, or the item will need to be paid with cash.
- **Absolutely NO CHARGING WILL BE ALLOWED! NO NEGATIVE BALANCES!**
- The parent/guardian will be notified electronically when the household account reaches \$10.00
- The parent/guardian will be notified again electronically until the household account reaches \$5.00

This procedure will be followed throughout the district at each grade level. Again, we stress the importance for families to monitor the meal accounts and maintain a positive balance as it is important to eat healthy balanced foods for student academic success.

Payments can be made online using Credit/Debit cards on the Infinite Campus Parent Portal. Students may also bring lunch money to their designated office. **Please keep your email up to date at all times for notification purposes.**

****No food can be brought into the lunchroom from an outside restaurant.**

MEDICATION POLICY

Students who are in need of medication should have the medication given at home before and/or after school whenever possible. Medication should be administered at school only when scheduled dosages cannot be given at home. In order to have medication administered at school, parents must sign a proper medication slip and have an order from a physician for prescription medication. No medication will be administered without proper authorization. No over-the-counter medications will be given without authorization, including aspirins/pain reliever products. The school does not stock over-the-counter medication. The parent or guardian must provide and bring all medication to the health office. Medications will be kept and distributed by a staff person.

MESSAGES

Emergency messages will be delivered to students as needed. To maintain the integrity of instructional time, non-emergency messages are to be avoided. Because of time constraints, the school will not be responsible for a message that the student does not pick up.

PARENT CONFERENCES

There are regularly scheduled parent-teacher conferences held during the school year. However, parents and teachers are also encouraged to request individual conferences when the need arises.

PHOTOGRAPHS and VIDEOS

No unauthorized pictures or videos should be taken on school grounds or at school events without permission. Anyone taking unauthorized pictures or videos could be subject to disciplinary action.

PUPIL FAIR DISMISSAL ACT

An Act passed by the Minnesota Legislature permitting School Boards to dismiss disruptive students from its schools. The Act provides for alternatives and calls for due process in proceedings, leading to suspension, expulsion, or exclusion (M.S. 127.26 - 127.40).

REASONABLE FORCE POLICY

Principals, teachers, and other staff members may use reasonable force to restrain or correct a student if there is a danger to that student or any other person or if the actions of the student disrupt the education of other students.

ROLLERBLADES, ROLLER SKATES, SKATEBOARDS, WHEELIES

It is recommended that these items not be brought to school unless they are being used in conjunction with a physical education class or approved by the teacher. These items may not be used/worn inside any school building at any time.

SCHOOL PROPERTY

Your books, desks, locker and other equipment are on loan to you. Take good care of them; they are very costly. Damaged/lost books will result in a fine being assessed before grades are issued and recorded. Book covers are available from your teachers; please use them on all books. Show respect to both public and individual property. You will have to pay for repairs or replacement of any property which you carelessly or deliberately damage.

SCHOOL RECORDS

Parents may inspect their child's records by making a request to the principal or counselor. School officials will meet with the parent to help interpret the information. Parents may challenge any data in writing. You may have copies made of anything in the school record, at a cost to you of \$.10 per sheet, but you are not permitted to take the original record out of the office.

No person, agency, or institution will have access to pupil records except:

1. If a proper written consent is obtained from the parent or guardian (or pupil over 18 years of age) and the consent form specifies what information is to be released and to whom it is to be released. (Ex. employer or new school).
2. If compelled by law such as by court order.
3. When data for legitimate research is in such a form that individual students are not identified.

SNOWMOBILES/MOTORCYCLES/ATVS

Due to ordinances established by the City of Foley, students may **not** drive snowmobiles or ATV's to school. Street legal motorcycles driven to school must remain on legal roadways and may not be driven on grassy areas.

SPECIAL SERVICES

Special education services are available to students who attend the Foley Public Schools. These services are Developmental Cognitive Disability (DCD), Specific Learning Disabilities (SLD), Speech, Language, and 504 plans. Early Childhood Special Education (ECSE), Emotional or Behavioral Disorder (EBD), Autism Spectrum Disorder, and Physically Impaired. A teacher usually initiates this process by referring a student and outlining for the team why there are concerns about the student. The team approach is used to determine a student's needs in various academic and social/emotional areas. A parent may also initiate the Child Study process by voicing a concern which may best be addressed by a team approach. Also included are the school psychologist, the principal, special education teachers and regular classroom teachers. Federally funded assistance for students who are having learning difficulties in reading is available through Title I. It is necessary that parents give written consent in order to have a child participate in any of these programs, according to State and Federal law.

SUICIDE PREVENTION

If you or someone you know is contemplating or discussing suicide or self harm. Please ask for help or get help for another person, there are resources available to you. Please reach out to a trusted adult, either at home or at school. If you need to talk with someone you can call 988, a suicide and Crisis hot line, which is answered 24 hours a day. Also, you may call the Central Minnesota Mental Health crisis line at 1-800-635-8008. They have services that can help in a time of crisis.

STUDENT SURVEYS

Occasionally, the school district utilizes surveys to obtain student opinions and information about students. For complete information on the rights of parents/guardians and eligible students about conducting surveys, collection, and use of information for marketing purposes, and certain physical examinations, see [Policy 520](#).

NOTICE OF VIOLENT BEHAVIOR BY STUDENTS

The school district will give notice to teachers and other appropriate school district staff before students with a history of violent behavior are placed in their classrooms. Prior to giving this notice, district officials will inform the student's parents/guardians that the notice will be given. The student's parents/guardians have the right to review and challenge their child's records, including the data documenting the history of violent behavior.

PARENTS RIGHT TO KNOW

If a parent requests it, the school district will provide information regarding the professional qualifications of his/her child's classroom teachers, including, at a minimum, the following:

1. Whether the teacher has met state qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
2. Whether the teacher is teaching under emergency or other provisional licensing status through which state qualification or licensing criteria have been waived;
3. The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree;
4. Whether the student is provided services by paraprofessionals and, if so, their qualifications.

In addition, the school district will provide parents with information as to the level of achievement of their child in each of the state academic assessments. The school district will provide notice to parents if their child has been assigned to, or taught for four or more consecutive weeks by, a teacher who is not highly qualified.

TRANSPORTATION CONDUCT AND BUS SAFETY

The safety of all students being transported for regular attendance or extracurricular activities requires the complete cooperation of the student riders. The opportunity to ride a school bus is a privilege which must be respected. The school is responsible for the student from the time the student is picked up by the bus until the student is discharged from the bus.

BUS PASSENGER RULES

1. Observe the same conduct as in the classroom.
2. Be courteous, use no profane language.
3. Do not eat or drink on the bus.
4. Keep the bus clean.
5. Cooperate with the driver.
6. Do not be destructive.
7. Stay in your seat.
8. Keep head, hands and feet inside the bus.
9. Bus driver is authorized to assign seats

BUS CONSEQUENCES

First Offense: The driver writes up a school bus incident report. The Principal/Dean holds a conference with the student, driver, and parent, either on the phone or in person. The student may be assigned one hour of detention and may lose riding privileges from the bus for one day.

Second Offense: The driver writes up a school bus incident report. The Principal/Dean will notify the parent by phone and by report that the student may receive 2 hours of detention and may lose riding privileges for up to 10 days.

Third Offense: The driver writes up a school bus incident report. The Principal/Dean will notify the parent by phone and report that the student may lose riding privileges for the remainder of the school year.

Following a student's removal from bus service for the remainder of the year, a meeting will be held to determine the student's eligibility to return to school transportation. This meeting will be held before the student can resume bus service. The meeting shall include building principal, transportation supervisor, parent or guardian and student. If the nature of previous infractions is serious enough, the student may lose privileges on the first major infraction following their return to bus service.

When a student is removed from the bus, the student's parent becomes responsible for arranging for and providing safe transportation to and from school. The rules apply to regular and activity bus routes. When behavior violations occur on the regular or activity route, the resulting action affects the student's riding privileges on both types of routes. School absences due to bus suspension are considered unexcused.

- *The school principal or other designated administrator may impose other logical consequences or recommend longer suspensions, expulsion or any other discipline as deemed appropriate on a case by case basis.*

VANDALISM POLICY

Any student involved in a deliberate act of damaging or destroying school property or equipment of any kind shall be subject to payment of cost of replacement and/or repair of property damaged and this payment shall include total labor costs involved in that replacement or repair. Such acts shall include defacing school property, such as walls or windows, desks, books, etc., lockers, lab equipment. Students will be subject to school suspension, expulsion and/or shall be remanded to the custody of the local law enforcement agencies.

VOLUNTEERS

Our school district depends on volunteers in many situations. For the safety and well-being of students, district policy requires that all persons interested in volunteering must have a Minnesota Criminal Background Check before volunteering for the Foley Public Schools.

Consent forms and volunteer handbooks are available in any of the school's offices. Background consent forms should be completed at least a month prior to the event.

WITHDRAWAL FROM SCHOOL/TRANSFERRING TO ANOTHER SCHOOL

If transferring or withdrawing from Foley Public Schools contact a counselor or building office immediately.

ELASTIC CLAUSE

The administration of Foley Public Schools reserves the right to amend any provision in this handbook deemed to be in the best interest of the educational process. Furthermore, the principal retains the right to issue penalties for acts of discipline not specifically stated herein and to alter any penalties as considered necessary. Each situation is different and will be handled on an individual basis.



Independent School District No. 51
FOLEY HIGH SCHOOL
"Developing the Full Potential of the Individual"

Joel Foss, Principal

Welcome to the 2024-2025 School Year

This handbook has been prepared as a guide to school policies and regulations as well as to identify expectations. The enclosed guidelines promote an attitude which encourages each student and staff member to perform at their highest level of responsibility and effort. To succeed in school **students** must take control of their education. Do not think of school as something that just happens. Think of classes as an opportunity to improve skills and enhance learning. Remember, every assignment provides the opportunity to prove to one's self, and to others, of learning and growth. Teachers do not give grades, students earn them. **Parents** are urged to be an active participant in a student's education.

The policies and procedures in this handbook have been approved by the Foley Board of Education and all students are responsible to know the guidelines as printed herein. For a successful school year, begin by following these simple guidelines:

- Be prepared,
- Be on time,
- Be respectful,
- Give your best every day.

MISSION STATEMENT FOR FOLEY PUBLIC HIGH SCHOOL

The mission of Foley High School is to provide a motivating and challenging atmosphere that allows individuals to acquire the knowledge, skills, competencies and healthy attitudes needed to adapt to an ever changing environment and to contribute to our multicultural world.

Goals:

1. To ensure that every student develops communication skills in reading, writing, speaking, listening, media and word processing.
2. To ensure that every student can understand and use numbers as demanded in everyday life.
3. To ensure that every student has basic comprehension of the social sciences such as world history, U.S. history, civics, geography, economics, and current events.
4. To ensure that every student has an understanding of the natural and physical sciences such as biology, chemistry, and physics: including an emphasis on the care and use of our land, natural resources, and overall environment.
5. To ensure that every student develops and acquires the skills and attitudes necessary for a healthy lifestyle: physical education, nutrition, coping/stress skills, first aid, chemical abuse, sex education, and sexually transmitted diseases.
6. To ensure that every student acquires skills for developing positive personal relationships: self-esteem, interpersonal relationships, accepting and respecting others, parenting, and family life education.
7. To ensure that every student receives training in skills needed for problem-solving, critical thinking, decision-making, and studying.
8. To ensure that every student develops and acquires cultural awareness and understanding of others, and their contributions.
9. To ensure that every student is provided the opportunity for career awareness.
10. To ensure that every student receives exposure to his/her creative abilities and the appreciation of the arts: visual, dance, musical, literary, and theatrical.
11. To ensure that every student is afforded the opportunity to take the classes necessary to provide a smooth transition for further study at a two or four year college.

2024-25 FACULTY, ADMINISTRATION, AND SUPPORT STAFF
FOLEY HIGH SCHOOL

Mr. Foss Mr. Inglis Mrs. Gann Officer Pausch	High School Principal Activities Director Dean of Students School Resource Officer
---	---

Ms. Barthelemy	Copy Rm/Gen. Secretary	Ms. Lowery	Special Education
Ms. Bauerly	Business	Mr. Marcus	Social Studies
Ms. Bosshart	Media/FHS SPED Secretary	Mr. Marod	Science
Ms. Brenny	Guidance Secretary	Ms. Martinson	Vocal Music
Mr. Carlson	Industrial Technology	Ms. McIntire	Counselor
Ms. Collins	School Psychologist	Ms. Minerich	Educational Assistant
Mr. Crowell	Special Education	Ms. Monroe	Spanish/Language Arts
Mr. Dahlstrom	Counselor	Ms. A. Notsch	Special Education
Ms. DeMenge	Special Education	Mr. R. Notsch	Science
Mr. Drake	ALC	Ms. Pelowski	Social Studies
Mr. Ellefson	Science	Ms. Piepgras	Physical Education
Mr. Frenchick	Agriculture	Ms. Ranweiler	General Sec. / Attendance
Ms. Gerads	Mathematics	Mr. Rasmussen	Physical Ed.
Ms. Gohman	Art	Ms. Rasmusson	English/Communications
Ms. C. Gross	Activities Secretary	Mr. Raymo	Mathematics
Ms. M. Gross	English/Communications	Ms. Robyn	Administrative Secretary
Mr. Hageman	Science	Ms. Rudolph	Educational Assistant
Ms. Hanks	Educational Assistant	Ms. Rux	Educational Assistant
Ms. Hartmann	Special Education	Ms. Sauer	Educational Assistant
Ms. Hesch	Instrumental Music	Ms. Schlueter	Mental Health Counselor
Mr. Hommerding	Mathematics	Ms. Skroch	English/Communications
Mr. Johnson	Social Studies	Ms. Stangler	Educational Assistant
Ms. Kantor	Educational Assistant	Ms. Sterriker	English/Communications
Ms. Keating	Special Education	Ms. Tangen	Educational Assistant
Mr. Keeler	Physical Education/Health	Ms. Winkelman	Communication Specialist
Mr. Kemmy	Industrial Technology	Ms. Woitalla	Educational Assistant
Ms. Kuschel	Educational Assistant	TBD	School Nurse

ACADEMIC HONESTY

All students are expected to exhibit personal honesty in their work and expect the same from others. Cheating on assignments or tests, including plagiarism (copying work from other students or from the internet) is unacceptable. In addition to the student who copies, plagiarizes or otherwise cheats on an assignment, a student who provides answers to another student(s) may face the consequences outlined below. Students are expected to do their own work in all cases except when teachers give explicit instruction or permission to work with others. Work in question will be confiscated. Academic dishonesty may result in the following:

1st Offense: A student will receive no credit for the work involved and the teacher will notify the parents.

2nd Offense: The student may receive no credit for the trimester. An administrator will notify parents of the student.

ACTIVITIES DIRECTOR (ATHLETICS AND FINE ARTS)

Activities such as school dances, social events, etc. must have prior approval from the Senior High Principal before making arrangements with the Activities Director. All student activities including transportation, must be scheduled through the Activities Director prior to final planning of the event.

ADVANCE MAKE-UP SLIPS

To obtain advance permission for a legitimate absence, a parent/guardian must call or email the attendance office with the information or have the student bring a written request from a parent/guardian. A "homework log" is available in the office for students who would like one. Makeup work is the responsibility of the student. Obtain a homework log at least two days in advance of an extended absence.

ALCOHOL, TOBACCO, DRUGS

Because the School District and Minnesota State Law believe that student alcohol, tobacco (including electronic cigarettes) and chemical use is wrong and harmful, the student participant shall not during the calendar year including the seasons of practice, play or rehearsal of any school activity:

- use any beverage containing alcohol
- use any form of tobacco
- use, consume, possess, buy, sell or give away alcohol, marijuana or any other controlled substance
- use any inhalants

POSSESSION

A student participant shall NOT HAVE IN POSSESSION any alcohol beverage, tobacco or drugs AT ANY TIME DURING THE CALENDAR YEAR. Student participants who violate this rule will be suspended from participation in public performances for the time specified. Possession is defined as: having or taking into one's control. This includes having an alcoholic beverage, chemical substance or possible inhalant in one's car, among one's belongings, on one's person and/or under one's control. This also includes any convictions of D.U.I., minor in possession or open bottle.

GUILT BY ASSOCIATION

All student participants must avoid circumstances or situations where alcohol or drugs are present. Remaining at a party or in a vehicle where alcohol, drugs or inhalants are existent shall constitute "Guilt by Association." The only exception to this may be when the student's parent is attending an event with the student.

First-time "Guilt by Association" violators and users will lose one (1) event or one (1) week's activity participation.

Second-time "Guilt by Association" violators and users will lose two (2) events or two (2) week's activity participation.

Third-time "Guilt by Association" violators and users will lose six (6) events or six (6) week's activity participation.

When the school receives a **MN Statute 126.036 Chemical/Alcohol Abuse Violation Report**, the student participant will be referred to the Chemical Pre-assessment Team. If more than one report is received of a chemical/alcohol abuse violation, the student will be referred again to the Chemical Pre-assessment Team and must follow the committee's recommendation. Any student with an alcohol, chemical or tobacco (including e-cigarette) violation is ineligible to attend school dances until the recommendations of the Chemical Pre-assessment Team have been followed.

ALTERNATIVE HIGH SCHOOL AT FOLEY

Foley's participation in a cooperative alternative school program will enable Foley students to catch up on coursework and graduation requirements so that a student may return to the regular school program. Alternative school students must meet qualifications in order to participate in the alternative school. Students attending Foley's Alternative School will be eligible to participate in Foley High School activities and graduation.

Admission Criteria

The Foley Alternative High School is designed for those students who have fallen behind in satisfactorily completing coursework. **Only students approved by the Foley Alternative High School Steering Committee will be admitted into the program.** In making the

determination as to who will be accepted and who will not be accepted into the Alternative School, the Steering Committee will consider program enrollment limits and the level of needs of all potential candidates. Students must be at least 16 years old. Other factors the committee will take into consideration include students who:

- are at least one year behind in completing coursework
- are pregnant or a parent
- have been assessed as chemically dependent
- have experienced mental health problems
- have experienced homelessness during the past six months
- have limited English proficiency or speak English as a second language

The above factors do not automatically qualify a student for enrollment in the alternative school program. Admission is gained only through approval of the Alternative School Steering Committee. The Steering Committee will consist of the high school principal, the alternative school teacher, and the high school guidance counselors.

Maintaining enrollment at the Foley Alternative School

1. Students must meet the following criteria or face possible removal from the Alternative School
 - a. Students attending the Alternative High School are required to pass a minimum of 67% of the classes enrolled at the ALC per trimester.
 - b. Students are not to have more than seven absences per trimester, excluding absences for which a doctor's note is provided to the school. Unexcused absences count as 2 absences for attendance purposes in the alternative program.
 - c. Acquiring excessive discipline referrals or acquiring a referral that causes a substantial disruption.
*Inability to adhere to all rules and expectations of the Alternative School may result in removal at any time from the alternative program.

ANNOUNCEMENTS

Daily announcements will be emailed to all students and staff, posted on the school website and read at the end of 1st period each day. All daily announcements must be given to the guidance secretary by 3:05 p.m. the day before the desired announcement. Student requested announcements must be signed by an advisor.

AREA LEARNING CENTER PROGRAMS

Area Learning Centers are designed for those who have fallen behind in satisfactorily completing coursework or for those who have dropped out and want to return to complete their high school education. Students must meet qualifications in order to attend the Area Learning Center. Specifically, students must be at least one year behind in graduation credits earned, or referred by the local school district.

Part-time Area Learning Center students are responsible for keeping up-to-date on Foley-related information regarding registration, pictures, announcements, etc.

ASSEMBLIES

Students will be assigned specific seating by grade level for all assemblies and will be dismissed by the PA system or their teacher. All assembly attendance is mandatory unless excused individually by the principal.

ASSUMPTION OF PRIVACY

Students and staff present at Foley High School have a right to an assumption of privacy. It is not permissible for students to take pictures of students or staff without consent of the student or staff member. Doing so, and especially the use of the picture, will be subject to consequences.

ATTENDANCE AND ABSENCES

Regular attendance is a joint responsibility to be shared by the student, parent/guardian and school. Students must be in attendance the full 5 period day unless participating in an approved SOEP, PSEO or are considered a part-time student.

STUDENT'S RESPONSIBILITY: It is the student's responsibility to be in school. Students feeling ill during the school day-must report to the nurse's office before checking out to leave school as the health aide is required to speak to a parent/guardian prior to departure. After being absent it is the student's responsibility to obtain and make up any outstanding homework. It is also the student's responsibility to attend all classes regularly and punctually and to follow correct procedures when absent from school or class. Students must be in attendance three consecutive periods to participate or attend after school events including all co-curricular activities.

PARENT/GUARDIAN'S RESPONSIBILITY: It is the parent/guardian's responsibility to encourage the student to attend school, to inform the school in a timely manner-in the event of a student absence and to work cooperatively with the school and the student to solve any attendance problems that may arise. Please be sure your child has followed proper procedures when ill by reporting to the nurse's office and that you have been contacted by the nurse prior to their leaving school.

SCHOOL'S RESPONSIBILITY: It is the school's responsibility to encourage students to attend all classes. It is also the school's responsibility to inform the student and his/her parent/guardian of a student's lack of attendance and to work cooperatively with both the student and family to develop acceptable attendance patterns.

If a student is absent from school, the student's parent or guardian must notify the office and provide a reason for the absence. The parent should call the FHS attendance line prior to 10:00 a.m. the day of the absence. The high school's phone number is (320)968-7246, extension 1. If contact is not made with the parent/guardian, the student should bring a note written by the parent/guardian to the office prior to 8:10 a.m. the day after the absence. Failure to supply the school with a written excuse will lead to an absence being considered unexcused with subsequent consequences.

A WRITTEN EXCUSE FROM A PARENT DOES NOT AUTOMATICALLY EXCUSE AN ABSENCE.

Excused Absences:

- * Chemical/Psychological Counseling and Support Groups.
- * Court Appearance.
- * Family Approved Vacation (pre-arranged).
- * Family Emergency.
- * Illness.
- * Religious Holidays (also see "participation credit").
- * To spend time with a military parent/guardian who is home on leave.
- * Verified Medical and Dental Appointments.
- * Work at Home/Family Business Only.
- * Written driver education license test (A combined maximum of two road or written driver tests).

The school reserves the right to refuse excusing an absence when requests become excessive. Once a student has 7 absences in a trimester, all of the above absences will be considered unexcused unless medical documentation signed by a health care provider is presented to the school.

UNEXCUSED ABSENCES:

- * "Appointments" not specified as medical, dental, counseling, etc.
- * Driver Education instruction
- * Employment for pay
- * Job interviews not pre-approved by the Administration
- * Leaving scheduled classes early or arriving late to attend PSEO class
- * Leaving school to buy materials for classes such as shop, ag. etc.
- * Missing any class to do homework
- * Missing the bus
- * Non-family members who drive other students to appointments, etc.
- * Oversleeping
- * Routine forms of entertainment
- * Senior pictures
- * Shopping trips
- * Tanning and hair appointments

The same set of attendance rules apply to all students regardless of age.

ATTENDANCE AND ABSENCES (for hybrid/distance instructions)

Students should expect to be online during the time of their scheduled class. If unable to attend online, or if the teacher allows for non-synchronous (not live) class meetings, students must follow instructions set by the teacher in order to indicate positive attendance (being present) for the class period. Attendance will be taken in all classes during hybrid or distance learning. All germane attendance reasons and expectations outlined in the previous section apply to hybrid or distance learning.

ATTENDANCE INCENTIVE PROGRAM

Students who maintain perfect or exemplary attendance will be recognized during the Night of Excellence banquet at the end of the school year. Perfect attendance requires that a student have no absences. Exemplary attendance includes those who miss five periods or less during the school year. Time missed for funerals, school activities, religious events or college visits are exempt for this program. Seniors who have four years of perfect and/or exemplary attendance will receive special recognition. Students are not eligible to obtain perfect or exemplary status if the student has accumulated more than 5 unexcused tardies.

CELL PHONES and ELECTRONIC DEVICES

Cell Phones have become an integral part of our daily lives including those of students. However, there continues to be increasing concerns of the potential risks associated with cell phone use in school including but not limited to; learning distractions for self and others, privacy breaches and student safety concerns. MN law states schools must minimize the impact of cell phones on student behavior, mental health, and academic attainment. With this in mind, Foley High School will be implementing the following cell phone plan. Cell phones and other personal electronic devices including earbuds are prohibited from being used or seen during class time. This includes if a student is restricted due to grades during their flex time. Students will be allowed to use their phone during passing time, at lunch, and when not restricted during Flex time. If a student chooses to not follow this expectation and their phone is taken, it is a student liability, not a staff liability.

CITIZENSHIP

It is important that students conduct themselves to be a credit to self, family and school. Enrollment in Foley High School has increased these responsibilities. Students are expected to be good citizens both in and out of the classroom and activities. This includes cooperation with school employees, the adult community and fellow students in a way that will be most representative of FHS. When using Foley area businesses and facilities, be a good citizen and a good representative of Foley High School and of youth.

COLLEGE IN THE SCHOOLS DAYS/CIS DAYS

Students enrolled in a College in the Schools course at Foley High School may be entitled to CIS Days. At the teacher's discretion, students may miss class to complete other tasks as needed at school or outside of school on said days. Students must be in good standing in class and be approved by the classroom teacher. Students must have a parent permission form completed prior to utilizing CIS days to leave school grounds. Students choosing to be at school during this time must be in either the media center, cafeteria, student center or in a teacher's classroom with permission.

COMPUTER AND INTERNET POLICIES:

District issued Laptop/Chromebook

Laptop devices are the property of the School District and students are expected to follow the guidelines outlined in the Technology Use Agreement. The agreement explains student responsibilities, parent/guardian expectations, terms of device loan, general care instructions, fees, security and theft prevention, and issues related to damage, theft, and repair.

Personal Laptop Computer Policies:

Foley High School actively supports the use of technology by our students. With the ever increasing number of students using their personal laptop computers at school, and given the need for an instructionally secure setting, the following guidelines have been put in place. Students do not have a right or expectation of privacy for any use of laptop computers while in school or when accessing the district network. Any staff member has the right to monitor student use of said laptop. Programs and documents used while on school property will be monitored. The use of a personal computer at Foley Public Schools may not, in any way, disrupt the learning environment.

- Students using personal laptops must abide by all established and/or posted Internet guidelines, including, but not limited to, no music videos, chat rooms, emails, forums or blogs. No games (either internet or downloaded), movies or inappropriate sites.
- Laptops must be operated on the student's battery and recharging should not take place in school.
- Foley Public Schools assumes no financial liability for the security of a private laptop computer. Students are responsible for securing their own computer equipment and ensuring the equipment is not damaged. (Note: Student lockers are **NOT** secure storage areas.)
- Foley Public Schools is not responsible for wireless connection.

Discipline: Students not in compliance with the provided policies will immediately lose the right to utilize their personal laptop computer on school grounds. The laptop will be turned into the office and held until the end of the day. The student may incur additional consequences for inappropriate behavior or internet use.

Internet Policies:

- Chat rooms, forums or instant messaging will not be allowed. Exceptions will be made for an approved email or blogging service to be used by a principal approved class. Forums and chat rooms will only be allowed through teacher supervised activities.
- Do not access, download or save files with inappropriate content.
- Do not share personal contact information (i.e. name, address, phone, credit card information). Do not buy or sell anything.
- Copyright laws must be respected. Any questions about what constitutes a copyright violation should be directed to a teacher or other school staff.

Internet Policy violations will be handled in the following manner:

The use of the school district system and access to the internet is a privilege, not a right. Violations of this policy have consequences ranging from losing privileges for an amount of time, to disciplinary action or even being expelled or prosecuted under the law.

- The signed internet permission form (AUP) is to be considered the only warning.

- The first offense will entail a 10 school day suspension from internet usage.
- The second offense will entail a three-month suspension from internet usage.
- The third offense will entail a one-year suspension from internet usage from the date of the infraction.
- These internet offenses will carry over from one school year to another while at the high school.

COUNSELORS

Students who wish to speak to a counselor should check with the guidance secretary in the Guidance office. Samples of some of the services provided by the school counselors include:

Career planning (interests, abilities, and occupational information)
 Post-secondary school planning (college, technical college, and vocational)
 Financial aid and scholarships
 High school course selection
 Help with personal difficulties which affect school performance
 Coordinate peer tutor program
 Attendance issues
 Administer and interpret standardized tests
 Volunteer opportunities

DANCES

Dances are a positive component of a school experience. Violations of school policy while at a dance (i.e. tobacco, alcohol, chemicals, insubordination or other behavior, etc.) will prohibit a student from any future dance attendance for the remainder of the school year. This consequence will include prom. Any student with an outstanding alcohol, chemical or tobacco (including e-cigarette) violation is ineligible to attend dances until completion of the requirements set forth by the Chemical Pre-Assessment team. All school policies are applicable to students and guests at dances, including dress code, and any violations will be addressed in accordance with school policy. To maintain safety, when a student or guest leaves a dance, he or she will not be allowed to reenter.

The Homecoming Dance and Winter formal are open to all FHS students and approved guests. Prom will be open to all 11th and 12th grade FHS students and approved guests. For prom, any guest must be at least a 10th grader in good standing at their school of record and no older than 20 years of age.

Any other school-sponsored dances are intended for current students of FHS only. Dance policies promoted by student council and enforced by the school include:

1. Tickets must be purchased in advance for guests according to the guest policy.
2. Guest passes must be approved through the high school office.
 - a. Passes will be issued according to the guest pass schedule advertised for each dance.
 - b. Guests that are not students at FHS must provide a picture ID and have parent signature to be considered.

DAILY SCHEDULE

Instructors Available in

Teaching Area	7:20 AM
First bell	8:00
Period 1	8:05-9:10
Flex Time	9:16-9:44
Period 2	9:48-10:52
Period 3	10:56- 12:34 -----
Period 4	12:38-1:42

Lunch A (Period 3)
 Lunch 10:52-11:20
 Class 11:24-12:34

Lunch B (Period 3)
 Class 10:56-11:29
 Lunch 11:29-11:57
 Class 12:01-12:34

Lunch C (Period 3)
 Class 10:56-12:06

Period 5

1:46-2:50

Instructor Day Ends

3:20 PM

DETENTION

Detention may be assigned to students who are unwilling to comply with the established school rules. Students who are assigned detention will be expected to serve detention in the allotted time set by administration (generally one calendar week). Assigned detention time takes precedence over any co-curricular or extra-curricular school activity including clubs, meetings or practices. Inability or unwillingness to serve detention will prevent students from participating in extracurricular activities and will therefore be ineligible to participate in any and all activities, which can include but is not limited to: athletics, dances, field trips, graduation ceremony, musicals, etc., until the full detention time has been served.

DRESS AND APPEARANCE

Students of Foley Public Schools are expected to be properly dressed and groomed. Proper student dress and grooming is a responsibility of the student and his/her parent(s). However, a student's dress and grooming must be in the best interest of the school with respect to the health, welfare and safety of the individual and the student body. Appropriate clothing includes, but is not limited to: clothing that does not create a health or safety hazard and clothing appropriate for the activity. Shoes must be worn at all times in the building. As a general rule:

- All shirts/tops must have shoulder straps.
- Clothing should cover skin and undergarments along a line from the armpits down to several inches of the upper thigh (roughly fingertips) and everything in between.
- Appropriate clothing must be worn under anything see-through/mesh within the armpit to upper thigh guideline.
- Shoes/sandals must be worn at all times.
- Clothing will not depict or suggest nudity, pornography, sexual acts or crude language.
- Clothing will not depict, advertise or suggest the use of alcohol, tobacco or other controlled substances, the confederate flag or illegal or inappropriate conduct.
- When required by school or state policy, a face covering will be worn by all students and staff (unless allowed to not by school or state policy exceptions) that meets the following requirements:
 - Covering the nose and mouth completely
 - Not overly tight or restrictive
 - Comfortable enough to wear for an extend period of time
 - Meeting the applicable dress guidelines also included in this section.

Students whose dress and grooming do not conform to these standards will be referred to the principal. The student will be advised by the principal as to what adjustments must be made; if the student fails to remedy the problem at that time the parents will be contacted. If the problem remains uncorrected, the student will be removed from the class or activity involved until the student corrects the situation-**per Minnesota Statute, 127.26 Chapter 572 of the Pupil Fair Dismissal Act**. Dress and grooming styles that create a substantial disruption of the learning process must be avoided. If this is the case, the student must change and make up any class time missed while changing. The question of acceptability is left to the teacher and the administration.

DRIVERS EDUCATION

Any driver's training must be conducted during non-school time. Students will not be excused for private driver training during the school day. A student will be excused for a maximum of two road and/or written driver education tests.

EIGHTEEN YEAR-OLD STUDENTS

The conduct of all students attending a public secondary school shall be governed by a single set of reasonable rules and regulations adopted by the local Board of Education: **MINNESOTA STATUTE, 120.06 Chapter 529**.

EXTRA-CURRICULAR ELIGIBILITY INFORMATION – ATHLETICS & FINE ARTS

All Foley student extracurricular participants must adhere to the eligibility guidelines as spelled out by the Foley School Board, the Granite Ridge Conference and the Minnesota State High School League eligibility bulletins that each participant receives in advance of their season of participation for both athletic and fine arts activities.

Penalties for violation of the eligibility guidelines are included in each bulletin the student participant receives. The student participant and his/her parent/guardian must electronically sign and submit the form prior to the student participating in an activity.

Residents of the Foley District, who are participating in the Post-Secondary Options Program, are enrolled in the Foley Alternative Learning Program or are district residents enrolled in an approved home school program are eligible for activity participation at Foley Senior High School. Students enrolled at other high schools or in an online high school are not eligible unless specifically addressed in MSHSL policy.

Academic Eligibility Guidelines

If a student receives a midterm grade of F in any class(es), the student will be put on the Deficiency List and will be ineligible to compete in Minnesota State High School League events or any other extra-curricular activities. This includes, but is not limited to; athletics, academic activities, drama, and co-curriculars. An ineligible student may attend an event but may not be in uniform. The student may practice.

Academic deficiency lists will be determined on the second to last day of every 3rd week of the grading period. To be eligible to participate in post-season activities (playoffs, section, state, etc.) a student must be passing all classes at the time of the competition.

If the student is on the probation list and is in an activity:

- The ineligible student must pick up an “Academic Eligibility Form” from the Activities Office and give it to the teacher of the course in question. The student will become eligible when the teacher signs the form and returns it to the Activities Director, who will inform the coach or advisor of the student’s reinstated eligibility.
- Any student who is ineligible to compete may not leave early from school to attend an event.
- End of Trimester Academic Violation: Any student that receives an F on their trimester report card will be deemed ineligible for their next event. The infraction for the 1st and 2nd trimester grading period will be served starting the day after teacher grades are due to the office. If the infraction occurs for the 3rd trimester grading period the infraction will be served the first contest or performance the following fall season or next season of participation in an activity.

FEES

Public education in Minnesota is free to all students who are residents. However, fees may be charged under the following circumstances:

1. A project in art, industrial arts, or other course that has excess of the material requirements of the minimum course outline, will require a deposit of approximately half of the project cost be paid to the high school office within two weeks of the start of class, if the student elects to do such a project with the approval of the instructor. The student may elect to take such projects home and the cost of such projects must be paid as the material is used. Students may provide their own materials for such projects with the approval of the instructor.
 2. Cost of school equipment or material destroyed, broken or unduly damaged through carelessness or failure to follow instructions, in the amount necessary to restore the item involved to their original condition.
 3. A deposit for lab or shop breakage may be returned at the end of the school year for the unused amount. This deposit is applicable only if the student is enrolled in a course involving laboratory or shop work.
 4. Rental charges on school-owned music instruments, if the student requests use of the instrument.
 5. Driver Education offered through Community Education.
 6. Costs of trips which are made available from time to time but are not a part of a course, should the students elect to participate in the field trip.
 7. Costs of the yearbook, graduation items or class ring should the student elect to order any of these items.
 8. Admission fees for concerts, plays, athletic events and other activities which the student may attend at his/her option.
- These procedures are in accordance with the Minnesota School Fee Law, M.S.A., 120.71-120.76.

FOOD AND BEVERAGE

Breakfast may be eaten in the classroom. Students are responsible for minimizing mess and cleaning up their own belongings. Water is allowed in the classroom. Other beverages or food beyond breakfast during the first period is permitted only with teacher permission.

FOREIGN EXCHANGE STUDENTS

Foley Public School will work with Exchange programs as approved by the International Educational Travel and Exchange Programs Council and the National Association of Secondary School Principals. A foreign exchange student will be placed in the age-appropriate grade as determined by the High School Principal. However, a student who has "graduated" from their home country high school will be placed in the senior class of Foley High School. For an exchange student to receive a Certificate of Attendance at graduation, he/she must have been enrolled as a senior and have been in attendance for an entire school year. Foreign exchange students are not eligible for a diploma.

GRADES AND REPORTS

Student grades will be reported both in a letter grade format as well as by measure of meeting standards. Parents will be notified by email at appropriate times during the school year when special mid-term reports covering student classroom activities, attitude, daily preparation, attendance, and personal responsibilities are available in the Infinite Campus parent portal. Parents are urged to contact the teacher after receiving a Special Report. A final grade in each course will be recorded in Infinite Campus at the end of each trimester. These grades will be used to calculate GPA. **Parents may also access their child’s academic “Progress Reports” for individual classes online at any time.**

GRADING SYSTEM

GRADE	POINTS/CREDIT	GRADE	POINTS/CREDIT
A+	4.00	C+	2.34
A	4.00	C	2.00
A-	3.67	C-	1.67
B+	3.34	D+	1.34
B	3.00	D	1.00
B-	2.67	D-	.67
		F	.00

STANDARDS GRADE

Students will be given a grade of 2-Not Meeting Standard or 3-Meeting Standard on each summative assessment. Students must demonstrate the ability to meet standards in order to receive the credit for the course.

GRADUATION CEREMONY

Graduation ceremonies are a privilege and not a right. While a qualified senior is entitled to the diploma earned; a student may be withheld from the graduation ceremony due to inappropriate behavior. Any student involved in malicious behavior of any kind such as, but not limited to, vandalism and “senior pranks” (including the release of live or dead animals) on school property will be prohibited from participating in or attending the graduation ceremony. All seniors graduating will have their names listed in the graduation program; however, only seniors attending the ceremony will have their names announced during the presentation of the diplomas. To be eligible for the graduation ceremony, a student must have earned at least 48 credits by the conclusion of the 2nd trimester of their senior year. Students not eligible by this standard may appeal to the Principal by May 1st of their senior year. Students requesting special permission to participate must demonstrate that they are currently passing all classes and need no more than 7 total credits.

GRADUATION REQUIREMENTS

Students are expected to accept the full responsibility of completing academic graduation requirements. This means that the student is responsible for earning the required number of credits and taking the required courses. Courses needed for graduation as well as a description of those courses may be found in the Registration Handbook which is available on the district website. All courses are a trimester in length. Promotion in high school is determined by subjects and credits. In order to graduate from Foley High School, a student must earn:

A total of 55 credits are required for graduation

If behind in credits a student has the option to discuss after school, summer school and alternative school options with their counselor. Students must take the Minnesota Comprehensive Assessments in Reading and Mathematics in the respective year offered. All students are required to take 5 classes each trimester. In order to participate in Foley High School’s graduation ceremony all fees, fines and disciplinary responsibilities must be paid/completed.

HONOR ROLL

The honor roll is figured at the end of each trimester. The honor roll for grades 9-12 is based on the grades received in all classes taken that trimester.

"A" honor roll: Students must have an average of 3.66 and no grade lower than a "B-".

"B" honor roll: Students must have an average of 3.00 and no grade can be lower than "C-".

To be included in the honor roll, students must be enrolled in at least four Foley High School credits; be a full-time equivalent student at a postsecondary school or some combination of these two options. Online courses, homeschool classes, correspondence courses, or similar non-college level courses do not qualify for honor roll consideration. Any student receiving more than two (P) “passing grades” is not eligible for the honor roll. Incompletes (I) must be made up within two weeks once report cards are released. Students receiving special education services will be evaluated on an individual basis for the honor roll.

INCOMPLETE SCHOOL WORK

If at the end of a marking period a student has not completed all of the required work, it is the student’s responsibility to make arrangements with the teacher to make up the work. It must be done within 2 weeks after report cards are released or the incomplete will be changed to a failure.

LATEX-FREE ENVIRONMENT

Foley High School strives to be a latex-free environment as much as possible. No latex balloons will be allowed in the school building and other latex products may also be restricted.

LEAVING THE BUILDING

- a) Students who must leave the building during the school day for whatever reason must provide a parent note or call to the high school office prior to leaving. Parent notes should be provided to the office before the first hour. Students will be placed on a list

- which is shared with teachers on a daily basis.
- b) Students must sign out in the High School Office when leaving or returning to school.
 - c) Students who are absent from school in the morning must sign in at the office when arriving at school.
 - d) In cases where the above policies are not followed, the student will receive an unexcused absence and zero grade for the time missed and/or detention

LOCKS AND LOCKERS

Students are responsible for their locker and its contents. Students should be sure to lock their locker. Students are responsible for the condition of the locker assigned at the beginning of the school year and will be assessed damage costs if such occurs to the locker. Personal locker door signs must be in good taste and must be put only on the inside of the locker door. Students must use masking tape, not scotch tape, as it will be very difficult to remove at the end of the year. Students are responsible for removing all items, tape, etc. at year's end. No switching of lockers is permitted.

School lockers remain the property of the school and school authorities have a responsibility and a right to examine the contents of these lockers for reasons of health, safety and security. Acceptance of a locker by a student is acknowledgement of the privilege retained by the district to examine the contents of that locker at any time. Students must keep assigned lockers unless authorized to make a change by the office. Individual personal locks are not allowed without approval from the principal. A student shall not place, keep or maintain any article or material in a school-owned locker which is of a non-school nature that shall cause or tend to cause a disruptive activity on any school property or at any school-sponsored function. Money or other valuables are not to be kept in regular or locker room lockers. Inspections of all student lockers will be conducted on occasion. Lockers should be kept reasonably clean at all times and all materials inside a locker must be appropriate for a school setting. No decorations larger than the face of the locker or rising over the top of the locker will be allowed. **The Locker Room will be locked when physical education classes are not in session. Office staff will not be able to open the locker room during these times except in cases of emergency.**

LUNCHROOM/CAFETERIA RULES

- 1) All students must report to the cafeteria during their lunch period unless in possession of a pre-signed pass to a teacher supervised area.
- 2) Students may not leave the building during lunch as FHS is a closed campus.
- 3) Students bringing bag lunches are to eat in the cafeteria. Milk may be purchased. Students are not to have food delivered from a restaurant to the cafeteria.
- 4) Students are responsible for taking their tray to the dishwashing room and seeing that their table is left clean.
- 5) Students are not permitted to cut or push in the lunch line.
- 6) Absolutely no throwing of food or other objects will be tolerated.
- 7) All students must follow the directions of the lunchroom supervisors.
- 8) When staff or guests arrive at the serving counters, students will allow them to enter the serving line ahead of the next student to be served.
- 9) The school's lunch system allows for prepayment. Cash payment in the lunch line slows down the movement of the line. Students with cash payment in-line or no number will be sent to the end of the lunch line, receiving their lunch after others have been processed.
- 10) Students are to remain in the cafeteria/locker bay until the bell has rung. Students are not to leave lunch early to go to class or other areas of the school without a pass.

MAKE-UP WORK

A reasonable amount of time is given to the student to make up the work that is missed. A PERIOD OF TWO DAYS FOR EACH DAY MISSED WILL GENERALLY BE THE RULE, unless mutual agreement is made between the student and the teachers. If a College in the Schools (CIS) course has a different policy mandated by college faculty, the college policy takes precedence. It is the student's responsibility to see that this work is made up.

MEDIA CENTER POLICIES

Media Center Hours: 7:45 AM - 3:15 PM

Conduct: The Media Center offers an environment conducive to learning with many resources available. All activities within the Media Center should be constructive in nature and respectful of the rights of all users. Each student will be on task and respect the right of others to work in an atmosphere without distraction. Reading for leisure is encouraged. Students must follow all posted rules.

- A maximum of 40 students during flex time will be permitted at one time in the Media Center. This number may be limited depending on the demand placed on the facility during a class period.
- Immediately upon entry, present a pass or follow sign in/out procedures as directed.
- Quiet discussion is allowed. Communication is an essential part of education; however, the media center is not a place for general conversation during classroom hours.
- To ensure a positive learning environment, no more than two students per table unless special circumstances exist and permission is given by media staff.

Discipline: Violation of Media Center conduct rules may result in the loss of Media Center privileges as well as disciplinary consequences according to handbook regulations.

Before and after school hours: Students may use the Media Center without a pass and should observe all other rules of conduct, use and respect.

Circulation: Library books may be checked out for two weeks. Books may be renewed provided there are no other requests for that title. Circulation items not returned by the last student day of the school year must be paid for according to the replacement value of the item. No future refunds for those items shall be given.

Computers: Computers in the Media Center are available for student use. All established computer lab and internet rules apply in the Media Center.

Conference Rooms: Conference rooms may be used by students for studying provided permission is given by media staff. Scheduled meetings will have priority over individual use.

Hallway Passes: Passes from the Media Center will be given only to the office, bathroom, student lockers and telephone. Sign out/in as directed. Follow all specific instructions or rules from teachers regarding hall passes or returning to class.

Lost or Destroyed Books, Materials or Equipment: Lost or destroyed media items must be paid for according to the replacement value of that item. No future refunds will be given.

Magazines: Magazines may not be removed from the Media Center. Students who wish to use back issues of a magazine must ask permission from library staff.

Photocopy Machine, Printers, and Scanners: Students must follow laws relating to copyright and use of data. Students may copy or print only school related items.

Reference Books: Certain reference books may be checked out overnight.

MINNESOTA HONOR SOCIETY

The Foley Chapter of the Minnesota Honor Society exists to recognize those persons who have a high academic performance, are involved in school and community activities, have shown leadership and are of the highest character. As a branch of the Minnesota Honor Society, membership in the organization is one of the highest recognitions that may be given to a high school student.

All individuals will be considered for membership at the beginning of their junior year and again at the beginning of their senior year. To be considered a student must have a cumulative grade point average of at least 3.00. Anyone who meets this requirement and wishes to be considered for membership must complete a MHS application form. This form will be used by the Faculty Committee, along with other information, to determine if the student meets the MHS requirements of Scholarship, Service, Leadership and Character.

After being informed of their selection, the candidates for membership must go through the induction ceremony. Once through that ceremony students will become members. Students may be removed from MHS membership if failing to maintain the standards of the organization. To maintain their membership all members will be expected to (1) maintain their 3.00 average, (2) actively participate in the various activities of the chapter, (3) maintain their involvement in school and community activities that lead to their selection, (4) follow all school rules, and (5) follow all the rules of the local, state and national organizations. Removal can take place only after the student has been properly notified and only by action of the Faculty Committee. Once removed from membership a student cannot be readmitted. The Foley Chapter is a branch of the Minnesota Honor Society, subject to its rules and procedures.

NAMES AND ADDRESSES

Foley High School will provide mailing information (student's names and addresses) for appropriate representatives of all branches of the armed forces, colleges and universities. This information will be kept confidential if the High School office is requested by a parent or guardian to withhold the student's name and address from the information list. Indiscriminate distribution of lists of names, addresses and phone numbers of students will not be done. FHS will forward all student records to transferring school districts. **Refer to Policy 515**

Protection and Privacy of Pupil Records.

OTHER BUILDINGS

High School students are not permitted in the elementary or intermediate schools at any time without staff permission and supervision.

PARKING

All students wishing to drive to school must register their vehicle and obtain a parking pass that will be displayed in the lower left corner of the windshield. Each student must have his/her parking permit properly displayed in the vehicle. Any vehicle found on school property without the permit properly displayed will be given a warning. Continued refusal to follow expectations will result in a \$10.00 fee assessed to the student for each incident. Student parking will be in the south parking lot and southwest parking lot near the tennis courts. Student vehicles found to be parked in other areas or that take up multiple parking spots will be assessed a \$10.00 fee. Chronic abuse of parking rules may result in vehicles being towed from the premises at student's expense as well as possible revocation of parking privileges. Also, no parking is permitted along the curbs of the fire lane in front of the school at any time. Students are not permitted to park in spots reserved for staff or visitors. Students are not permitted to sit in a vehicle between 8:05 A.M. and 2:50 P.M. Students are not to drive in the bus/fire lane in front of the high school. Cars parked on school grounds are subject to a search by authorized school personnel.

PARTICIPATION AND ATTENDANCE FOR ANY SCHOOL PROGRAM BY STUDENTS

Participation in a school program, course offering or special event may be limited by academic standing, disciplinary matters or enrollment status. Any questions about eligibility for participation in any aspect of Foley High School's educational program should be directed to the principal.

All Foley students are ambassadors for their school. Behavior is a direct reflection upon all students at FHS. Misconduct at these events will result in loss of the privilege to attend such events for the remainder of the school year and/or possible detention or suspension. Students must be in school at least 3 consecutive hours to participate in or attend an activity function that afternoon or evening. This includes all school activities (i.e. sports, music, plays, FFA, color guard, etc.).

CONSEQUENCE: Students who violate this guideline will not be permitted to participate in the next regularly scheduled practice, contest or event for that activity.

Any student who receives a Minnesota State High School League violation is ineligible for a leadership position for one calendar year from the initial start date of the suspension. This includes, but is not limited to, Captain, Class Officer, Homecoming Court, Officer, or any other leadership position as determined by the high school principal.

PASSES

1. Students are not permitted in the hallways after a class period has started without a pass or teacher permission.
 - a. Students are to go directly to the place written on the pass - if found in an area other than that stated on the pass, pass privileges will be taken away and the student may receive detention. Students must carry a pass and be prepared to present their passes to staff upon request.
2. Students who need to use a pass may be asked to leave their cell phones in the classroom, with the exception of seeing the school nurse. Students refusing to do so will not be given permission to leave.
3. Students who need to see the school nurse are to leave cell phones and other electronic devices with the school nurse.
4. Teachers reserve the right to request that a student wait to leave class and may restrict the number of students out of class at a time.

PHYSICAL EDUCATION PARTICIPATION REQUIREMENTS

Due to the nature of physical education classes, it is essential that students participate actively in order to receive credit. If for any reason (minor injury, illness, etc.) a student cannot participate, she/he must present a written excuse signed by a parent/guardian to the respective physical education teacher. Students are expected to shower after Physical Education classes. Each time a student chooses not to dress for a physical education class, his/her grade will be lowered one third letter grade. A doctor's permit may be required for a student to be excused for more than two days in succession.

POST-SECONDARY ENROLLMENT OPTIONS

The Post-Secondary Enrollment Options Act enables 11th and 12th graders to attend, full or part-time, a technical college, a college, or a university for high school credit. The purpose of this legislation is to provide rigorous educational options for high school juniors and seniors. Students must meet the requirements of the post-secondary institution and will need to work with their counselor to ensure that the courses taken will satisfy graduation requirements. Emotional maturity and level of responsibility are major student considerations for success in this program.

Juniors who wish to enroll in this program must rank in the top one-third of their class in order to enroll at a college or university. Seniors must rank in the top 50 percent of their class.

All grades earned in the PSEO program become a part of the student's permanent high school transcript.

Students who wish to participate in this program during the 2023-24 school year should inform their high school counselor of their intent and fill out an application form before March 31, 2024.

Students who are Foley district residents and who are participating in the PSEO program are responsible for keeping up to date on the following: graduation procedures (announcements, cap/gown, credits, practice, etc.) - scholarship procedures - annual picture deadlines - daily announcements - Minnesota Honor Society information - etc. Students will need to visit school periodically to pick up this information or/and have parents or friends obtain the information. This is a student responsibility.

Diplomas will not be awarded until both the college and Foley High School certify that all obligations have been met (i.e. grades, bills paid, Foley books returned to the counselors, etc.). Foley district residents participating in the PSEO program are eligible for activity participation at Foley Senior High School.

Students who are removed from the PSEO program because of poor academic performance, or drop out of classes, must return to Foley High School on a full-time basis. Students who drop out of the PSEO Program must reimburse the School District for fees that the District has paid for the student.

PROTECTIVE EYEWEAR

Protective eyewear is a must in all shop classes per **MN Statute 126.20**.

PUBLICATIONS

A student may not produce and/or distribute petitions or other printed documents of any kind that are disruptive to the conducting of school. A student shall not produce and/or distribute any petitions, documents, or posters/advertisements of any kind or sort on school premises during the school day without the specific approval of the principal.

CONSEQUENCES: Student/Parent conference as necessary with detention or suspension **as per MN. Statute 127.26-127.40**

NOTE: Student participation in the publication of yearbooks, literary magazines and similar supervised publications is encouraged by the Foley Public School district as an educational experience. These publications have qualified advisors and strive to meet high standards of journalism.

SCHEDULE CHANGES

Students will not be allowed to change classes simply because of a change in mind. Parents and students must realize that teacher schedules are determined by the classes selected at registration time. **Classes should be selected carefully -- do not expect to make changes.** In cases where a change must occur, students will contact the school counseling office. Any changes in schedules are encouraged to be completed prior to the start of the trimester. Changes that occur after the start of the trimester should be complete by the conclusion of the 3rd day of the trimester.

SCHOOL VISITS (College and Vocational Schools)

Juniors and seniors will be permitted to visit post-secondary institutions. Parents and guardians are encouraged to accompany students on these visits. Students are to follow these procedures:

- 1. Obtain written permission from parent or guardian and submit it to the high school attendance office.
- 2. Notify the attendance secretary of your planned absence.
- 3. A maximum of two school days per year may be used.
- 4. These arrangements must be made in advance.

Students who do not follow these procedures will be unexcused and subject to detention or in-school suspension. Any exceptions to the above guideline will be handled on an individual basis depending upon the student's post high school goals, plans and situations.

SERVICE CLUBS FOR STUDENTS

Foley Senior High School recognizes the need for a well-rounded educational program. Achievement in school subjects is of most importance but a complete extra-curricular program is also important. Foley High School offers many opportunities for students to express and expand their interests and talents. Students must be enrolled at Foley High School to be eligible for participation. Some examples include:

Class Officers	National FFA Organization	Peer Tutors
Art Club	Minnesota Honor Society	School Yearbook
Conservation Club	Student Council	Spanish Club

STUDENT ASSISTANCE TEAM

Foley Senior High School has a Student Assistance Team (SAT) intended to be a first-step intervention in times of student academic, emotional or behavioral need. Referrals can be given to teachers, counselors, the school nurse or the school principal.

STUDENT DISCIPLINARY POLICIES (SCHOOL BOARD POLICY)

The Board of Education and School Administration recognize that the rights of all students and staff must be respected. Along with these rights, there is a corresponding responsibility for students to follow school rules and regulations. It is important for all to respect others at all times. **Examples of behaviors that are not appropriate include, but are not limited to: harassment, insubordination, assault, abusive language, fighting, possession of a weapon, and generally disruptive behaviors.**

The consequences listed with each misbehavior in the matrix are to be used as guidelines only and the school reserves the right to impose more stringent consequences as circumstances merit. For each misbehavior described in the discipline matrix, there are specific consequences for first, second, third, and fourth violations. Those consequences are shown as *, **, suspension for a specified number of days, or expulsion. Consequences which cannot be effected during the current year may be effected in the following year. Notwithstanding any provision in this policy, students may be suspended, excluded, expelled or lose privileges as deemed appropriate by the high school principal or his/her designee. Any offense of a similar nature to a previous violation will result in escalating consequences. Two major suspensions in one calendar year (5-10 days) will warrant consideration for expulsion. Two or more significant suspensions of 5 days or more in the student's high school career will place the student's status under review.

SUSPENSION, EXPULSION

1. A student may be dismissed on the following grounds:

- Willful violation of any reasonable School Board regulation.
- Willful conduct which materially and substantially disrupts the rights of others to an education.
- Willful conduct which endangers the student or other students or staff or property of the school.

(MS 121A.45)

DEFINITION OF TERMS

DETENTION: A detention period, supervised by a school employee, will be scheduled for students who have had unexcused tardiness, absences or other disciplinary action. Detention is held every school day from 7:00-8:00 AM and 3:00-4:00 PM.

The symbol * denotes a level of consequence ranging from a verbal reminder to detention or possible suspension for repeated action.

OUT OF SCHOOL SUSPENSION: An action taken by the school administration prohibiting a student from attending school for a period of no more than 10 (ten) school days at one time. Students who are on out-of-school suspension cannot participate in school related extracurricular or co-curricular activities. Some suspensions of length greater than 3 days out of school may be reduced through a positive administrative conference with both student and parent as well as student participation in a level of education related understanding the offending behavior. This opportunity for a reduction in suspension will be offered at the Principal's discretion.

IN-SCHOOL SUSPENSION: The student will be required to be in school but will not attend classes. Daily assignments must be completed and full credit will be given. The student will be assigned to an area designated by the administration for the school day.

A student who is on in-school suspension must report to the high school office by 8:05 A.M. on their assigned in-school days and will remain until the end of their scheduled day.

The symbol ** denotes a situation where school administration may seek expulsion of the student from Foley High School.

EXPULSION: An action taken by the School Board to prohibit an enrolled student from further attendance for a period that shall not extend beyond an amount of time equal to one school year from the date a pupil is expelled.

MISBEHAVIOR	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE	4TH OFFENSE
Consequences are applied on an annual basis except as noted below.				
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 vehicle, or at a school or district activity. Illegal activities will be reported to the proper authorities				
1. Abuse, Verbal/Gesture - Arousing alarm in others through the use of language or gesture that is abusive, discriminatory, harassing, obscene or threatening.				
Toward student	*	1-5 day susp.	5-10 day susp.	**
Toward staff	1-5 day susp.	3-7 day susp.	5-10 day susp.	**
2. Alcohol or Chemicals, Possession or Use - Possessing or using any alcohol, narcotic or controlled substance where possession or use is prohibited by Minnesota or federal law. (Any prescription medication a student is required to take, with the exception of prescribed inhalers, must be registered with the school nurse, in accordance with district administrative regulation) Violation of the above rule will result in a referral to the Chemical Health Pre-Assessment Team and law enforcement contact [Policy 418]	5-10 day susp	**	**	
3. Alcohol or Chemicals, Possession with Intent to Distribute or Sell - Selling or distributing, or intending to sell or distribute, alcohol, any narcotic or controlled substance where sale or distribution is prohibited by Minnesota or federal law. Violation of the above rule will result in a referral to the Chemical Health Pre-Assessment Team and law enforcement contact	**	**	**	**
4. Ammunition, Possession - Possession of bullets or other projectiles designed to be used in a weapon	1-10 day susp.	**	**	**
5. Arson - Intentional destruction or damage to school or district buildings or property by means of fire.	**	**	**	**
6. Assault - Acting with intent to cause fear in another person or immediate bodily harm, or intentionally inflicting or attempting to inflict bodily harm upon another				

person.				
Upon a student	1-10 day susp.	3-10 day susp.	**	**
Upon a staff member	**	**	**	**
7. Bodily Harm, Inflicting – committing an accidental act which, although a result of poor judgment, inflicts harm upon another person	*	1-10 day susp	**	**
8. Bomb Threat – Intentionally giving a false alarm of a violent action..	**	**	**	**
9. Bullying - Aggressive behavior that involves unwanted, negative actions; involves a pattern of behavior repeated over time; involves an imbalance of power or strength.	1-10 day susp.	3-10 day susp.	5-10 day susp.	**
10. Cell Phone/Electronic Device - use of a cell phone or other electronic device during class time without approval from the teacher.	Device with teacher for the hour	* Device in office for day	* Device in office until parent pick up	
12. Driving, Careless or Reckless – Driving on school property in such a manner as to endanger persons or property.	*; may include revocation of parking privilege	1-5 day susp; includes revocation of parking privilege	**	**
13. Explosives, Possession and/or Use – Possessing or using any compound or mixture, the primary or common purpose of which is to function by explosion, with substantially instantaneous release of gas and heat.	**	**	**	**
14. Fighting - in which one or the other party(ies) or both contributed to the situation by verbal and/or physical action.	5-10 day susp.	**	**	**
15. Fire Alarm, False – Intentionally giving a false alarm of a fire, or tampering with any fire alarm.	1-10 day susp.	5-10 day susp.	**	**
16. Fire Extinguisher, Unauthorized Use – Unauthorized handling of a fire extinguisher.	1 day susp	3-10 day susp.	5-10 day susp.	**
17. Firearm or Look-alike Firearm, Possession – Possessing any firearm, whether loaded or unloaded, or any device intended to look like a firearm.	**	**	**	**
18. Fireworks, Possession – Possessing or offering for sale any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation.	1-10 day susp.	**	**	**
19. Fireworks, Use – Using any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation.	**	**	**	**
20. Gambling – Playing a game of chance for stakes.	*	*	*	**
21. Harassment, Including Racial or Sexual – Participating in or conspiring with others to engage in acts that injure, degrade, intimidate, or disgrace other individuals, including indecent exposure, and words or actions that negatively impact an individual or group based on their race, cultural or religious background, their sex or any disabilities they may have. (For more information about sexual harassment, refer to district administrative regulation (Policy 413).	1-5 day susp	5-10 day susp.	**	**
22. Inappropriate display of affection - school is not an appropriate place for romantic or other displays of affection, including embraces, hugs, kissing, or other touch not appropriate in public settings.	*	*	1-3 day susp.	3-5 day susp.
23. Insubordination – Willful refusal to follow an appropriate direction or order given by a staff member.	In school susp. - 3 day susp.	1-5 day susp.	5-10 day susp	**
24. Interference, Disruption or Obstruction – Any willful action that prevents a staff member or student from exercising his or her assigned duties.	1-5 day susp.	5-10 day susp.	**	**

25. Nuisance Devices, Possession – Objects which cause distractions.	*	*	*	**
26. Photography - Posting or distributing video, whether digital or analog, or photographs, whether digital or otherwise, of students and staff at Foley High School without their written permission or that is not part of an official school production is prohibited. Sharing of inappropriate content is prohibited.	*	1-10 day susp.	**	**
27. Pornography, Possession or Distribution -- Possessing or distributing any pornographic material.	1-10 day susp.	**	**	**
28. Records or Identification Falsification – Falsifying signatures or data, or refusing to give proper identification or giving false information to a staff member. This includes falsifying absence notes or calls.	*	1-5 day susp.	1-5 day susp.	**
29. Robbery or Extortion – Obtaining property from another person without consent or where his or her consent was induced by use of force, threat of force, or under false pretenses.	5-10 day susp.	**	**	
30. Running in the Hallways - Running, jumping or other inappropriate hallway behaviors.	Verbal reminder	*	*	**
31. Squirt Guns/Water Balloons - Squirt guns and other water devices create a safety hazard and are not permitted on school grounds or buses without prior permission from administration.	*	1-10 day susp.	1-10 day susp.	**
32. Symbolic Expressions of intolerance including but not limited to the display of a Confederate flag, swastika, and/or any gang representations (bandanas, colors, etc.) including on a student's person, property or vehicle are not allowed and will be confiscated. These items may or may not be returned.	1-10 day susp.	1-10 day susp.	**	**
33. Terroristic Threat – Threatening, directly or indirectly, to commit any crime of violence with the intent of terrorizing another person.	5-10 day susp.	**	**	**
34. Theft of, or Knowingly Possessing Stolen Property – Unauthorized taking of the property of another person, or receiving or possessing such property.	1-10 day susp.	5-10 day susp.	**	**
35. Throwing of items in hallway, locker bay, classroom, etc. - Throwing items creates a safety hazard. A cleaning fee may be charged if a mess is made.	*	1-10 day susp.	3-10 day susp.	**
36. Tobacco/Tobacco Products – Possessing or using tobacco and/or tobacco products in district buildings, on district grounds, in district vehicles or at district events. E-cigarettes are considered nicotine delivery systems and are prohibited. This will also be considered a violation of MSHSL rules.	1-2 day susp.	2-5 day susp.	5-10 day susp.	5-10 day susp.
37. Trespassing – Unauthorized presence in any district facility or portion of a district facility and/or presence in a district vehicle.	1-3 day susp	5-10 day susp.	**	**
38. Vehicle, Unauthorized Use – Occupying or using vehicles during school hours without school authorization.	*	1-3 day susp.	1-3 day susp.	1-5 day susp.
39. Weapon or Look-alike Weapon, (excluding firearms), Possession – Possessing any device or instrument designed as a weapon and 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.	**	**	**	**
40. Willful conduct which materially and substantially disrupts the rights of others - Threats to normal school operations or school activities, including but not limited to, the reporting of dangerous or hazardous situations that do not exist and/or disturbing or interrupting the peace and good order of the classroom, school or school-sponsored activities.	1-10 day susp.	3-10 day susp.	**	**
41. Willful Damage of Property (Vandalism) - Defacing, cutting or otherwise damaging property that belongs to the school, to other students, to staff members or to other individuals while the student is on school property, at a school activity, in a district vehicle or under the supervision of school staff.	1-10 day susp. or **	3-10 day susp. or **	**	**

FLEX TIME

Flex time is provided for students as an opportunity to receive the support necessary to maintain success as a student at Foley High School. . Students that are identified by a teacher as needing to attend a specific session during flex time must do so or will be considered absent. Students demonstrating proficiency through grades of a D or above and meeting standards will be able to enjoy greater freedom during flex time. Students who have D- or lower will be restricted to their Flex classroom each day, this will be re-evaluated at 3 week intervals.

TARDINESS

High school gives students the chance to develop habits of punctuality for use in the working world where lateness can mean a reduction in wages or possible loss of a job. Students are expected to be in class on time and ready to learn when the bell rings. If delay is due to need from the previous class, it is the student's responsibility to secure an admit slip from THAT previous teacher. It is recommended that students pick up all books and supplies needed for morning classes at the beginning of the school day. This procedure should also be followed for afternoon classes. The student may receive detention for each additional unexcused tardy which occur in periods with over three unexcused. A student who has six cumulative unexcused tardies in a trimester will meet with the Dean of Students. The student may receive detention for each unexcused tardy where the student has exceeded six cumulative unexcused tardies in a trimester. Students who accumulate an excessive amount of tardies will serve lunch detention until a meeting is held with student, parent and administration and a plan is developed to assist the student in timely arrival to class.

TEACHER HOURS

Teachers are interested in each student as an individual and will encourage students to assume the responsibility for learning. If questions arise concerning class work, students are encouraged to speak directly with the teacher. Teachers are available for individual help before, during and after school between 7:20 A.M. and 3:20 PM.

TRANSFERRING HIGH SCHOOL CREDITS FROM NON-ACCREDITED, NON-PUBLIC SCHOOLS

A student transferring to Foley High School from a non-accredited, non-public school will be required to produce evidence of student learning in any course taken at that school in order to receive FHS course credit toward graduation. Any course accepted for credit toward graduation that is transferred from non-accredited, nonpublic school will not be counted toward the student's grade point average at Foley High School. A student transferring from a non-accredited, non-public school must successfully complete a minimum of three (3) trimesters of coursework at Foley High School in order to receive a Foley High School diploma and participate in graduation ceremonies.

TRUANCY/UNEXCUSED ABSENCES

Truancy is an unexcused absence defined as any unauthorized absence from school or from the classroom. A student is truant if he/she is absent with no reason given for the absence or the reason given is unexcused under the list provided under "Attendance and Absences." Parents will be contacted and students will be referred for discipline for each day of unexcused absence. Students may be assigned one hour of detention for each unexcused period and up to two days of in-school suspension for each day of unexcused absence.

The student will be referred to county authorities if they are absent without a valid excuse and if he/she is absent unexcused for one or more class periods on seven school days.

If it becomes necessary to leave school during the school day, a student must report to the high school office or the nurse's office **BEFORE LEAVING**. Leaving school during the course of the school day without notifying the office will be considered an unexcused absence.

VEHICLES

A student who needs to use a motorized vehicle at any time during the school day must receive permission from the principal before the vehicle is moved. Careless or reckless driving in the vicinity of the school will not be tolerated. Offenders will be reported to the police and will be subject to school discipline and suspension procedures. **Minnesota Statute, 127.26 Chapter 572, Pupil Fair Dismissal Act.**

VISITORS

Students from other schools and school age relatives/friends of Foley High School students are not allowed to visit during school hours.



Independent School District No. 51

FOLEY INTERMEDIATE SCHOOL

"Where Kids in the Middle Come First"

Eric Bjurman, Principal

2024-2025 INTRODUCTION TO FOLEY INTERMEDIATE SCHOOL WELCOME TO FIS!

The FIS staff, faculty and administration wish you a productive and successful school year. The purpose of this handbook is to give you a better understanding of the rules, special programs, policies and procedures that are a part of the everyday life at Foley Intermediate School. It will also help to explain our instructional program, school activities and student expectations. Take time to share this handbook with your parents so they can become aware of the many opportunities, educational offerings, and challenging experiences you will encounter this school year. Foley Intermediate School is committed to striving for excellence by providing an educational environment that promotes learning for all students. We are dedicated to making FIS an outstanding school. We all need to work together this year to accomplish this goal. Because FIS supports Wednesday night as family night, homework assignments will be limited in nature allowing families to be together on Wednesday evenings. FIS publishes information on the school website at www.foley.k12.mn.us and corresponds with families by email to promote communication and cooperation with home and provide a better understanding of our school.

FIS Mission:

FIS strives to provide quality learning opportunities for all students in a safe, positive environment.

FIS Vision:

To provide safe, quality experiences for our students, FIS parents and staff believe appropriately sized classes (24 or less) are crucial. With that basic framework in place, regular opportunities can be provided in a calm, orderly environment for one-on-one and small group instruction, for student-centered learning projects, and for meeting the needs of a variety of learning styles. FIS parents and staff believe every student at FIS must have access to highly qualified teachers trained in current research-based teaching and learning strategies. Both teachers and students need on-going access to up-to-date technology and curriculum materials. Students must be exposed to a variety of appropriately challenging middle level curricula in core academic areas and others such as technology, information media, fine arts, health, PE, and living skills. The characteristics of early adolescents require special attention to the social, emotional, physical, and mental health needs of FIS students. Personnel specifically trained to address these needs must be readily available to students providing individual or small group sessions in problem solving, conflict resolution, social skill development, family change issues, and behavior management. For FIS to meet the needs of students in the 21st century, it must be a place where students and staff come together in a safe, orderly educational environment. Students deserve to experience the richness of an engaging and challenging curriculum. To maximize that benefit, students need to be surrounded by stimulating resources and caring personnel trained to design and implement developmentally appropriate and meaningful learning opportunities.

FIS Philosophy:

At FIS we value everyone. We acknowledge our differences and work together for the better individual and community growth. We encourage staff and students to go beyond what they expect from others. Our purpose is to help students grow to be contributing citizens and lifelong learners.

In the case of discrepancies between this Handbook and other district or school communication, priority for accuracy is:

- 1) State and federal law,
- 2) District policy,
- 3) Student Handbook

*This handbook is intended to serve as a guide for Foley students and their families. It is not an all-inclusive list of rules, but rather an outline of expectations and procedures that contribute to the operation of the school. Students are responsible for knowing the information contained within.

We Believe In: RESPECT for Oneself, for Others, and for Property

ORGANIZATIONAL STRUCTURE

Core Classes: Those classes which concentrate on the most fundamental of educational skills. The following classes are considered to be the core classes:

- Language Arts
- Reading
- Science
- Social Studies
- Mathematics

Specialist Classes: The following classes are equally as important as the core classes although they will not necessarily meet every day throughout the year or be offered each year at every grade level.

- | | | |
|----------------------|-------------------------|--------------|
| • General Music | • Technology Education | • Literature |
| • Band | • Art | |
| • Choir | • Computer/Study Skills | |
| • Physical Education | • Health | |

THE SCHOOL DAY/YEAR

The school day starts at 8:00 and ends at 2:50. It is divided into seven class periods and Advisory/WIN embedded within the school day. Three minutes passing time is provided between classes. Students are given a 30 minute lunch/recess break. Dismissal time is 2:50 each school day. **For the safety of students, after 3:05 all students on school grounds need to be under the direct supervision of a teacher, coach, advisor or staff member. If not under direct supervision, students need to leave school grounds.** Students waiting for a ride after school are to wait by Door 1 near the FIS Office.

ACADEMIC AWARDS

8th grade PRESIDENTIAL ACADEMIC AWARD

Foley Intermediate School recognizes superior academic achievement. Foley Intermediate School students receiving this award have made a strong commitment to setting high educational standards for themselves and maintained honor roll status and have performed at the 85th percentile or higher on their MCA scores in both math and reading will receive a Presidential Academic Award Certificate.

Student of the Month

Every month, teams and departments name two “Students of the Month”. Students receive a certificate from their teacher(s) describing positive contributions they have made to our school. Once a month,, students and parents are invited to a lunch and recognition ceremony.

8th grade Wall of Fame

Students for the Wall of Fame are chosen based on their grades, leadership, service, activity involvement, and character. To be eligible, a student must have received either a 3 or 4 on all standards in both 7th and 8th grade.

ACADEMIC INTEGRITY

All FIS students are expected to adhere to the fundamental values of academic integrity, which include honesty, trust, fairness, respect and responsibility. Scholastic dishonesty is defined as cheating on assignments or tests, plagiarizing, altering, fabricating, forging, or acting alone or in cooperation with another to falsify records or to obtain dishonestly, homework, tests or grades. Students who are in violation of this policy will be subject to consequences. The consequence will depend on the severity of the academic dishonesty. Teacher and administrator discretion will be utilized when pairing a consequence with an academic honesty infraction.

ACADEMIC ELIGIBILITY

Our number one priority is to see kids succeed in the classroom. Students who have a 1 in more than one class will be placed on the Deficiency List and will be ineligible to compete in any athletic or fine arts events. This includes but is not limited to; athletics, academic activities, drama, and co-curriculars. An ineligible student may attend an event but may not be in uniform. The student may still practice. Any student on the Deficiency List will be unable to attend events which require an early release from school. It will be the student's responsibility to prove eligibility.

Deficiency List Timeline and Procedure:

- Academic Deficiency Lists will be determined on 9/25/24, 12/4/24, 1/29/25, and 4/30/25.
- Students will be informed the day after the list is run of their deficiency. Each student will be given a form that must be signed by each of his/her teachers once sufficient academic progress has been made to be earning a passing grade.
- Students are responsible for acquiring each teacher signature and returning the form to the Administrative Secretary in the FIS Office and coaches/advisors will be notified of the reinstated eligibility.
- If two days after being informed of their deficiency sufficient academic progress has not been made by the student or the student has not returned the paperwork, the student will be ineligible to compete in any contest/event until both have been completed.
- Any 7th or 8th grade student who is on a Varsity Athletic or Fine Art roster must adhere to the Foley High School Academic Eligibility Policy.

ARRIVAL AT SCHOOL and PICK UP/DROP OFF

Students should arrive at school after 7:45 am. Students should go to the cafeteria where supervision is provided. Students will need a pass to leave the lunch room before dismissal time. Students should enter the building by way of Door 21 when dropped off by the bus. Students dropped off or picked up by a parent should be dropped off or picked up in the designated zone in the staff parking lot and use the sidewalk in front of the FIS Office and proceed to door I-1.

ATTENDANCE

Attendance at school is essential to the educational success of students at FIS. Daily attendance is required by Minnesota State Law for all school age students. The basic responsibility for the regular attendance of the student lies with the student, the parent/guardian and the school. Students are expected to attend and arrive on time to all classes. For attendance purposes, "day" includes absence from one or more class periods during the school day. The authority to decide whether an absence is excused or unexcused rests with the administration. An excused absence indicates an absence from school with parent/guardian and school permission. Schools may permit absences in addition to the list below at their discretion.

The following absences are considered excused:

- Illness of the student.
- Serious illness or death in the family.
- Family emergency or special circumstances.
- Medical/dental/chemical health/psychological appointments that cannot be arranged at another time: The student must present an appointment card from the facility visited in order to be considered an excused absence.
- Parent requested and approved absences, i.e. family vacations, needed at home, hunting/fishing trips, state tournaments, etc. The following procedure must be followed in order for a parent requested absence to be excused.

Parents are asked to submit a written request stating the date/time and the reason for the absence at least 2 days prior to the absence in order to be excused. Students are responsible for obtaining an advance make-up slip in the office and for making up work. In unforeseen circumstances, the parent should communicate the child's absence and reason for it as soon as possible to the School Social Worker or building Principal in order to request excused status.

When an absence is necessary, the parent/guardian should call the office at (320) 968-6251, email the office administrative secretary, or provide a written note stating the reason for the absence. A written excuse or phone call from a parent does not automatically mean the absence will be recorded as excused. Students are required to make up all work due to absence. The school reserves the right to refuse excusing an absence when requests become excessive. Once a student has 10 absences, all future absences will be considered unexcused unless medical documentation signed by a health care provider is presented to the school. An unexcused absence indicates that the student is absent from school for reasons other than those listed and does not have approval of the parent/guardian and/or school. After the 3rd unexcused absence is recorded, a contact will be made with the student, and his/her parents to review attendance records and requirements. The school has the legal responsibility to refer students who have 7 or more unexcused absences to County Social Services and/or the County Attorney's office.

ATTENDANCE AND ABSENCES (for hybrid instruction)

Students should expect to be online during the time of their scheduled class. If unable to attend online, students must follow instructions set by the teacher in order to indicate attendance for the class period. Attendance will be taken in all classes during hybrid or distance learning. All attendance reasons and expectations outlined in the previous section apply to hybrid or distance learning.

Truancy

According to Minnesota Law/Statute 260A.02 Subd. 3, a pupil is considered a continuing truant if absent on three (3) or more class periods on three (3) or more days without a valid excuse. According to Minnesota Law/Statute 260C.007 Subd. 19, a pupil is considered a habitual truant if absent on seven (7) or more class periods on seven (7) or more days without a valid excuse. The school must notify the county and will notify parents.

BACKPACKS

For health and safety reasons, the size of backpacks needs to be limited. Backpacks must fit in lockers and are not to be left in hallways. Classroom teachers will establish procedures for backpacks during class time. Backpacks may be searched by school staff.

BEHAVIOR EXPECTATIONS

Foley Intermediate School uses a school wide discipline procedure. Students are expected to conduct themselves in a manner that shows Support, Offers Kindness, Achievement, and Respect.



The following behavior expectations are in effect on school grounds, during school hours, and at all school sponsored events.

- General school behavior expectations include:
- Students are expected to follow directions of the staff.
- Students are expected to report to class on time and be prepared.
- Students are expected to respect the rights and properties of others.
- Students will not use disrespectful, harassing language, gestures, or swearing.
- Students will walk in the halls.
- Students are expected to be orderly and work quietly in school.
- Students are allowed to eat and drink only in the cafeteria, locker room or when permission is given by the classroom teacher.
- Students will not show inappropriate display of affection.
- Students are expected to abstain from the use or possession of tobacco, Vape devices, alcohol or other chemicals.

Consequences will be assigned for violations of Behavior Expectations. Any of the following consequences or combination of consequences deemed appropriate will be assigned depending on the severity and frequency of the behavior.

- Problem solving session with identified participants.
- Planning Room
- Referral to the Principal or Dean of Students, discipline report written
- Loss of privileges such as attendance at social events, etc.
- Parents contacted.
- Referral to appropriate resource people such as the Chemical Health Educator, School Social Worker, the Activities Coordinator, the Human Rights Officer, etc.
- Detention - A consequence requiring a student to make up time before or after school.
- In-school suspension (ISS) - The student will be required to be in school but will not attend classes. Daily assignments must be completed. The student will be assigned to an area designated by the administration for the school day.
- Out-of-school suspension (OSS)* An action taken by the school administration prohibiting a student from attending school for not more than five school days at one time. Daily assignments must be completed. A re-entry meeting will be held prior to the student returning to school with the Student, Parent and Principal or Dean of Students.
- Law enforcement contacted and/or a description of the incident, student(s) involved, and witnesses present is provided by school administration to local law enforcement. Law enforcement determines whether to send a report to the County Attorney's Office where the decision may be made to file charges.
- Expulsion* - A school board action to prohibit an enrolled student from further attendance for up to 12 months from the date the pupil is expelled.

- Exclusion* - an action taken by the school board to prevent enrollment or re-enrollment of a pupil for a period that shall not extend beyond the school year.

**Minnesota Statute 121A.41, Subd. 4, and 5 of the Pupil Fair Dismissal Act*

Student Discipline Policy*

For each misbehavior described in the discipline matrix, there are specific consequences for first, second, third, and fourth violations. Those consequences are shown as *, **, suspension for a specified number of days, or expulsion. Consequences which cannot be affected during the current year may be affected in the following year.

Nonexclusionary disciplinary policies and practices" means policies and practices that are alternatives to dismissing a pupil from school, including but not limited to evidence-based positive behavior interventions and supports, social and emotional services, school-linked mental health services, counseling services, social work services, academic screening for Title 1 services or reading interventions, and alternative education services. Nonexclusionary disciplinary policies and practices include but are not limited to the policies and practices under sections 120B.12; 121A.575, clauses (1) and (2); 121A.031, subdivision 4, paragraph (a), clause (1); 121A.61, subdivision 3, paragraph (r); and 122A.627, clause (3).

* For Secondary schools, defined as consequences for violations to include student conference and parent notification, and may include, but are not limited to, parent conference, restitution, detention, and up to one day suspension (in school or out of school).

** Disciplinary action up to and including expulsion.

*** Chronic violations of school policy and procedures may result in more significant disciplinary action up to and including expulsion.

The disciplinary matrix is intended to be used as a guideline for consequences. Administration may, at their discretion, deviate from the consequences outlined. Significant disruptive behaviors which interfere with the general operation of the school may result in suspension, expulsion, or exclusion.

MISBEHAVIOR	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE	4TH OFFENSE
Consequences are applied on annual basis except as noted below.				
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 vehicle, or at a school or district activity. Illegal activities will be reported to the proper authorities				
1. Abuse, Verbal - Arousing alarm in others through the use of language that is discriminatory, abusive, obscene or threatening.				
Toward student	*	1-3 day susp.	4-10 day susp.	**
Toward staff	1-3 day susp.	4-7 day susp.	7-10 day susp.	**
2. Alcohol or Chemicals, Possession or Use - Possessing or using any narcotic or controlled substance where possession or use is prohibited by Minnesota or federal law. (Any prescription medication a student is required to take, with the exception of prescribed inhalers, must be left with and administered by the school nurse, in accordance with district administrative regulation) [Policy 473]	1-5 day susp	5-10 day susp	**	
3. Alcohol or Chemicals, Possession with Intent to Distribute or Sell - Selling or distributing, or intending to sell or distribute, alcohol, any narcotic or controlled substance where sale or distribution is prohibited by Minnesota or federal law.	**	**	**	**
4. Ammunition, Possession - Possession of bullets or other projectiles designed to be	1-5 day susp.	5-10 susp.	**	**

used in a weapon				
5. Arson - Intentional destruction or damage to school or district buildings or property by means of fire.	**	**	**	**
6. Assault - Acting with intent to cause fear in another person or immediate bodily harm, or intentionally inflicting or attempting to inflict bodily harm upon another person.				
Upon a student	1-5 day susp	5-10 day susp	**	**
Upon a staff member	**	**	**	**
7. Bodily Harm, Inflicting – committing an accidental act which, although a result of poor judgment, inflicts harm upon another person	1-3 day susp.	4-7 day susp	7-10 day susp	**
8. Bomb Threat – Intentionally giving a false alarm of a bomb.	**	**	**	**
9. Bullying - Aggressive behavior that involves unwanted, negative actions; involves a pattern of behavior repeated over time; involves an imbalance of power or strength.	1-3 day susp	4-7 day susp	7-10 day susp	**
10. Dress and Grooming – Clothing may not include words or visuals which are obscene, abusive or discriminatory, or which advertise narcotics or drugs, alcohol/chemicals or gang symbols.	*	*	*	**
11. Driving, Careless or Reckless – Driving on school property in such a manner as to endanger persons or property.	*, may include revocation of parking permit	1-5 day susp; includes revocation of parking permit	**	**
12. Explosives, Possession and/or Use – Possessing or using any compound or mixture, the primary or common purpose of which is to function by explosion, with substantially instantaneous release of gas and heat.	**	**	**	**
13. Fighting - in which one or the other party(ies) or both contributed to the situation by verbal and/or physical action.	1-3 day susp	3-5 susp	5-10 susp	**
14. Fire Alarm, False – Intentionally giving a false alarm of a fire, or tampering with any fire alarm.	**	**	**	**
15. Fire Extinguisher, Unauthorized Use – Unauthorized handling of a fire extinguisher.	1-3 day susp	4-7 day susp	**	**
16. Firearm or Look-alike Firearm, Possession – Possessing any firearm, whether loaded or unloaded, or any device intended to look like a firearm.	**	**	**	**
17. Fireworks, Possession – Possessing or offering for sale any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation.	1-3 day susp	4-7 day susp	**	**
18. Fireworks, Use – Using any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation.	**	**	**	**
19. Gambling – Playing a game of chance for stakes.	*	*	*	**
20. Harassment, Including Sexual – Participating in or conspiring with others to engage in acts that injure, degrade, intimidate, or disgrace other individuals, including indecent exposure, and words or actions that negatively impact an individual or group based on their race, cultural or religious background, their sex or any disabilities they may have. (For more information about sexual harassment, refer to district administrative regulation (Policy 538).	1-5 day susp.	5-10 day susp.	**	**
21. Insubordination – Willful refusal to follow an appropriate direction or order given by a staff member.	1-3 day susp	4-7 day susp	7-10 susp	**

22. Interference, Disruption or Obstruction – Any willful action that prevents a staff member or student from exercising his or her assigned duties.	1-3 day sus.	4-7 day susp	7-10 day susp	**
23. Nuisance Devices, Possession – Objects which cause distractions.	*	*	*	**
24. Photography - Posting or distributing video, whether digital or analog, or photographs, whether digital or otherwise, of students and staff at Foley Intermediate School without their written permission or that is not part of an official school production is prohibited. Sharing of inappropriate content is prohibited.	1-3 day susp	4-7 day susp	7-10 day susp	**
25. Pornography, Possession or Distribution -- Possessing or distributing any pornographic material	1-5 day susp	5-10 day susp	**	**
26. Records or Identification Falsification – Falsifying signatures or data, or refusing to give proper identification or giving false information to a staff member. This includes falsifying absence notes or calls.	1-3 day susp	4-7 day susp	7-10 day susp	**
27. Robbery or Extortion – Obtaining property from another person where his or her consent was induced by use of force, threat of force, or under false pretenses.	3-5 day susp	**	**	
28. Symbolic Expressions of intolerance including but not limited to the Confederate flag, swastika, and/or any gang representations (bandanas, colors, etc.) are not allowed and will be confiscated. These items may or may not be returned.	1-5 day susp	5-10 day susp	**	**
29. Terroristic Threat – Threatening, directly or indirectly, to commit any crime of violence with the intent of terrorizing another person.	3-5 day susp	5-10 day susp	**	**
30. Theft, or Knowingly Possessing Stolen Property – Unauthorized taking of the property of another person, or receiving or possessing such property.	1-3 day susp	4-7 day susp	7-10 day susp	**
31. Tobacco/Tobacco Products – Possessing or using tobacco and/or tobacco products in district buildings, on district grounds, in district vehicles or at district events. E-cigarettes/Vapes are considered nicotine delivery systems and are prohibited. This will also be considered a violation of MSHSL rules.	1-3 day susp	4-7 day susp	7-10 day susp	**
32. Trespassing – Unauthorized presence in any district facility or portion of a district facility and/or presence in a district vehicle.	1-3 day susp	4-7 day susp	7-10 day susp	**
33. Vehicle, Unauthorized Use – Occupying or using vehicles during school hours without school authorization.	1-3 day susp.	4-7 day susp.	7-10 day susp.	**
34. Weapon or Look-alike Weapon, (excluding firearms), Possession – Possessing any device or instrument designed as a weapon and 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.	**	**	**	**
35. Willful Damage of Property (Vandalism) - Defacing, cutting or otherwise damaging property that belongs to the school, to other students, to staff members or to other individuals while the student is on school property, at a school activity, in a district vehicle or under the supervision of school staff.	1-3 day susp. or **	4-7 day susp. or **	7-10 day susp	**
The school may have additional consequences for violations not covered in the matrix. If an unforeseen situation should arise, the administration at Foley Intermediate School will meet to decide on the best course of action for the student and the school as a whole.				
Students may not engage in the following activities in district vehicles.				

1. Lighting Incendiary Devices – Igniting matches, cigarette lighters and other devices that produce flames.	3 day bus susp.	3-5 day bus susp.	10 day bus susp.	** from bus
2. Not remaining seated – Not remaining seated when the bus is in motion.	Warning	1-3 day bus susp.	5-10 day bus susp.	10 day bus susp.
3. Tampering with Emergency and Safety Equipment – Unauthorized handling of emergency or safety equipment on the bus, including first aid kit, fire extinguisher, emergency door and hatches, and door opener.	1 day bus susp.	3 day bus susp.	5-10 day bus susp.	** from bus
4. Throwing Objects – Throwing any items inside a bus, from outside a bus to inside a bus, or from inside a bus to outside a bus.	Warning	1-2 day bus susp.	3-5 day bus susp.	** from bus
5. Squirting Devices – Use of any device capable of sending a stream, spray, or propellant.	1-3 day bus susp.	5-10 day bus susp.	Indefinite bus susp.	** from bus
6. Interference with Safe Operation of Bus – Any action including throwing, noise, movement or rocking of bus.	1-3 day bus susp.	5-10 day bus susp.	Indefinite bus susp.	** from bus
7. Failure to follow Driver's Directions	Warning	3-5 day bus susp.	5-10 day bus susp.	Indefinite from bus

DISCIPLINARY CONSEQUENCES: For each misbehavior described in the above matrix, there are specific consequences for first, second, third and fourth violations. Those consequences are shown as *, ** suspension for a specified number of days or expulsion. Consequences which cannot be effected during the current year may be effected in the following year.

* For secondary schools, defined as consequences for violations to include student conference and parent notification, and may include, but are not limited to parent conference, restitution, detention, and up to one day suspension (in school or out of school).

** Disciplinary action up to and including expulsion.

*** Multiple, chronic violations of school policy and procedures may result in more significant disciplinary action up to and including expulsion.

This discipline matrix is intended to be used as a guideline for consequences. Administration may, at their discretion, deviate from the consequences outlined. Significant disruptive behaviors which interfere with the general operation of the school may result in suspension, expulsion, or exclusion.

Two major suspensions in one calendar year (5-10 days) will warrant consideration for expulsion.

Disruption to the school environment (of significance) including but not limited to food fights, streaking, and water ballooning.

Two or more significant suspensions of 5 days or more in the student's Intermediate School school career will place the student's status under review.

Tardiness

Students are expected to arrive at school and to all classes on time. Three minutes passing time is allowed between classes. If a teacher detains a student, it is the responsibility of the student to secure an admit slip from that teacher. If a student is late reporting to a class, the teacher will record the tardy on their computer and it will be recorded through the office.

Consequences for Tardiness

4th and 5th grades: Discipline Reports

1st warning, problem solving

2nd 30 minutes Planning Room

3rd 1 hour Planning Room

4th 1.5 hours detention

6th thru 8th graders: Discipline Reports

1st warning, problem solving 30 minutes Planning Room

2nd 1 hour Planning Room

3rd 1 hour detention

4th 1.5 hours detention

5th 2 hours detention
6th and beyond 1 day ISS

5th 2 hours detention
6th and beyond 1 day ISS

**The school principal or other designated administrator may impose other logical consequences or recommend longer suspensions, expulsion or any other discipline as deemed appropriate on a case by case basis.*

COMPUTER AND INTERNET BEHAVIOR

All students at FIS will have computer instruction. Students are offered the privilege of using the computer when they are available. School work and school programs only are to be used on the computers. Appropriate behavior is required in the computer labs and when using computer resources in the Media Center. All computers have access to the internet. District policy 524 regarding Internet use and the use of school issued PDL (Personal Learning Device) and bringing your own PDL may be viewed in full on the district website.

- Parents will be notified of any suspensions or confiscations.
- Gross, criminally irresponsible use, calls for immediate suspension for the school year by the principal.
- E-mail threats to anyone may constitute a year-long suspension from internet use, apart from other penalties.

AGENDAS

Agendas are designed to help students be better organized and more responsible by providing a system of recording class assignments. Parents are encouraged to check the agenda for homework entries regularly. Classroom teachers will periodically check on the use of the agenda. Agendas may be purchased from the office.

BASIC SKILLS

This program provides support for students who are determined not to be making satisfactory progress in the academic areas of communications and mathematics. Results of criterion referenced tests and teacher judgment are used to help evaluate student progress. Students who are determined to qualify for services may be provided remediation in any of the following ways: Reassignment to a more appropriate instructional level or/and use of an aide, volunteer, parent, or peer tutor to assist the student.

CELL PHONES AND PERSONAL ELECTRONIC DEVICES (PEDs)

In our learning environment it is important that students stay focused on their learning. Personal electronic devices may be appropriately used before school until 8:00am. By 8:00am, all devices, Smart watches and headphones must be properly stowed away in lockers until the end of the school day (2:50 pm). All students now have the use of their chromebooks to be used during school hours for academic purposes.

Should your student need to carry their cell phone for after school communication, it is to be off and out of sight, stored in a locker during the school day. Should you need to contact your student during school hours, please call the main office. Items that interrupt the learning process or violate District Policy will be confiscated by staff. Repeat offenses will result in administrative consequences including parent pick up of confiscated items.

Foley Intermediate School is not responsible for lost or stolen items, including all electronic devices. We advise leaving all electronic devices and valuables at home. If students choose to bring a phone to school, the school is not responsible for loss, damage or theft. If technology misuse is an issue, the student's parent may be required to pick the item up at school and the student may lose the privilege of bringing their device to school. Operation of all electronic devices are prohibited in bathroom and locker room areas.

Students are prohibited from photographing, recording or making any electronic record of other students, staff or visitors without express consent of the individual that is the subject of the recording, photograph or electronic record. This policy applies to students during the school day, instructional and non instructional time, or while participating in school events.

1st Incident: The teacher turns the phone into the office for the remainder of the school day and the student picks up the device after 2:50 pm

2nd Incident: Phone/smartdevice confiscated and placed in the office for parent/guardian pick up; school consequence assigned.

3rd Incident: Phone/smart device confiscated and placed in the office for parent/guardian pick up; school consequence assigned; student may lose the privilege of having a phone/smart device on campus.

CONDUCT AT EXTRACURRICULAR EVENTS

The purposes for extracurricular events are for entertainment, social interaction, and the development of school pride. Students that attend extra-curricular activities are expected to be respectful and follow school rules of conduct for extra-curricular activities. Violators will be subject to removal from the activity and the school, and will face disciplinary action in accordance with established school system policies and procedures.

DRESS AND APPEARANCE

Proper student dress and grooming is the responsibility of the student and his/her parent. A student's dress and grooming must be in the best interest of the school with respect to health, welfare, and safety of the individual and the student body. Slogans and pictures which are profane, vulgar or contain inappropriate connotations are not permitted (alcohol, tobacco, drug, gender). Objectionable emblems, badges, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or is a historical symbol of intolerance or have, including but not limited to the Confederate Flag, Swastikas, nooses, evidences gang membership or affiliation, or approves, advances or provokes any form of religious, racial or sexual harassment and or violence against other individuals. Clothing should cover the midriff, and the top of the thigh. Spaghetti straps, low cut tops, and "muscle" shirts are not acceptable unless an over-top is worn. Underwear should not be showing. Head coverings (hats, caps, bandannas, hoods, etc.) are not allowed in the school except on designated "dress-up" days or under special circumstances. Coats and jackets are to be stored in lockers during the school day. Except for unusual situations, outerwear should not be worn in classrooms. Students should bring a sweater/sweatshirt to leave in their locker for days when the building feels cold. Decorative or functional chains should not be hanging from clothing lower than fingertips held straight down the student's side. Classroom teachers may choose not to allow chains hanging from clothing in their classrooms. Clothing should not detract from the learning environment. Students who don't conform to the appropriate dress will be advised as to what adjustment must be made. If the student fails to remedy the problem, appropriate consequences will be assigned.

EXPLORATION DAYS

Exploration Days will be held throughout the school year. The first goal of Exploration Days is to provide opportunities for students of Foley Intermediate School to explore social and recreational activities with multi-aged groups of 6th through 8th grade students in a supervised environment. A second goal of the Exploration Days is to promote positive behavior and social development. Students who adhere to specific behavior expectations are allowed to participate in Exploration Days. Students are responsible for turning in any forms to the correct person/office on or before the due date in order to be guaranteed a spot in an off campus activity.

GRADING GUIDELINES

Purpose/Definition of Grading: The purpose of grading is to show what students know and are able to do in relation to state and course standards. Grading: a) reflects academic achievement, b) contains meaningful feedback, c) aligns with Foley Intermediate School Curriculum, and d) reflects consistency among classes, grade levels, and/or departments. Foley Intermediate School will be implementing a Standard Based Reporting system. Students will be assessed on the course standards and content. Student grades will be reported using the following:

4 = Exceeds the Standard

3 = Secure understanding of the Standard

2 = Developing understanding of the Standard

1 = Beginning understanding of the Standard

Formative (practice) and Summative (achievement):

Formative Assessments are given while a student is learning the material. This is designed to provide direction for both students and teachers.

Formative assessments include activities such as teacher observations, quizzes, homework, rough drafts, peer editing, and notebook checks, etc.

Summative Assessments are given after completing a sequence of instruction and practice. Students are ready to be responsible for the material. Summative assessments include: final drafts, tests, exams, projects, essays, performances, etc.

GUIDANCE and COUNSELING

The FIS Counselor/School Social Worker is available to all students. The purpose of the program is to help each individual student achieve his/her highest growth mentally, emotionally, and socially by providing classroom instruction, small group discussion and individual conferences whenever a student, teacher, parent or the counselor deem it necessary. Regular meetings with the Counselor/School Social Worker are usually set up during the last part of a class or during study hall time. Students who have an immediate need should request a pass from their classroom teacher in order to go to the counselor.

HEALTH SERVICES

Services offered by health services include: vision, hearing, and scoliosis screening, health education programs, health assessment and counseling, and health record review. **It is the parent's responsibility to have current emergency information on file in the nurse's office.** Students who become ill in school should request a pass from their teacher and report to the nurse. The health of the student will be assessed and parents will be contacted if necessary. Students should not go home ill without first seeing the nurse.

HONOR ROLL (Grades 7 – 8)

FIS maintains an Honor Roll for seventh and eighth graders to provide students recognition for high academic performance at the end of each semester. Students having proficiency scores of 85% or above at Exceeds or Secure would qualify for the Honor Roll.

INAPPROPRIATE POSTINGS

Taking, posting, sending and/or receiving sexually explicit photos that are retrievable within a school facility or grounds, is strictly prohibited and there is a possibility of severe consequences; this may be deemed as sexual harassment. In addition, anyone who photographs, records (including but not limited to video and audio taping), in possession of, and/or transmits information on another student or staff member will be subject to discipline as this is unacceptable and is in violation of student conduct expectations. Consequences include but are not limited to: loss of privilege, parent contact, suspension or expulsion, and/or notifying law enforcement officials. Exceptions to these expectations need prior approval through administration.

LUNCH PROCEDURES

FIS has a closed lunch period which means students eat at school and are expected to report to the cafeteria and remain until dismissed after recess. Students may bring a bag lunch or purchase a lunch from the school. Students who wish to go home for lunch must have a signed parent permission slip in the office and sign out each day.

LUNCHROOM RULES

- Appropriate table etiquette should be followed.
- Students may leave only with permission from a staff member.
- Food may be given to another student but not taken from another student.
- Food and beverages must stay in the lunchroom.
- **Pop** will not be allowed in the cafeteria during lunch
- Messes must be cleaned up before leaving the cafeteria.
- Students must stay at the table chosen first.
- All other FIS behavior expectations pertain to the lunchroom and playground.

MEDIA CENTER PROCEDURES

The media center is a place for reference work and reading. Students are asked to maintain a quiet, working atmosphere. All books taken from the library are checked out for two weeks with the privilege of a one week renewal if the book is not in demand. The media center is open to students from 8:00 to 3:00. Students must secure a pass to visit the library during class time. We encourage the use of the library for leisure reading but not for non-purposeful activity.

OVERTIME

Overtime, a Guided Study Extended Day Program, is available to any student who wishes extra help on their school work and it is highly recommended for students failing, not completing work or needing more instruction for understanding. The program is held Monday and Wednesday from 3:00 to 5:00 pm. If a student chooses to attend Overtime, attendance is expected for the entire period. Parents are asked to communicate with the office in advance of any change to a student's attendance routine.

PHYSICAL EDUCATION CLASS

Students are expected to actively participate in physical education. Fifth through eighth graders are required to dress in physical education clothes: T-shirt and shorts, tennis shoes that tie, socks, sweatpants and sweatshirt. (ALL STUDENTS) If a student is not able to participate due to minor injury or illness, a written excuse signed by a parent must be presented in the office and to the student's PE teacher. A doctor's note may be required to be excused from a class more than two days in succession. Students who are excused from participation in physical education class will not be allowed to participate in other physical activity throughout the day. Fourth graders are expected to actively participate in physical education. They will not change clothes for PE class but should have tennis shoes that tie and socks.

PUBLIC DISPLAYS OF AFFECTION

The school is not an appropriate place to openly display affection. Students need to use good judgment regarding this and are asked to refrain from such inappropriate displays inside our building or on school property. If such behavior occurs, the following may take place: warning, parent contact and/or further disciplinary action.

REPORT CARDS

Parents and students will have access to mid-term progress reports and term report cards through the Infinite Campus portal. Parents must request a paper copy of report cards if they so desire. Please contact the office with requests.

RETENTION POLICY

If a student in grades 4 through 8 receives a failing grade for the year in two of the five core classes (i.e. Math, Science, Social Studies, Language Arts or Reading) a meeting will be held with the parents to discuss potential options which might include retention.

STRIVE PROGRAM

The Strive Program at FIS is designed to increase the success of students at school. Strive is an extended day program during the school year and a summer program. Instruction focuses on organization and study skills, reading and math remediation, social skill development and homework completion. Students are identified and invited to attend based on established criteria and individual needs. This program is held Tuesdays and Thursdays from 3:00-5:00pm. Parents are asked to communicate with the office in advance of any change to a student's attendance routine.

STUDENT COUNCIL (Grades 6-8)

Student Council is designed to provide an opportunity for students to develop leadership skills and contribute to FIS in a positive way. The FIS Student Council is advised by a teacher. A President, Vice-President, Sec./Treasurer and one representative and alternate are elected from each core class of all grade levels. To participate in Student Council, a student must maintain a 2.5 average. A failing grade will result in a conference with the student and grades being monitored. Failure to meet outlined behavior expectations may also be cause for dismissal from Student Council. Duties for Student Council members include attending monthly meetings, working at Activity Nights, sponsoring school wide activities and representing classmates in decision making.

STUDENT COUNCIL SPONSORED SOCIAL EVENTS (Grades 6-8)

Several social events, including activity nights, roller skating parties, and the eighth grade party are organized and sponsored by Student Council throughout the school year. The purpose of these social events is to provide FIS students an opportunity to be together in a social setting that offers a number of choices promoting positive student interaction. Attendance at Activity Nights is a privilege and is restricted to students who demonstrate appropriate behavior at school. Only students enrolled at FIS are allowed to attend these social events. Home school students that live in the Foley School district will be allowed to attend. Students who are enrolled at any other public school will not be allowed to attend. Guests are **not** allowed. Once students are admitted for the evening, they must remain unless they have written permission from a parent to leave early. A parent must pick them up from school.

The following will be evidence:

- Anyone who has been suspended, either in school or out.
- Anyone who is not meeting the restriction list guidelines
- Any student who has received two or more formal complaints regarding discipline on the bus or in school. Discipline forms are mailed home and are on file in the office.
- Other evidence presented by a teacher or other school personnel that supports the student's inability to independently and consistently control his/her behavior.

The offenses listed above will be counted from one scheduled social event to the next. Students and parents will be informed when attendance at a specific social event is not allowed.

STUDENT FEES

Projects in Art and Industrial Technology, or some other course that is in excess of the material requirements of the minimum course outline, may have a fee assessed. The student will then take the project home. Additional fees for field trips scheduled throughout the year may be assessed.

TEACHERS REQUEST AND SCHEDULE CHANGES

Our goal is to provide students a variety of experiences through their core, fine art classes, and working with multiple staff members. Teacher requests are not accepted and once a student is enrolled in a class, they are expected to remain in the class until it is completed. As a general rule, we are not able to adjust student schedules. Special circumstances require administration approval.

TRANSPORTATION

Due to safety concerns of overcrowded buses, students and parents should find alternate transportation home for their child and guests when FIS students are having a party, sleepover, activity night, or other event.

VISITORS AT FIS

Any visitors who come to the school during the school day must sign in and wear an identification badge. We ask that all visitors follow these procedures so that we can ensure the safety of our students. Students are not to bring other student guests during the school day. Requests for visitations due to extenuating circumstances must be cleared by administration at least one week in advance. Any classroom or school visit is at the final discretion of administration.

Parents/Guardians, and other people visiting school will be restricted this year due to health concerns. Please call the office for permission before coming to school if you want to visit your child's classroom. Visitors will not be allowed to eat lunch with students as we have limited space in the lunchroom. Approved visitors to the school must sign in at the office and wear a visitor's badge. Visitors are cautioned that any information that was observed about students during school visits needs to remain confidential and should not be discussed with anyone.



Independent School District No. 51
FOLEY ELEMENTARY SCHOOL
"Helping Students Succeed Every Step of the Way"

Adam Kluver, Principal

WELCOME TO FOLEY ELEMENTARY SCHOOL

This section of the handbook has been prepared for FES students and parents as a source of information regarding some of the policies and regulations specific to Foley Elementary School. Please read it and keep it as a reference guide to use throughout the school year. We also have information on our website: www.foley.k12.mn.us.

VISION / MISSION

FES – The Building Blocks to Success. FES will provide a solid foundation educating each student to become a responsible, healthy individual prepared to reach their full potential.

BELIEFS

- Foley Elementary students and staff need a safe working environment.
- Foley Elementary School staff will initiate programs or events to promote the understanding and acceptance of diversity.
- Foley Elementary Staff will initiate programs or events to promote creative thinking and artistic expression.
- Foley Elementary School staff will provide a unified, supportive learning environment.
- Foley Elementary School staff will provide students with learning experiences based on current educational research.

In the case of discrepancies between this Handbook and other district or school communication, priority for accuracy is:

- 1) State and federal law,
- 2) District policy,
- 3) Student Handbook

*This handbook is intended to serve as a guide for Foley students and their families. It is not an all-inclusive list of rules, but rather an outline of expectations and procedures that contribute to the operation of the school. Students are responsible for knowing the information contained within.

ARRIVAL and DISMISSAL

K-3 A.M. Student Drop-Off: Students should not arrive at school before 7:50 am.. Parents may drop off students in the front of the building using the drop-off lane and pull up as far as possible in the lane before having students exit your vehicle. This will help shorten the line of cars waiting to drop off and make the process faster for everyone. Parents will not be able to walk students to their classrooms. Plan on saying goodbye in your vehicle or at the front entrance.

K-3 P.M. Student Pick-Up: Students that will be picked up by parents at the end of the day will be dismissed to the cafeteria from classrooms at 2:50 pm. to wait at assigned tables and be supervised by staff. Parents/Guardians picking up students will need to form a line at the front door and will be greeted by an FES staff member. The staff member at the front door will radio the staff in the cafeteria to dismiss students to Door 24 when their parent is at the front of the line. Students riding a bus must go directly to the north side of the building where the buses load.

PreK A.M. Student Drop-Off: Students should not arrive at school before 7:50 am. Parents may drop off students in the front of the building using the drop-off lane and pull up as far as possible in the lane before having students exit your vehicle. This will help shorten the line of cars waiting to drop off and make the process faster for everyone. Parents will not be able to walk students to their classrooms. Plan on saying goodbye in your vehicle or at the front entrance. PreK students will be escorted back to preschool classrooms by classroom teachers, EAs or other staff of Foley Elementary who will meet them inside the front entrance.. If your preschool child rides to school on a bus with an older sibling, they will walk from the bus into the building and report directly to their preschool classroom.

PreK Student Pick-Up: Preschool students attending either a.m. or p.m. preschool will be brought to the main elementary entrance upon completion of preschool class. Students riding home on the bus will be walked directly to their bus by the classroom teacher or EA.

ATTENDANCE

School attendance is essential to the educational success of students at all levels, but especially in a primary school. Daily attendance is required by Minnesota State Law for all school age students. Children that are under the age of seven who are enrolled in kindergarten in a public school are also subject to the compulsory attendance law. The basic responsibility for the regular attendance of the student lies with the student, the parent/guardian and the school. Students are expected to attend and arrive on time to all classes. For attendance purposes, “day” includes absence from one or more class periods during the school day. An excused absence indicates an absence from school with parent/guardian and school permission. Schools may permit absences in addition to the list above at their discretion. The following absences are considered excused:

- Illness of the student
- Serious illness or death in the family
- Family emergency or special circumstances
- Medical/dental/chemical health/psychological appointments that cannot be arranged at another time: The student must present an appointment card from the facility visited in order to be considered an excused absence.
- Parent requested and approved absences, i.e. family vacations, needed at home, hunting/fishing trips, state tournaments, etc. The following procedure must be followed in order for a parent requested absence to be excused.

When an absence is necessary, the parent/guardian should call the office (320-968-7286) or provide a written note stating the reason for the absence. A written excuse or phone call from a parent does not automatically mean the absence will be recorded as excused. Students are required to make up all work due to absence. The school reserves the right to refuse excusing an absence when requests become excessive. Once a student has 12 absences, all future absences will be considered unexcused unless medical documentation signed by a health care provider is presented to the school. The length of absence needed should be noted by the doctor. A “Medical Excuse Form” will be made available to students and parents if so needed. An unexcused absence indicates that the student is absent from school for reasons other than those listed and does not have approval of the parent/guardian and/or school. After the 3rd unexcused absence is recorded, a contact will be made with the student, and his/her parents to review attendance records and requirements. The school has the legal responsibility to refer students who have 7 or more unexcused absences from school to County Social Services and/or the County Attorney’s office.

When a parent wishes to take a child out of school for a doctor, dentist or other appointment, please notify the office at the start of the school day or prior to the appointment so that we can be sure your student is in the office when you need to pick him/her up for the appointment. A doctor’s note should be turned in upon return to the office to ensure an excused absence. Parents should not take students out of school without notifying the office.

BUS TRANSPORTATION

Riding a school bus is a privilege, not a right, and that privilege can be suspended when students do not comply with policies, rules, or laws. Please refer to the following policy:

1. Students are not allowed to ride a bus other than the one to which they are assigned. For the safety of the student's, parents will be asked to designate **one** consistent pick up and **one** consistent drop off location.
2. The law also states that students will not be allowed to bring distracting items on the bus. This would include live animals or

- balloons. These rules are employed for the welfare and safety of your child.
3. Arrangements must be made in the office **prior to 2:00 p.m.** if your child will not be riding the bus in the afternoon.
 4. No one will be allowed to remove students from a bus. Students must be checked out thru the office.

CELL PHONES AND OTHER PERSONAL ELECTRONIC DEVICES (PEDs)

Foley Elementary School is not responsible for, nor is it required to investigate, any lost, stolen, or damaged electronic devices brought onto school grounds or the bus. We advise leaving all electronic devices and valuables at home. If personal electronic devices (cell phones, smart watches, fitness trackers, headphones, etc) are brought to school, they must be turned off and properly stored in the student's locker during the day. Devices should be put in the student's locker upon arrival and not removed until student dismissal. Parents are advised to call the main office if they need to contact their student during school hours.

Items that interrupt the learning process or violate District/School Policy will be confiscated by staff. Repeat offenses will result in administrative consequences including parent pick up of confiscated items.

If technology misuse is an issue, the student's parent/guardian may be required to pick the item up at school and the student may lose the privilege of bringing their device to school.

- 1st Incident: Staff member turns the device into the office for the remainder of the school day and the student picks up the device after 3:00 pm
- 2nd Incident: Staff member turns the device into the office for the remainder of the school day and the parent/guardian picks up the device; school consequence assigned.
- 3rd Incident: Staff member turns the device into the office for the remainder of the school day and the parent/guardian picks up the device; school consequence assigned; student may lose the privilege of having a phone/smart device on campus.

DISCIPLINARY POLICIES

Foley Elementary School uses the P.B.I.S. (Positive Behavior Intervention and Support) approach in helping students make positive behavior choices and to create a welcoming environment of high expectations for all students. We use the acronym S.O.A.R. which is structured around the 4 district core values of *Support, Offer kindness, Achievement, Respect* as the basis for all of our school and class expectations.

We believe the keys to successful student management are:

- Direct instruction and staff modeling of behavior expectations
- Recognize and reinforce positive behaviors
- Clearly communicated expectations

We believe the goals for student management are:

- Increase student social skills and academic engagement
- Establish positive classroom and building climate
- Increase student investment and independence
- Decrease disruptive and negative behaviors

We use a behavior matrix in laying out student behavior expectations for a variety of areas. The matrix helps make the expectations clear to students and staff. Please see our behavior matrix below:

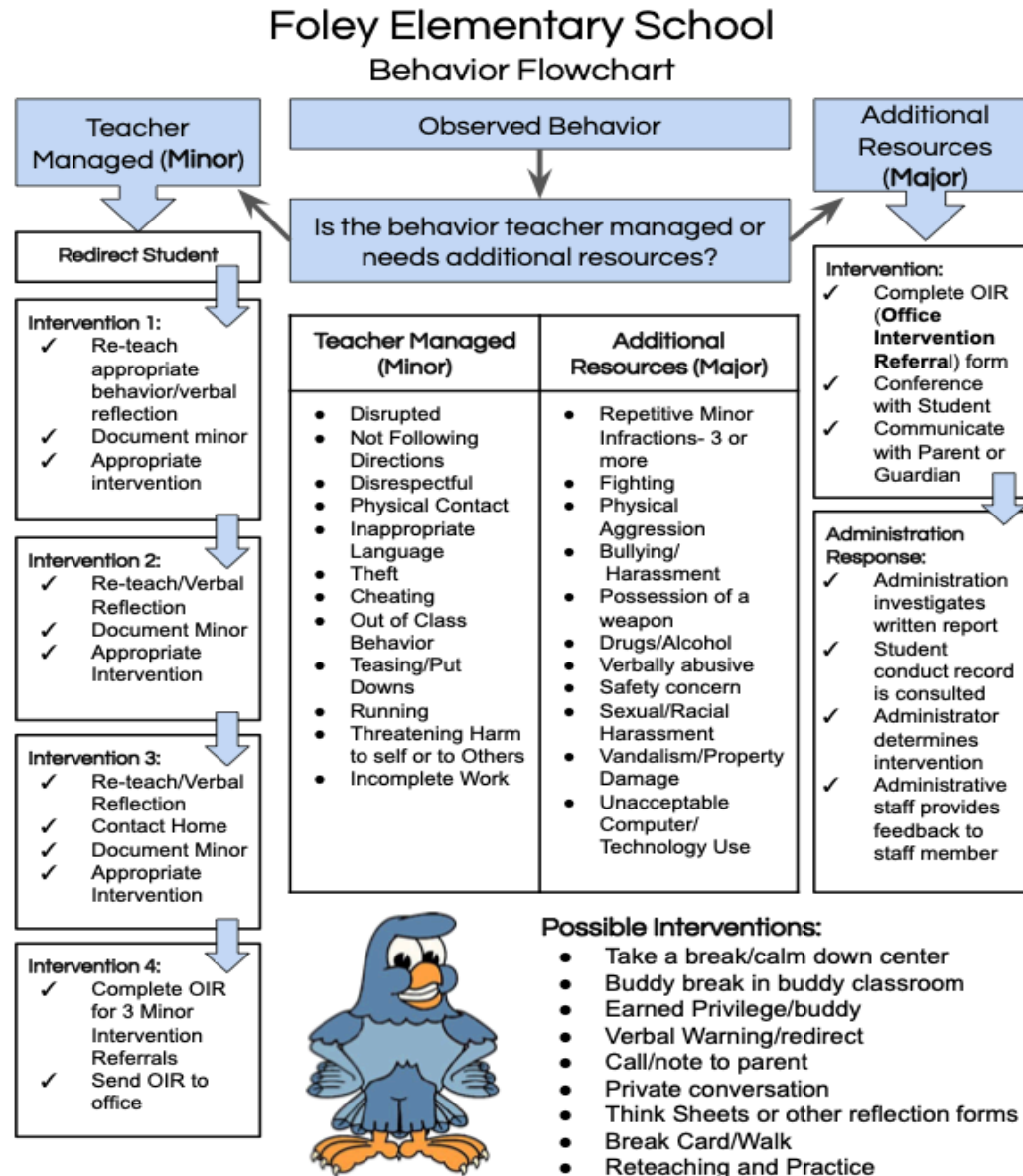
FALCONS SOAR

SUPPORT & SAFETY, OFFER KINDNESS, ACHIEVEMENT, & RESPECT

<i>Core Values</i>	<i>Hallway</i>	<i>Classroom</i>	<i>Bathrooms</i>	<i>Playground</i>	<i>Bus</i>	<i>Assemblies</i>	<i>Lunchroom</i>	<i>Media Ctr</i>	<i>Stairway</i>
<i>Support and Safety</i>	*Walk on the right side of the hallway in a single or double file line. *Eyes forward.	*Hands and body to yourself. *Move safely in the classroom. *Stay with the group.	*Flush, wash, leave. *Keep water in the sink. *Report problems or accidents to an adult.	*Use equipment safely *Report problems or accidents. *Stay in playground boundaries.	*Stay seated, facing forward *Keep your whole body in the bus.	*Sit with your group. *Stay behind the cones.	*Wash hands before eating *Sit with your class. *Walking feet	*Walking Feet *Wait in Line *Push in your chair	*Hand on railing *Right side of stairs *Up and down one step at a time
<i>Offer Kindness</i>	*Voice level 0. *Pick up your belongings. *Help others when needed.	*Voice level 0-3 *Take care of your belongings.	*Voice level 0-1 *Wait your turn. *Ask an adult to use the bathroom.	*Voice level 0-4 *Include & invite others. *Share equipment. *Take turns.	*Voice level 0-2 *Clean up after yourself.	*Voice level 0-3 *Eyes on the speaker. *Clap or respond when appropriate.	*Voice Level 0-2 *Keep the lunchroom clean. *Say Please and Thank you	*Voice Level 0-1 *Say Please and Thank you	*Hand on railing *Right side of stairs *Up and down one step at a time
<i>Achievement</i>	*Go directly to your destination.	*Stay on task. *Ask for what you need.	*One or two pumps of soap. *One or two paper towels.	*Pick up all equipment & put back where it belongs. *Line up when the whistle blows.	*Stay seated until your stop. *Check your seat for belongings.	*Follow directions *Watch & listen to your teacher when it's time to leave.	*Eat your own food *Clean up after yourself *Report spills *Raise hand to dump tray.	*Use Bookmark *Return books on time	*Go directly to your destination.
<i>Respect</i>	*Hands and body to yourself. *Keep hallways clean.	*Be honest. *Accept differences.	*Respect privacy. *One person in a stall at a time. *Throw away your paper towels.	*Treat others the way you would like to be treated. *Use respectful language.	*Listen to the driver. *Use respectful language.	*Watch for voice level signals. *Be a whole body listener. *Respect school property.	*Respect the share table. *Ask permission to leave the lunch room.	*Respect books *Use computer equipment properly	*Hands and body to yourself. *Keep the stairs clean.

			*Keep hands and body to yourself.						
--	--	--	-----------------------------------	--	--	--	--	--	--

Behaviors classified as minor are behaviors in which classroom teachers or other staff will typically handle themselves. They will not always inform the office of these behaviors. Major behaviors are those of a more serious or repetitive nature that require office support.



We recognize that students will sometimes make a mistake in their behavior. Below is a description of how inappropriate student behaviors will be handled at FES.

Violation of Major Policies and Penalties

1. **Fighting:** Penalty: This will depend on severity, however, any fighting will be reported to the principal. Any recurrence will result in notification of parents and a possible conference with parents.
2. **Dangerous weapons or instruments - “Dangerous weapon”** means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm or any fire that is used to produce death or great bodily harm. A student shall not possess, handle, transmit, or conceal any object that could do harm to another person. Penalty: Item will be confiscated and the parent notified. Suspension is at the discretion of the principal. M.S. 121A.44, states that a school board must expel for a period of at least one year a pupil who is determined to have brought a firearm to school except the school board may modify this expulsion requirement for a pupil on a case-by-case basis.
3. **Disruption of school** - A student shall not be allowed to disrupt school in any manner that would impair the educational program. Repeated action will result in: Penalty: Removal from class, referral to principal, conference with parent:
4. **False fire alarm or bomb threat:** Penalty: Persons responsible for a false fire alarm or bomb threat will be turned over to the proper law authorities.
5. **Use of vulgar language at school:** Penalty: Parents notified.
6. **Vandalism/theft of private or public property:** Penalty: Parents notified and arrangements made for replacements or reimbursement.
7. **Any and all other infractions that are contrary to school rules and regulations and/or that may cause harm or injury to other persons. This will include proper behavior on the playground, halls, bus, library, gym, etc.** Penalty - Each incident will be handled individually depending on the severity of the offense.
8. **Stealing:** Penalty - Immediate suspension from school and parents must accompany student for a conference.
9. **Harassment/bullying:** Penalty - Each incident will be handled individually depending on the severity of the offense. Consequences could result in detention, loss of privileges, referral to Human Rights Officer, parent contact, possible law enforcement contact, expulsion, referral to principal or appropriate resource person.

Nonexclusionary disciplinary policies and practices" means policies and practices that are alternatives to dismissing a pupil from school, including but not limited to evidence-based positive behavior interventions and supports, social and emotional services, school-linked mental health services, counseling services, social work services, academic screening for Title 1 services or reading interventions, and alternative education services. Nonexclusionary disciplinary policies and practices include but are not limited to the policies and practices under sections 120B.12; 121A.575, clauses (1) and (2); 121A.031, subdivision 4, paragraph (a), clause (1); 121A.61, subdivision 3, paragraph (r); and 122A.627, clause (3).

EMERGENCY CLOSING

Students need to know a plan to follow in such an event. This plan should be on file with your classroom teacher and current emergency numbers need to be on file in the school office. Please update your child's emergency information in our student information system, Infinite Campus, so we are able to contact you quickly in the event of an emergency.

FEES

It may be necessary to charge a nominal fee for some classroom activities and field trips. Materials used for instruction cannot be charged for; however, if the item is to be taken home and becomes the property of the student, a fee must be charged for materials. Checks for all fees should be made out to Foley Elementary School.

FIELD TRIPS

Grade levels have a few different opportunities for field trips throughout the school year that are connected to the academic program to enhance their learning experience. Depending on the trip, there are times when you will be notified that parent chaperones are needed. If you would like to chaperone a field trip, the following guidelines apply:

- All chaperones need to have a current background check on file. This can be done online through our district website under “Volunteer Opportunities”.
- If you are chosen to be a chaperone, it is important for you to ride the bus with the students and assist with supervision of students you are assigned.
- While on the trip, the purchase of treats, souvenirs and amusement rides is not allowed. Students and parents are asked not to bring money for these items.

- No smoking is allowed on a school sponsored trip. This includes e-cigs.
- Cell phones may be brought along, but we ask that you turn them off. If you take pictures, please only take pictures of your child. We have a number of parents that have not given consent for release of their photographs. We want to be sure to honor their requests.
- Other children or siblings are not allowed.

GRADING PROCEDURES

Grade Level Achievement is indicated on the report cards for grades kindergarten, one, two, and three by the following key: 4 (Demonstrates an understanding of standards/benchmarks that exceeds expectations at this grade level, 3 (Demonstrates a secure understanding of standards/benchmarks at this grade level , 2 (Demonstrates a developing understanding of standards/benchmarks at this grade level , 1 (Demonstrates a beginning level of understanding of standards/benchmarks at this grade level. These marks can also be accompanied by a checklist based on the child's ability and a brief narrative. A (+) indicates an outstanding area; a (-) indicates a problem area.

GUM CHEWING

Gum chewing is not acceptable unless it is permitted by the teacher.

LUNCH

Food from an outside restaurant may not be brought into the school. If you pack a home lunch for your child, please keep in mind that we are a peanut-safe school district.

SNACK BREAK

Students may have a snack break during the school day as directed by their teacher. Classroom teachers will give parents guidelines about the types of snacks and when to send them with students. We also encourage all students to keep a clear water bottle at school to fill at our filtered water bottle stations.

NOTICES TO PARENTS

Occasionally we send notices home, but we know that some of these notices don't always reach the parents. Most important communication will go home in Friday folders. Please help us by impressing upon your child the importance of receiving every message that we send you. Each month a menu for the coming month which lists events happening in school will be sent home. It usually is sent home on the last day of each month.

PLACEMENT REQUESTS

Parents wishing to make specific requests for placement should secure a placement request form from the office in the spring. The form must be completed by the deadline specified on the form in order to be considered. The form must be filled out completely to be considered valid. Because many variables are considered in the placement process, it is possible that not all requests may be honored.

PARKING

The parking area closest to our main entrance at Door #1 is reserved for short term parking (less than 20 minutes). The north side of the building is reserved for bus parking only.

PARTIES

Classrooms may have class celebrations a few times each year. If you prefer to not have your child participate in these celebrations, please let the teacher know that your child should not participate and an alternative activity will be provided.

PEANUT / TREE NUT POLICY

Foley Elementary School has a Peanut / Tree Nut Safe Policy. We have several students with peanut and or tree nut allergies and we are attempting to provide them with as safe a school environment as possible. These allergies are **severe and life threatening** to some students. Our School Lunch Program uses no foods containing peanut or tree nut products and parents should not send any peanut or tree nut products in cold lunches. Treats for students and staff for special occasions must also be peanut or tree nut free. **Please read labels to make sure that items do not contain peanut or tree nut products.**

PHYSICAL EDUCATION

Physical education is a regular part of the school curriculum. It is required that each student have a pair of tennis shoes that can be used during daily physical education classes. No black soled tennis shoes, please.

REPORT CARDS

Report cards are to be issued to students after the completion of each trimester period. Report cards will be sent home for all students in grades K – 3.

ROOM TREATS

Students like to bring treats to school occasionally. We request that all treats be packaged treats or purchased. No homemade treats should be brought to school according to the State Health Department (also see Peanut Policy).

SENDING MONEY

When sending money, especially in the lower grades, (for activity fees, lunch, etc.) put it in an envelope marked with the child's name, grade, teacher, and purpose for which it is sent. **Checks should be made to Foley Elementary School** for one activity only. (Example: A check can be made for more than one child for lunch but please do not include money for field trips or student activities in the same check.)

STUDENT DRESS

We know that students, parents, teachers, and administration, and the school board are all concerned about the dress and personal appearance of their students. Students are encouraged to dress in a manner which is conducive to learning and appropriate to a school setting. Caps, hats and bandanas are only allowed on designated days. Clothing should cover the midriff. Spaghetti straps and "muscle" shirts are not acceptable unless an overtop is worn. Clothing, jewelry, pins, etc., which promote or contain advertising, other than those promoting a positive school image, should not be worn to school or any school sponsored event. Any item in question will be reviewed by the principal for appropriateness. In the winter, students should dress for the weather, including boots, hats and mittens. Students will go outside every day unless the weather is exceptionally cold. Shorts are acceptable during warm weather.

Backpacks should be of a size to fit in a student locker. Those with wheels cannot be left in the hallway because of safety hazards. It is recommended that backpacks without wheels be used.

Parents are asked to follow the above dress guidelines when visiting school.

VISITORS

Please call the office for permission before coming to school if you want to visit your child's classroom. Visitors that want to eat lunch with students must notify the office in advance. Approved visitors to the school must sign in at the office and wear a visitor's badge at all times. Staff that see a visitor without a badge should ask the visitor to return to the office. Visitors are cautioned that any information that was observed about students during school visits needs to remain confidential and should not be discussed with anyone.



District Policies and Summaries Applicable to All Students

TABLE OF CONTENTS – DISTRICT PORTION: Go to the District Website-Click on District Policies Under Review

Annual Notifications: link info to the following
McKinney-Vento Homeless response act
English Learners
Lead in School Drinking water
USDA public notification system(Cheryl)
Hazing policy
Sexual, Religious, and Racial Harassment and Violence policy
Data designated as Directory information
District surveys opt out
TransAct.com for translated documents

LIST OF DISTRICT POLICIES FOR MANDATORY REVIEW

104	MISSION AND EDUCATIONAL PRINCIPLES
413	HARASSMENT AND VIOLENCE
414	MANDATORY REPORT OF CHILD ABUSE/NEGLECT
465	PROTECTION OF STAFF
514	BULLYING PROHIBITION POLICY
524	INTERNET ACCEPTABLE USE AND SAFETY POLICY
532	USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS WITH IEPs FROM SCHOOL GROUNDS
903	VISITORS

Foley Public Schools Revised: 03/15/2021

MSBA/MASA Model Policy 104

Foley Public Schools Adopted by the Board: 05/17/2021

MSBA Original 1997

MSBA Revised 2004

104 SCHOOL DISTRICT MISSION STATEMENT

I. PURPOSE

The purpose of this policy is to establish a clear statement of the purpose for which the school district exists.

II. GENERAL STATEMENT OF POLICY

The school board believes that a mission statement should be adopted. The mission statement should be based on the beliefs and values of the community, should direct any change effort and should be the basis on which decisions are made. The school board, on behalf of and with extensive participation by the community, should develop a consensus among its members regarding the nature of the enterprise the

school board governs, the purposes it serves, the constituencies it should consider, including student representation, and the results it intends to produce.

III. MISSION STATEMENT

EXAMPLE The mission of the Foley Public Schools is to bring together students, parents, staff, and community to provide a quality education with an emphasis on developing the full potential of the individual.

IV. REVIEW

The school board will review the school district's mission every two years, especially when members of the board change. The school board will conduct a comprehensive review of the mission, including the beliefs and values of the community, every five to seven years.

MISSION AND EDUCATIONAL PRINCIPLES

The mission of the Foley Public Schools is to bring together students, parents, staff, and community to provide a quality education with an emphasis on developing the full potential of the individual.

The following three sets of goal statements are to be considered educational principles to guide practice, planning and policy at Foley Public Schools. The School Board reserves the right to emphasize specific goals for a given time frame or to develop specific goals that are a combination of these principles and specific conditions.

In order to achieve this mission, Independent School District No. 51 has adopted the following educational goals, applicable to students of all ages:

- A. We believe that every student has the ability to read with comprehension and have sufficient language and communication skill to cope with lifelong demands.
- B. We believe that every student can understand and use numbers as demanded in life.
- C. We believe that every student is prepared for responsible living in a global society.
- D. We believe that every student understands our government and the duties of responsible citizenship.
- E. To develop students' cultural awareness and understanding of others through exposure to various world cultures, arts, languages and humanities.
- F. To develop students' understanding of the natural and physical sciences.
- G. To create students' awareness of career opportunities, and connect learning to the world of work.
- H. To develop students' skills for lifelong learning.
- I. To develop students' ability to make healthy life choices.
- J. To develop students' skills and appreciation for visual arts, theater, music and creative physical movement.

In order to achieve this mission, the district has adopted the following goals for personal development:

- A. To build faculty/student relationships that instills positive self-image and positive attitude toward learning.
- B. To build students' understanding and respect for the rights and responsibilities of self and others and to respect authority.
- C. To develop students' human relation skills necessary to function constructively within family, community and work environments.

D. To develop and maintain professional learning communities to improve student learning through research, data gathering and analysis and professional sharing.

In order to achieve this mission, the following additional district goals have been adopted:

A. To ensure that firm, fair and impartial discipline is present in the school district.

B. To offer all students the opportunity to participate in extra-curricular activities, and to encourage students to expand special talents beyond the required curriculum.

C. To provide educational and recreational opportunities for the residents of the district.

D. To provide an emotionally and physically safe environment in all district properties.

Legal References: Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement)
Minn. Rule Parts 3501.0010-3501.0180
Minn. Rule Parts 3501.0200-3501.0270

Cross References:

Foley Public Schools Adopted by the Board: 07/18/2022

MSBA/MASA Model Policy 413

Orig. 1995

Rev. 2021

413 HARASSMENT AND VIOLENCE

[Note: State law (Minnesota Statutes section 121A.03) requires that school districts adopt a sexual, religious, and racial harassment and violence policy that conforms with the Minnesota Human Rights Act, Minnesota Statutes section 363A (MHRA). This policy complies with that statutory requirement and addresses the other classifications protected by the MHRA and/or federal law. While the recommendation is that school districts incorporate the other protected classifications, in addition to sex, religion, and race, into this policy, they are not specifically required to do so by Minnesota Statutes section 121A.03. The Minnesota Department of Education (MDE) is required to maintain and make available a model sexual, religious, and racial harassment policy in accordance with Minnesota Statutes section 121A.03. MDE's policy differs from that of MSBA and imposes greater requirements upon school districts than required by law. For that reason, MSBA recommends the adoption of its model policy by school districts. Each school board must submit a copy of the policy the board has adopted to the Commissioner of MDE.]

I. PURPOSE

The purpose of this policy is to maintain a learning and working environment free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability (Protected Class).

II. GENERAL STATEMENT OF POLICY

A. The policy of the school district is to maintain a learning and working environment free

from harassment and violence on the basis of Protected Class. The school district prohibits any form of harassment or violence on the basis of Protected Class.

B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's Protected Class, as defined by this policy. (For purposes of this policy, school district personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)

C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's Protected Class.

D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's Protected Class, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel found to have violated this policy.

III. DEFINITIONS

413-2

A. "Assault" is:

1. an act done with intent to cause fear in another of immediate bodily harm or death;
2. the intentional infliction of or attempt to inflict bodily harm upon another; or
3. the threat to do bodily harm to another with present ability to carry out the threat.

B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, when the conduct:

1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
3. otherwise adversely affects an individual's employment or academic opportunities.

C. "Immediately" means as soon as possible but in no event longer than 24 hours.

D. Protected Classifications; Definitions

1. "Disability" means, with respect to an individual who
 - a. a physical sensory or mental impairment that materially limits one or more major life activities of such individual;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
2. "Familial status" means the condition of one or more minors being domiciled with:
 - a. their parent or parents or the minor's legal guardian; or
 - b. the designee of the parent or parents or guardian with the written

permission of the parent or parents or guardian. The protections afforded against harassment or discrimination on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of Majority.

3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment or discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
 4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
 5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
 6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an Adult.
 7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.
- F. Sexual Harassment; Definition
1. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:
 - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
 - b. 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
 - c. that conduct or communication has the purpose or effect of substantially interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational Environment.
 2. Sexual harassment may include, but is not limited to:
 - a. unwelcome verbal harassment or abuse;
 - b. unwelcome pressure for sexual activity;
 - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid

physical harm to persons or property;
d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or

413-4

f. unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

G. Sexual Violence; Definition

1. Sexual violence is a physical act of aggression or force or the threat thereof that involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minnesota Statutes section 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.

2. Sexual violence may include, but is not limited to:

- a. touching, patting, grabbing, or pinching another person's intimate parts
- b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
- c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
- d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence; Definition

Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to an individual's Protected Class.

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of Protected Class by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct that may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or a complainant.

- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report Taker.
- G. In the District. The school board hereby designates as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.¹
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
1. In some school districts the superintendent may be the human rights officer. If so, an alternative individual

should be designated by the school board.

N. False accusations or reports of violence or harassment against another person are prohibited.

O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

Consequences for other individuals engaging in prohibited acts of violence or harassment may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts.

V. INVESTIGATION

A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.

B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.

D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.

E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

VI. SCHOOL DISTRICT ACTION

A. Upon completion of an investigation that determines a violation of this policy has

occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.

- B. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the targets or victims and alleged perpetrators of harassment or violence, the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

VII. RETALIATION OR REPRISAL

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

VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

These procedures do 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 or another state or federal agency, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

IX. HARASSMENT OR VIOLENCE AS ABUSE

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minnesota Statutes chapter. 260E may be applicable.
- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

X. DISSEMINATION OF POLICY AND TRAINING

- A. This policy shall be conspicuously posted throughout each school building in areas

- accessible to students and staff members.
- B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
 - C. This policy shall appear in the student handbook.
 - D. The school district will develop a method of discussing this policy with students and employees.
 - E. The school district may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, selfdiscipline, patience, forgiveness, respect for others, peacemaking, resourcefulness, and/or sexual abuse prevention.
 - F. This policy shall be reviewed at least annually for compliance with state and federal law.

Legal References: Minn. Stat. § 120B.232 (Character Development Education)

Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)

Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)

Minn. Stat. § 121A.031 (School Student Bullying Policy)

Minn. Stat. Ch. 363A (Minnesota Human Rights Act)

Minn. Stat. § 609.341 (Definitions)

Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)

20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)

29 U.S.C. § 621 et seq. (Age Discrimination in Employment Act)

29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)

42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)

42 U.S.C. § 2000d et seq. (Title VI of the Civil Rights Act of 1964)

42 U.S.C. § 2000e et seq. (Title VII of the Civil Rights Act)

42 U.S.C. § 12101 et seq. (Americans with Disabilities Act)

Cross References: MSBA/MASA Model Policy 102 (Equal Educational Opportunity)

MSBA/MASA Model Policy 401 (Equal Employment Opportunity)

MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)

MSBA/MASA Model Policy 406 (Public and Private Personnel Data)

MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)

MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)

MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination, Grievance 413-9

Procedures and Process)

MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)

MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status
NONDISCRIMINATION)

414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE

[NOTE: THIS POLICY REFLECTS THE MANDATORY LAW REGARDING REPORTING OF MALTREATMENT OF MINORS AND IS NOT DISCRETIONARY IN NATURE.]

I. PURPOSE

THE PURPOSE OF THIS POLICY IS TO MAKE CLEAR THE STATUTORY REQUIREMENTS OF SCHOOL PERSONNEL TO REPORT SUSPECTED CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE.

II. GENERAL STATEMENT OF POLICY

- A. THE POLICY OF THE SCHOOL DISTRICT IS TO FULLY COMPLY WITH MINN. STAT. CH. 260E REQUIRING SCHOOL PERSONNEL TO REPORT SUSPECTED CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE.
- B. A VIOLATION OF THIS POLICY OCCURS WHEN ANY SCHOOL PERSONNEL FAILS TO IMMEDIATELY REPORT INSTANCES OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE WHEN THE SCHOOL PERSONNEL KNOWS OR HAS REASON TO BELIEVE A CHILD IS BEING NEGLECTED OR PHYSICALLY OR SEXUALLY ABUSED OR HAS BEEN NEGLECTED OR PHYSICALLY OR SEXUALLY ABUSED WITHIN THE PRECEDING THREE YEARS.

III. DEFINITIONS

- A. "ACCIDENTAL" MEANS A SUDDEN, NOT REASONABLY FORESEEABLE, AND UNEXPECTED OCCURRENCE OR EVENT THAT:
 - 1. IS NOT LIKELY TO OCCUR AND COULD NOT HAVE BEEN PREVENTED BY EXERCISE OF DUE CARE;
 - AND
 - 2. IF OCCURRING WHILE A CHILD IS RECEIVING SERVICES FROM A FACILITY, HAPPENS WHEN THE FACILITY AND THE EMPLOYEE OR PERSON PROVIDING SERVICES IN THE FACILITY ARE IN COMPLIANCE WITH THE LAWS AND RULES RELEVANT TO THE OCCURRENCE OF EVENT.
- B. "CHILD" MEANS ONE UNDER AGE 18 AND, FOR PURPOSES OF MINN. STAT. CH. 260C (JUVENILE SAFETY AND PLACEMENT) AND MINN. STAT. CH. 260D (CHILD IN VOLUNTARY FOSTER CARE FOR TREATMENT), INCLUDES AN INDIVIDUAL UNDER AGE 21 WHO IS IN FOSTER CARE PURSUANT TO MINN. STAT. § 260C.451 (FOSTER CARE BENEFITS PAST AGE 18).
- C. "IMMEDIATELY" MEANS AS SOON AS POSSIBLE BUT IN NO EVENT LONGER THAN 24 HOURS.
- D. "MANDATED REPORTER" MEANS ANY SCHOOL PERSONNEL WHO KNOWS OR HAS REASON TO BELIEVE A CHILD IS BEING MALTREATED OR HAS BEEN MALTREATED WITHIN THE PRECEDING THREE YEARS.
- E. "MENTAL INJURY" MEANS AN INJURY TO THE PSYCHOLOGICAL CAPACITY OR EMOTIONAL STABILITY OF A CHILD AS EVIDENCED BY AN OBSERVABLE OR SUBSTANTIAL IMPAIRMENT IN THE CHILD'S ABILITY TO FUNCTION WITHIN A NORMAL RANGE OF PERFORMANCE AND BEHAVIOR WITH DUE REGARD TO THE CHILD'S CULTURE.
- F. "NEGLECT" MEANS THE COMMISSION OR OMISSION OF ANY OF THE ACTS SPECIFIED BELOW, OTHER THAN BY ACCIDENTAL MEANS:
 - 1. FAILURE BY A PERSON RESPONSIBLE FOR A CHILD'S CARE TO SUPPLY A CHILD WITH NECESSARY FOOD, CLOTHING, SHELTER, HEALTH CARE, MEDICAL, OR OTHER CARE REQUIRED FOR THE CHILD'S PHYSICAL OR MENTAL HEALTH WHEN REASONABLY ABLE TO DO SO;
 - 2. FAILURE TO PROTECT A CHILD FROM CONDITIONS OR ACTIONS THAT SERIOUSLY ENDANGER THE CHILD'S PHYSICAL OR MENTAL HEALTH WHEN REASONABLY ABLE TO DO SO, INCLUDING A GROWTH DELAY, WHICH MAY BE REFERRED TO AS A FAILURE TO THRIVE, THAT HAS BEEN DIAGNOSED BY A PHYSICIAN AND IS DUE TO PARENTAL NEGLECT;
 - 3. FAILURE TO PROVIDE FOR NECESSARY SUPERVISION OR CHILD CARE ARRANGEMENTS APPROPRIATE FOR A CHILD AFTER CONSIDERING FACTORS AS THE CHILD'S AGE, MENTAL ABILITY, PHYSICAL CONDITION, LENGTH OF ABSENCE, OR ENVIRONMENT, WHEN THE CHILD IS UNABLE TO CARE FOR THE CHILD'S OWN BASIC NEEDS OR SAFETY, OR THE BASIC NEEDS OR SAFETY OF ANOTHER CHILD IN HIS OR HER CARE;
 - 4. FAILURE TO ENSURE THAT A CHILD IS EDUCATED IN ACCORDANCE WITH STATE LAW, WHICH DOES NOT INCLUDE A PARENT'S REFUSAL TO PROVIDE HIS OR HER CHILD WITH

SYMPATHOMIMETIC MEDICATIONS;

5. PRENATAL EXPOSURE TO A CONTROLLED SUBSTANCE AS DEFINED IN STATE LAW USED BY THE MOTHER FOR A NONMEDICAL PURPOSE, AS EVIDENCED BY WITHDRAWAL SYMPTOMS IN THE CHILD AT BIRTH, RESULTS OF A TOXICOLOGY TEST PERFORMED ON THE MOTHER AT DELIVERY OR THE CHILD'S BIRTH, MEDICAL EFFECTS OR DEVELOPMENTAL DELAYS DURING THE CHILD'S FIRST YEAR OF LIFE THAT MEDICALLY INDICATE PRENATAL EXPOSURE TO A CONTROLLED SUBSTANCE, OR THE PRESENCE OF A FETAL ALCOHOL SPECTRUM DISORDER;

6. MEDICAL NEGLECT AS DEFINED BY MINN. STAT. § 260C.007, SUBD. 6, CLAUSE (5);

7. CHRONIC AND SEVERE USE OF ALCOHOL OR A CONTROLLED SUBSTANCE BY A PERSON RESPONSIBLE FOR THE CARE OF THE CHILD THAT ADVERSELY AFFECTS THE CHILD'S BASIC NEEDS AND SAFETY; OR

8. EMOTIONAL HARM FROM A PATTERN OF BEHAVIOR THAT CONTRIBUTES TO IMPAIRED EMOTIONAL FUNCTIONING OF THE CHILD, WHICH MAY BE DEMONSTRATED BY A SUBSTANTIAL AND OBSERVABLE EFFECT IN THE CHILD'S BEHAVIOR, EMOTIONAL RESPONSE, OR COGNITION THAT IS NOT WITHIN THE NORMAL RANGE FOR THE CHILD'S AGE AND STAGE OF DEVELOPMENT, WITH DUE REGARD TO THE CHILD'S CULTURE.

NEGLECT DOES NOT OCCUR SOLELY BECAUSE THE CHILD'S PARENT, GUARDIAN, OR OTHER PERSON RESPONSIBLE FOR THE CHILD'S CARE IN GOOD FAITH SELECTS AND DEPENDS UPON SPIRITUAL MEANS OR PRAYER FOR TREATMENT OR CARE OF DISEASE OR REMEDIAL CARE OF THE CHILD IN LIEU OF MEDICAL CARE.

G. "NONMALTREATMENT MISTAKE" OCCURS WHEN: (1) AT THE TIME OF THE INCIDENT, THE INDIVIDUAL WAS PERFORMING DUTIES IDENTIFIED IN THE CENTER'S CHILD CARE PROGRAM PLAN REQUIRED UNDER MINN. RULES PART 9503.0045; (2) THE INDIVIDUAL HAS NOT BEEN DETERMINED RESPONSIBLE FOR A SIMILAR INCIDENT THAT RESULTED IN A FINDING OF MALTREATMENT FOR AT LEAST SEVEN YEARS; (3) THE INDIVIDUAL HAS NOT BEEN DETERMINED TO HAVE COMMITTED A SIMILAR NONMALTREATMENT MISTAKE UNDER THIS PARAGRAPH FOR AT LEAST FOUR YEARS; (4) ANY INJURY TO A CHILD RESULTING FROM THE INCIDENT, IF TREATED, IS TREATED ONLY WITH REMEDIES THAT ARE AVAILABLE OVER THE COUNTER, WHETHER ORDERED BY A MEDICAL PROFESSIONAL OR NOT; AND (5) EXCEPT FOR THE PERIOD WHEN THE INCIDENT OCCURRED, THE FACILITY AND THE INDIVIDUAL PROVIDING SERVICES WERE BOTH IN COMPLIANCE WITH ALL LICENSING REQUIREMENTS RELEVANT TO THE INCIDENT. THIS DEFINITION ONLY APPLIES TO CHILD CARE CENTERS LICENSED UNDER MINN. RULES CH. 9503.

H. "PERSON RESPONSIBLE FOR THE CHILD'S CARE" MEANS (1) AN INDIVIDUAL FUNCTIONING WITHIN THE FAMILY UNIT AND HAVING RESPONSIBILITIES FOR THE CARE OF THE CHILD SUCH AS A PARENT, GUARDIAN, OR OTHER PERSON HAVING SIMILAR CARE RESPONSIBILITIES, OR (2) AN INDIVIDUAL FUNCTIONING OUTSIDE THE FAMILY UNIT AND HAVING RESPONSIBILITIES FOR THE CARE OF THE CHILD SUCH AS A TEACHER, SCHOOL ADMINISTRATOR, OTHER SCHOOL EMPLOYEE OR AGENT, OR OTHER LAWFUL CUSTODIAN OF A CHILD HAVING EITHER FULL-TIME OR SHORT-TERM CARE RESPONSIBILITIES INCLUDING, BUT NOT LIMITED TO, DAY CARE, BABYSITTING WHETHER PAID OR UNPAID, COUNSELING, TEACHING, AND COACHING.

I. "PHYSICAL ABUSE" MEANS ANY PHYSICAL INJURY, MENTAL INJURY (UNDER SUBDIVISION 13), OR THREATENED INJURY (UNDER SUBDIVISION 23), INFLECTED BY A PERSON RESPONSIBLE FOR THE CHILD'S CARE ON A CHILD OTHER THAN BY ACCIDENTAL MEANS; OR ANY PHYSICAL OR MENTAL INJURY THAT CANNOT REASONABLY BE EXPLAINED BY THE CHILD'S HISTORY OF INJURIES, OR ANY AVERSIVE OR DEPRIVATION PROCEDURES, OR REGULATED INTERVENTIONS, THAT HAVE NOT BEEN AUTHORIZED BY MINN. STAT. § 125A.0942 OR § 245.825.

ABUSE DOES NOT INCLUDE REASONABLE AND MODERATE PHYSICAL DISCIPLINE OF A CHILD ADMINISTERED BY A PARENT OR LEGAL GUARDIAN THAT DOES NOT RESULT IN AN INJURY. ABUSE DOES NOT INCLUDE THE USE OF REASONABLE FORCE BY A TEACHER, PRINCIPAL, OR SCHOOL EMPLOYEE AS ALLOWED BY MINN. STAT. § 121A.582.

ACTIONS THAT ARE NOT REASONABLE AND MODERATE INCLUDE, BUT ARE NOT LIMITED TO, ANY OF THE FOLLOWING: (1) THROWING, KICKING, BURNING, BITING, OR CUTTING A CHILD; (2) STRIKING A CHILD WITH A CLOSED FIST; (3) SHAKING A CHILD UNDER AGE THREE; (4) STRIKING OR OTHER ACTIONS THAT RESULT IN ANY NONACCIDENTAL INJURY TO A CHILD UNDER 18 MONTHS OF AGE; (5) UNREASONABLE INTERFERENCE WITH A CHILD'S BREATHING; (6) THREATENING A CHILD WITH A WEAPON, AS DEFINED IN MINN. STAT. § 609.02, SUBD. 6; (7) STRIKING A CHILD UNDER AGE ONE ON THE FACE OR HEAD; (8) STRIKING A CHILD WHO IS AT LEAST AGE ONE BUT UNDER AGE FOUR ON THE FACE OR HEAD, WHICH RESULTS IN AN INJURY; (9) PURPOSELY GIVING A CHILD POISON, ALCOHOL, OR DANGEROUS, HARMFUL,

OR CONTROLLED SUBSTANCES THAT WERE NOT PRESCRIBED FOR THE CHILD BY A PRACTITIONER, IN ORDER TO CONTROL OR PUNISH THE CHILD, OR OTHER SUBSTANCES THAT SUBSTANTIALLY AFFECT THE CHILD'S BEHAVIOR, MOTOR COORDINATION, OR JUDGMENT, OR THAT RESULT IN SICKNESS OR INTERNAL INJURY, OR THAT SUBJECT THE CHILD TO MEDICAL PROCEDURES THAT WOULD BE UNNECESSARY IF THE CHILD WERE NOT EXPOSED TO THE SUBSTANCES; (10) UNREASONABLE PHYSICAL CONFINEMENT OR RESTRAINT NOT PERMITTED UNDER MINN. STAT. § 609.379, INCLUDING, BUT NOT LIMITED TO, TYING, CAGING, OR CHAINING; OR (11) IN A SCHOOL FACILITY OR SCHOOL ZONE, AN ACT BY A PERSON RESPONSIBLE FOR THE CHILD'S CARE THAT IS A VIOLATION UNDER MINN. STAT. § 121A.58.

- J. "REPORT" MEANS ANY COMMUNICATION RECEIVED BY THE LOCAL WELFARE AGENCY, POLICE DEPARTMENT, COUNTY SHERIFF, OR AGENCY RESPONSIBLE FOR CHILD PROTECTION PURSUANT TO THIS SECTION THAT DESCRIBES MALTREATMENT OF A CHILD AND CONTAINS SUFFICIENT CONTENT TO IDENTIFY THE CHILD AND ANY PERSON BELIEVED TO BE RESPONSIBLE FOR THE MALTREATMENT, IF KNOWN.
- K. "SCHOOL PERSONNEL" MEANS PROFESSIONAL EMPLOYEE OR PROFESSIONAL'S DELEGATE OF THE SCHOOL DISTRICT WHO PROVIDES HEALTH, EDUCATIONAL, SOCIAL, PSYCHOLOGICAL, LAW ENFORCEMENT, OR CHILD CARE SERVICES.
- L. "SEXUAL ABUSE" MEANS THE SUBJECTION OF A CHILD BY A PERSON RESPONSIBLE FOR THE CHILD'S CARE, BY A PERSON WHO HAS A SIGNIFICANT RELATIONSHIP TO THE CHILD (AS DEFINED IN MINN. STAT. § 609.341, SUBD. 15), OR BY A PERSON IN A CURRENT OR RECENT POSITION OF AUTHORITY (AS DEFINED IN MINN. STAT. § 609.341, SUBD. 10) TO ANY ACT WHICH CONSTITUTES A VIOLATION OF MINNESOTA STATUTES PROHIBITING CRIMINAL SEXUAL CONDUCT. SUCH ACTS INCLUDE SEXUAL PENETRATION, SEXUAL CONTACT, SOLICITATION OF CHILDREN TO ENGAGE IN SEXUAL CONDUCT, AND COMMUNICATION OF SEXUALLY EXPLICIT MATERIALS TO CHILDREN. SEXUAL ABUSE ALSO INCLUDES ANY ACT INVOLVING A MINOR THAT CONSTITUTES A VIOLATION OF MINNESOTA STATUTES PROHIBITING PROSTITUTION OR USE OF A MINOR IN A SEXUAL PERFORMANCE. SEXUAL ABUSE INCLUDES ALL REPORTS OF KNOWN OR SUSPECTED CHILD SEX TRAFFICKING INVOLVING A CHILD WHO IS IDENTIFIED AS A VICTIM OF SEX TRAFFICKING. SEXUAL ABUSE INCLUDES THREATENED SEXUAL ABUSE WHICH INCLUDES THE STATUS OF A PARENT OR HOUSEHOLD MEMBER WHO HAS COMMITTED A VIOLATION THAT REQUIRES REGISTRATION UNDER MINN. STAT. § 243.166, SUBD. 1B(A) OR (B) (REGISTRATION OF PREDATORY OFFENDERS).
- M. "THREATENED INJURY" MEANS A STATEMENT, OVERT ACT, CONDITION, OR STATUS THAT REPRESENTS A SUBSTANTIAL RISK OF PHYSICAL OR SEXUAL ABUSE OR MENTAL INJURY. THREATENED INJURY INCLUDES, BUT IS NOT LIMITED TO, EXPOSING A CHILD TO A PERSON RESPONSIBLE FOR THE CHILD'S CARE WHO HAS (1) SUBJECTED THE CHILD TO, OR FAILED TO PROTECT A CHILD FROM, AN OVERT ACT OR CONDITION THAT CONSTITUTES EGREGIOUS HARM; (2) BEEN FOUND TO BE PALPABLY UNFIT; (3) COMMITTED AN ACT THAT RESULTED IN AN INVOLUNTARY TERMINATION OF PARENTAL RIGHTS; (4) , OR COMMITTED AN ACT THAT RESULTED IN THE INVOLUNTARY TRANSFER OF PERMANENT LEGAL AND PHYSICAL CUSTODY OF A CHILD TO A RELATIVE.

IV. REPORTING PROCEDURES

- A. A MANDATED REPORTER SHALL IMMEDIATELY REPORT THE INFORMATION TO THE LOCAL WELFARE AGENCY, AGENCY RESPONSIBLE FOR ASSESSING OR INVESTIGATING THE REPORT, POLICE DEPARTMENT, COUNTY SHERIFF, TRIBAL SOCIAL SERVICES AGENCY, OR TRIBAL POLICE DEPARTMENT. THE REPORTER WILL INCLUDE HIS OR HER NAME AND ADDRESS IN THE REPORT.
- B. AN ORAL REPORT SHALL BE MADE IMMEDIATELY BY TELEPHONE OR OTHERWISE., THE ORAL REPORT SHALL BE FOLLOWED BY A WRITTEN REPORT WITHIN 72 HOURS (EXCLUSIVE OF WEEKENDS AND HOLIDAYS) TO THE APPROPRIATE POLICE DEPARTMENT, THE COUNTY SHERIFF, LOCAL WELFARE AGENCY, OR AGENCY RESPONSIBLE FOR ASSESSING OR INVESTIGATING THE REPORT. ANY REPORT SHALL BE OF SUFFICIENT CONTENT TO IDENTIFY THE CHILD, ANY PERSON BELIEVED TO BE RESPONSIBLE FOR THE MALTREATMENT OF THE CHILD IF THE PERSON IS KNOWN, THE NATURE AND EXTENT OF THE MALTREATMENT, AND THE NAME AND ADDRESS OF THE REPORTER.
- C. REGARDLESS OF WHETHER A REPORT IS MADE, AS SOON AS PRACTICABLE AFTER A SCHOOL RECEIVES INFORMATION REGARDING AN INCIDENT THAT MAY CONSTITUTE MALTREATMENT OF A CHILD IN A SCHOOL FACILITY, THE SCHOOL SHALL INFORM THE PARENT, LEGAL GUARDIAN, OR CUSTODIAN OF THE CHILD THAT AN INCIDENT HAS OCCURRED THAT MAY CONSTITUTE MALTREATMENT OF THE CHILD, WHEN THE INCIDENT OCCURRED, AND THE NATURE OF THE CONDUCT THAT MAY CONSTITUTE MALTREATMENT.
- D. A MANDATED REPORTER WHO KNOWS OR HAS REASON TO KNOW OF THE DEPRIVATION OF CUSTODIAL OR PARENTAL RIGHTS OR THE KIDNAPPING OF A CHILD SHALL REPORT THE INFORMATION TO THE LOCAL

POLICE DEPARTMENT OR THE COUNTY SHERIFF.

- E. WITH THE EXCEPTION OF A HEALTH CARE PROFESSIONAL OR A SOCIAL SERVICE PROFESSIONAL WHO IS PROVIDING THE WOMAN WITH PRENATAL CARE OR OTHER HEALTH CARE SERVICES, A MANDATED REPORTER SHALL IMMEDIATELY REPORT TO THE LOCAL WELFARE AGENCY IF THE PERSON KNOWS OR HAS REASON TO BELIEVE THAT A WOMAN IS PREGNANT AND HAS USED A CONTROLLED SUBSTANCE FOR A NONMEDICAL PURPOSE DURING THE PREGNANCY, INCLUDING, BUT NOT LIMITED TO, TETRAHYDROCANNABINOL, OR HAS CONSUMED ALCOHOLIC BEVERAGES DURING THE PREGNANCY IN ANY WAY THAT IS HABITUAL OR EXCESSIVE.
 - F. A PERSON MANDATED BY MINNESOTA LAW AND THIS POLICY TO REPORT WHO FAILS TO REPORT MAY BE SUBJECT TO CRIMINAL PENALTIES AND/OR DISCIPLINE, UP TO AND INCLUDING TERMINATION OF EMPLOYMENT.
 - G. AN EMPLOYER OF A MANDATED REPORTER SHALL NOT RETALIATE AGAINST THE PERSON FOR REPORTING IN GOOD FAITH MALTREATMENT AGAINST A CHILD WITH RESPECT TO WHOM A REPORT IS MADE, BECAUSE OF THE REPORT.
 - H. ANY PERSON WHO KNOWINGLY OR RECKLESSLY MAKES A FALSE REPORT UNDER THE PROVISIONS OF APPLICABLE MINNESOTA LAW OR THIS POLICY SHALL BE LIABLE IN A CIVIL SUIT FOR ANY ACTUAL DAMAGES SUFFERED BY THE PERSON OR PERSONS SO REPORTED AND FOR ANY PUNITIVE DAMAGES SET BY THE COURT OR JURY, PLUS COSTS AND REASONABLE ATTORNEY FEES. KNOWINGLY OR RECKLESSLY MAKING A FALSE REPORT ALSO MAY RESULT IN DISCIPLINE.
- [NOTE: THE MINNESOTA DEPARTMENT OF EDUCATION (MDE) IS RESPONSIBLE FOR ASSESSING OR INVESTIGATING ALLEGATIONS OF CHILD MALTREATMENT IN SCHOOLS. ALTHOUGH A REPORT MAY BE MADE TO ANY OF THE AGENCIES LISTED IN SECTION IV. A., ABOVE, AND THERE IS NO REQUIREMENT TO FILE MORE THAN ONE REPORT, IF THE INITIAL REPORT IS NOT MADE TO MDE, IT WOULD BE HELPFUL TO MDE IF SCHOOLS ALSO REPORT TO MDE.]

V. INVESTIGATION

- A. THE RESPONSIBILITY FOR ASSESSING OR INVESTIGATING REPORTS OF SUSPECTED MALTREATMENT RESTS WITH THE APPROPRIATE STATE, COUNTY, OR LOCAL AGENCY OR AGENCIES. THE AGENCY RESPONSIBLE FOR ASSESSING OR INVESTIGATING REPORTS OF MALTREATMENT HAS THE AUTHORITY TO INTERVIEW THE CHILD, THE PERSON OR PERSONS RESPONSIBLE FOR THE CHILD'S CARE, THE ALLEGED OFFENDER, AND ANY OTHER PERSON WITH KNOWLEDGE OF THE MALTREATMENT FOR THE PURPOSE OF GATHERING FACTS, ASSESSING SAFETY AND RISK TO THE CHILD, AND FORMULATING A PLAN. THE INVESTIGATING AGENCY MAY INTERVIEW THE CHILD AT SCHOOL. THE INTERVIEW MAY TAKE PLACE OUTSIDE THE PRESENCE OF THE ALLEGED OFFENDER OR PARENT, LEGAL GUARDIAN, OR SCHOOL OFFICIAL. THE INVESTIGATING AGENCY, NOT THE SCHOOL, IS RESPONSIBLE FOR EITHER NOTIFYING OR WITHHOLDING NOTIFICATION OF THE INTERVIEW TO THE PARENT, GUARDIAN, OR PERSON RESPONSIBLE FOR THE CHILD'S CARE. SCHOOL OFFICIALS MAY NOT DISCLOSE TO THE PARENT, LEGAL CUSTODIAN, OR GUARDIAN THE CONTENTS OF THE NOTIFICATION OR ANY OTHER RELATED INFORMATION REGARDING THE INTERVIEW UNTIL NOTIFIED IN WRITING BY THE LOCAL WELFARE OR LAW ENFORCEMENT AGENCY THAT THE INVESTIGATION OR ASSESSMENT HAS BEEN CONCLUDED.
- B. WHEN THE INVESTIGATING AGENCY DETERMINES THAT AN INTERVIEW SHOULD TAKE PLACE ON SCHOOL PROPERTY, WRITTEN NOTIFICATION OF INTENT TO INTERVIEW THE CHILD ON SCHOOL PROPERTY MUST BE RECEIVED BY SCHOOL OFFICIALS PRIOR TO THE INTERVIEW. THE 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.
- C. EXCEPT WHERE THE ALLEGED OFFENDER IS BELIEVED TO BE A SCHOOL OFFICIAL OR EMPLOYEE, THE TIME AND PLACE, AND MANNER OF THE INTERVIEW ON SCHOOL PREMISES SHALL BE WITHIN THE DISCRETION OF SCHOOL OFFICIALS, BUT THE LOCAL WELFARE OR LAW ENFORCEMENT AGENCY SHALL HAVE THE EXCLUSIVE AUTHORITY TO DETERMINE WHO MAY ATTEND THE INTERVIEW. THE CONDITIONS AS TO TIME, PLACE, AND MANNER OF THE INTERVIEW SET BY THE SCHOOL OFFICIALS SHALL BE REASONABLE, AND THE INTERVIEW SHALL BE CONDUCTED NOT MORE THAN 24 HOURS AFTER THE RECEIPT OF THE NOTIFICATION UNLESS ANOTHER TIME IS CONSIDERED NECESSARY BY AGREEMENT BETWEEN THE SCHOOL OFFICIALS AND THE LOCAL WELFARE OR LAW ENFORCEMENT AGENCY. EVERY EFFORT MUST BE MADE TO REDUCE THE DISRUPTION OF THE EDUCATIONAL PROGRAM OF THE CHILD, OTHER STUDENTS, OR SCHOOL EMPLOYEES WHEN AN INTERVIEW IS CONDUCTED ON SCHOOL PREMISES.
- D. WHERE THE ALLEGED OFFENDER IS BELIEVED TO BE A SCHOOL OFFICIAL OR EMPLOYEE, THE SCHOOL DISTRICT SHALL CONDUCT ITS OWN INVESTIGATION INDEPENDENT OF MDE AND, IF INVOLVED, THE LOCAL

WELFARE OR LAW ENFORCEMENT AGENCY.

- E. UPON REQUEST BY MDE, THE SCHOOL DISTRICT SHALL PROVIDE ALL REQUESTED DATA THAT ARE RELEVANT TO A REPORT OF MALTREATMENT AND ARE IN THE POSSESSION OF A SCHOOL FACILITY, PURSUANT TO AN ASSESSMENT OR INVESTIGATION OF A MALTREATMENT REPORT OF A STUDENT IN SCHOOL. THE SCHOOL DISTRICT SHALL PROVIDE THE REQUESTED DATA IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINNESOTA GOVERNMENT DATA PRACTICES ACT, MINN. STAT. CH. 13, AND THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT, 20 U.S.C. § 1232G.

VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE

- A. WHEN A LOCAL WELFARE OR LOCAL LAW ENFORCEMENT AGENCY DETERMINES THAT A POTENTIALLY ABUSED OR ABUSER CHILD SHOULD BE INTERVIEWED ON SCHOOL PROPERTY, WRITTEN NOTIFICATION OF THE AGENCY'S INTENT TO INTERVIEW ON SCHOOL PROPERTY MUST BE RECEIVED BY SCHOOL OFFICIALS PRIOR TO THE INTERVIEW. THE 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 THE INTERVIEW. THE NOTIFICATION SHALL BE PRIVATE DATA. SCHOOL OFFICIALS MAY NOT DISCLOSE TO THE PARENT, LEGAL CUSTODIAN, OR GUARDIAN THE CONTENTS OF THE NOTICE OR ANY OTHER RELATED INFORMATION REGARDING THE INTERVIEW UNTIL NOTIFIED IN WRITING BY THE LOCAL WELFARE OR LAW ENFORCEMENT AGENCY THAT THE INVESTIGATION HAS BEEN CONCLUDED.
- B. ALL RECORDS REGARDING A REPORT OF MALTREATMENT, INCLUDING ANY NOTIFICATION OF INTENT TO INTERVIEW WHICH WAS RECEIVED BY THE SCHOOL AS DESCRIBED ABOVE IN PARAGRAPH A., SHALL BE DESTROYED BY THE SCHOOL ONLY WHEN ORDERED BY THE AGENCY CONDUCTING THE INVESTIGATION OR BY A COURT OF COMPETENT JURISDICTION.

VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE

UNDER CERTAIN CIRCUMSTANCES, ALLEGED PHYSICAL OR SEXUAL ABUSE MAY ALSO BE SEXUAL HARASSMENT OR VIOLENCE UNDER MINNESOTA LAW. IF SO, THE DUTIES RELATING TO THE REPORTING AND INVESTIGATION OF SUCH HARASSMENT OR VIOLENCE MAY BE APPLICABLE.

VIII. DISSEMINATION OF POLICY AND TRAINING

- A. THIS POLICY SHALL APPEAR IN SCHOOL PERSONNEL HANDBOOKS.
- B. THE SCHOOL DISTRICT WILL DEVELOP A METHOD OF DISCUSSING THIS POLICY WITH SCHOOL PERSONNEL.
- C. THIS POLICY SHALL BE REVIEWED AT LEAST ANNUALLY FOR COMPLIANCE WITH STATE LAW.

LEGAL REFERENCES: MINN. STAT. CH. 13 (MINNESOTA GOVERNMENT DATA PRACTICES ACT)

MINN. STAT. § 121A.58 (CORPORAL PUNISHMENT)

MINN. STAT. § 121A.582 (STUDENT DISCIPLINE; REASONABLE FORCE)

MINN. STAT. § 125A.0942 (STANDARDS FOR RESTRICTIVE PROCEDURES)

MINN. STAT. § 243.166, SUBD. 1B(A)(B) (REGISTRATION OF PREDATORY OFFENDERS)

MINN. STAT. § 245.825 (USE OF AVERSIVE OR DEPRIVATION PROCEDURES)

MINN. STAT. § 260C.007, SUBD. 6, CLAUSE (5) (CHILD IN NEED OF PROTECTION)

MINN. STAT. § 260C.451 (FOSTER CARE BENEFITS PAST AGE 18)

MINN. STAT. CH. 260D (CHILD IN VOLUNTARY FOSTER CARE FOR TREATMENT)

MINN. STAT. CH. 260E (REPORTING OF MALTREATMENT OF MINORS)

MINN. STAT. § 609.02, SUBD. 6 (DEFINITIONS – DANGEROUS WEAPON)

MINN. STAT. § 609.341, SUBD. 10 (DEFINITIONS – POSITION OF AUTHORITY)

MINN. STAT. § 609.341, SUBD. 15 (DEFINITIONS – SIGNIFICANT RELATIONSHIP)

MINN. STAT. § 609.379 (REASONABLE FORCE)

20 U.S.C. § 1232G (FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT)

CROSS REFERENCES: MSBA/MASA MODEL POLICY 415 (MANDATED REPORTING OF MALTREATMENT OF VULNERABLE ADULTS)

FOLEY PUBLIC SCHOOLS ADOPTED BY THE BOARD: 07/19/2021

465 PROTECTION OF STAFF

THE DISTRICT WILL NOT TOLERATE ANY HARASSMENT OF THE FACULTY, ADMINISTRATION, OR ANY SCHOOL EMPLOYEE NOR ANY INFRACTION OF THE LAW NOR ABUSE OF LAW ENFORCEMENT OFFICERS BY ANY MEMBER OF THE STUDENT BODY AND WILL TAKE IMMEDIATE ACTION AGAINST THOSE PERSONS UNDER ITS CONTROL WHO WILL BE FOUND GUILTY OF THE FOLLOWING ACTS:

1. WILLFUL DESTRUCTION OR MARRING OF ANY SCHOOL-OWNED PROPERTY, BUILDINGS, EQUIPMENT, SCHOOL BUSES, OR ANY SCHOOL-LEASED PROPERTY.
2. THE HARASSMENT OF ANY SCHOOL EMPLOYEE CERTIFIED OR NON-CERTIFIED. THIS WILL INCLUDE THE DESTRUCTION OR MARRING OF A SCHOOL EMPLOYEE'S PROPERTY OR TRESPASSING ON A SCHOOL EMPLOYEE'S PROPERTY AGAINST SAID EMPLOYEES' WILL.

ANY HARASSMENT OF ANY SCHOOL EMPLOYEE WILL BE CONSIDERED AN ACT COMMITTED AGAINST THE FOLEY SCHOOL BOARD ITSELF, WHICH WILL TAKE ALL NECESSARY ACTION AGAINST THE OFFENDER.

ANY STUDENT FOUND GUILTY THEREOF WHO IS ENROLLED IN THE FOLEY PUBLIC SCHOOLS WILL BE SUBJECT TO IMMEDIATE SUSPENSION WITH CONSIDERATION GIVEN TO PERMANENT EXPULSION. SUCH STUDENTS WILL BE SUBJECT TO THE LEGAL CONSEQUENCE OF HIS OR HER ACTION. FOLLOWING HIS OR HER RETURN TO SCHOOL, THE FOLEY SCHOOL BOARD WILL CONSIDER SUSPENSION FROM ALL EXTRACURRICULAR ACTIVITIES DEPENDENT UPON THE NATURE OF THE OFFENSE.

OTHER PERSONS NOT UNDER THE DIRECT AUTHORITY OF THE FOLEY SCHOOL BOARD WILL BE IMMEDIATELY REPORTED TO LOCAL LAW ENFORCEMENT OFFICIALS FOR LEGAL ACTION AS REQUIRED BY LAW.

ANY EMPLOYEE WHO IS THREATENED WITH HARM IS TO NOTIFY HIS OR HER PRINCIPAL OR SUPERVISOR IMMEDIATELY AND STEPS ARE TO BE TAKEN AT ONCE TO PROTECT THE EMPLOYEE'S SAFETY.

FURTHER, THE SCHOOL DISTRICT WILL PROTECT ITS EMPLOYEES THROUGH A COMPREHENSIVE LIABILITY INSURANCE PROGRAM, AND THE SCHOOL DISTRICT WILL NOT BLAME AND WILL DEFEND ANY DISTRICT EMPLOYEE FROM CLAIMS FOR DAMAGES CAUSED OR ALLEGED TO HAVE BEEN CAUSED IN WHOLE OR IN PART BY THAT EMPLOYEE WHILE PERFORMING ASSIGNED DUTIES AS AN EMPLOYEE OF THE DISTRICT UNDER THE PROVISIONS OF THE DISTRICT'S LIABILITY POLICY, WHETHER OR NOT THAT PERSON IS EMPLOYED BY THE DISTRICT AT THE TIME THE CLAIM IS MADE, PROVIDED THAT THE DISTRICT WILL NOT BE OBLIGATED TO ASSUME ANY COSTS OR JUDGMENTS HELD AGAINST THE EMPLOYEE WHEN SUCH DAMAGES ARE PROVED TO BE DUE TO THE EMPLOYEE'S WILLFUL NEGLIGENCE, VIOLATION OF A LAW, OR CRIMINAL ACT AS DETERMINED BY A COURT OF LAW.

FOLEY PUBLIC SCHOOLS ADOPTED BY THE BOARD: 07/18/2022 MSBA/MASA MODEL POLICY 514

ORIG. 2003

REV. 2022

514 BULLYING PROHIBITION POLICY

[NOTE: SCHOOL DISTRICTS ARE REQUIRED BY STATUTE TO HAVE A POLICY ADDRESSING BULLYING.]

I. PURPOSE

A SAFE AND CIVIL ENVIRONMENT IS NEEDED FOR STUDENTS TO LEARN AND ATTAIN HIGH ACADEMIC STANDARDS

AND TO PROMOTE HEALTHY HUMAN RELATIONSHIPS. BULLYING, LIKE OTHER VIOLENT OR DISRUPTIVE BEHAVIOR,

IS CONDUCT THAT INTERFERES WITH A STUDENT’S ABILITY TO LEARN AND/OR A TEACHER’S ABILITY TO EDUCATE STUDENTS IN A SAFE ENVIRONMENT. THE SCHOOL DISTRICT CANNOT MONITOR THE ACTIVITIES OF STUDENTS AT ALL TIMES AND ELIMINATE ALL INCIDENTS OF BULLYING BETWEEN STUDENTS, PARTICULARLY WHEN STUDENTS ARE NOT UNDER THE DIRECT SUPERVISION OF SCHOOL PERSONNEL. HOWEVER, TO THE EXTENT SUCH CONDUCT AFFECTS THE EDUCATIONAL ENVIRONMENT OF THE SCHOOL DISTRICT AND THE RIGHTS AND WELFARE OF ITS STUDENTS AND IS WITHIN THE CONTROL OF THE SCHOOL DISTRICT IN ITS NORMAL OPERATIONS, THE SCHOOL DISTRICT INTENDS TO PREVENT BULLYING AND TO TAKE ACTION TO INVESTIGATE, RESPOND TO, AND TO REMEDIATE AND DISCIPLINE FOR THOSE ACTS OF BULLYING WHICH HAVE NOT BEEN SUCCESSFULLY PREVENTED. THE PURPOSE OF THIS POLICY IS TO ASSIST THE SCHOOL DISTRICT IN ITS GOAL OF PREVENTING AND RESPONDING TO ACTS OF BULLYING, INTIMIDATION, VIOLENCE, REPRISAL, RETALIATION, AND OTHER SIMILAR DISRUPTIVE AND DETRIMENTAL BEHAVIOR.

II. GENERAL STATEMENT OF POLICY

- A. AN ACT OF BULLYING, BY EITHER AN INDIVIDUAL STUDENT OR A GROUP OF STUDENTS, IS EXPRESSLY PROHIBITED ON SCHOOL PREMISES, ON SCHOOL DISTRICT PROPERTY, AT SCHOOL FUNCTIONS OR ACTIVITIES, OR ON SCHOOL TRANSPORTATION. THIS POLICY APPLIES NOT ONLY TO STUDENTS WHO DIRECTLY ENGAGE IN AN ACT OF BULLYING BUT ALSO TO STUDENTS WHO, BY THEIR INDIRECT BEHAVIOR, CONDONE OR SUPPORT ANOTHER STUDENT’S ACT OF BULLYING. THIS POLICY ALSO APPLIES TO ANY STUDENT WHOSE CONDUCT AT ANY TIME OR IN ANY PLACE CONSTITUTES BULLYING OR OTHER PROHIBITED CONDUCT THAT INTERFERES WITH OR OBSTRUCTS THE MISSION OR OPERATIONS OF THE SCHOOL DISTRICT OR THE SAFETY OR WELFARE OF THE STUDENT OR OTHER STUDENTS, OR MATERIALLY AND SUBSTANTIALLY INTERFERES WITH A STUDENT’S EDUCATIONAL OPPORTUNITIES OR PERFORMANCE OR ABILITY TO PARTICIPATE IN SCHOOL FUNCTIONS OR ACTIVITIES OR RECEIVE SCHOOL BENEFITS, SERVICES, OR PRIVILEGES. THIS POLICY ALSO APPLIES TO AN ACT OF CYBERBULLYING REGARDLESS OF WHETHER SUCH ACT IS COMMITTED ON OR OFF SCHOOL DISTRICT PROPERTY AND/OR WITH OR WITHOUT THE USE OF SCHOOL DISTRICT RESOURCES.
- B. NO TEACHER, ADMINISTRATOR, VOLUNTEER, CONTRACTOR, OR OTHER EMPLOYEE OF THE SCHOOL DISTRICT SHALL PERMIT, CONDONE, OR TOLERATE BULLYING.
- C. APPARENT PERMISSION OR CONSENT BY A STUDENT BEING BULLIED DOES NOT LESSEN OR NEGATE

THE PROHIBITIONS CONTAINED IN THIS POLICY.

D. RETALIATION AGAINST A VICTIM, GOOD FAITH REPORTER, OR A WITNESS OF BULLYING IS PROHIBITED.

E. FALSE ACCUSATIONS OR REPORTS OF BULLYING AGAINST ANOTHER STUDENT ARE PROHIBITED.

F. A PERSON WHO ENGAGES IN AN ACT OF BULLYING, REPRISAL, RETALIATION, OR FALSE REPORTING OF BULLYING OR PERMITS, CONDONES, OR TOLERATES BULLYING SHALL BE SUBJECT TO DISCIPLINE OR OTHER REMEDIAL RESPONSES FOR THAT ACT IN ACCORDANCE WITH THE SCHOOL DISTRICT'S POLICIES AND PROCEDURES, INCLUDING THE SCHOOL DISTRICT'S DISCIPLINE POLICY (SEE MSBA/MASA MODEL POLICY

514-2

506). THE SCHOOL DISTRICT MAY TAKE INTO ACCOUNT THE FOLLOWING FACTORS:

1. THE DEVELOPMENTAL AGES AND MATURITY LEVELS OF THE PARTIES INVOLVED;
2. THE LEVELS OF HARM, SURROUNDING CIRCUMSTANCES, AND NATURE OF THE BEHAVIOR;
3. PAST INCIDENTS OR PAST OR CONTINUING PATTERNS OF BEHAVIOR;
4. THE RELATIONSHIP BETWEEN THE PARTIES INVOLVED; AND
5. THE CONTEXT IN WHICH THE ALLEGED INCIDENTS OCCURRED.

CONSEQUENCES FOR STUDENTS WHO COMMIT PROHIBITED ACTS OF BULLYING MAY RANGE FROM REMEDIAL RESPONSES OR POSITIVE BEHAVIORAL INTERVENTIONS UP TO AND INCLUDING SUSPENSION AND/OR EXPULSION. THE SCHOOL DISTRICT SHALL EMPLOY RESEARCH-BASED DEVELOPMENTALLY APPROPRIATE BEST PRACTICES THAT INCLUDE PREVENTATIVE AND REMEDIAL MEASURES AND EFFECTIVE DISCIPLINE FOR DETERRING VIOLATIONS OF THIS POLICY, APPLY THROUGHOUT THE SCHOOL DISTRICT, AND FOSTER STUDENT, PARENT, AND COMMUNITY PARTICIPATION.

CONSEQUENCES FOR EMPLOYEES WHO PERMIT, CONDONE, OR TOLERATE BULLYING OR ENGAGE IN AN ACT OF REPRISAL OR INTENTIONAL FALSE REPORTING OF BULLYING MAY RESULT IN DISCIPLINARY ACTION UP TO AND INCLUDING TERMINATION OR DISCHARGE.

CONSEQUENCES FOR OTHER INDIVIDUALS ENGAGING IN PROHIBITED ACTS OF BULLYING MAY INCLUDE, BUT NOT BE LIMITED TO, EXCLUSION FROM SCHOOL DISTRICT PROPERTY AND EVENTS.

G. THE SCHOOL DISTRICT WILL ACT TO INVESTIGATE ALL COMPLAINTS OF BULLYING REPORTED TO THE SCHOOL DISTRICT AND WILL DISCIPLINE OR TAKE APPROPRIATE ACTION AGAINST ANY STUDENT, TEACHER, ADMINISTRATOR, VOLUNTEER, CONTRACTOR, OR OTHER EMPLOYEE OF THE SCHOOL DISTRICT WHO IS

FOUND TO HAVE VIOLATED THIS POLICY.

III. DEFINITIONS

FOR PURPOSES OF THIS POLICY, THE DEFINITIONS INCLUDED IN THIS SECTION APPLY.

A. “BULLYING” MEANS INTIMIDATING, THREATENING, ABUSIVE, OR HARMING CONDUCT THAT IS OBJECTIVELY OFFENSIVE AND:

1. AN ACTUAL OR PERCEIVED IMBALANCE OF POWER EXISTS BETWEEN THE STUDENT ENGAGING IN THE PROHIBITED CONDUCT AND THE TARGET OF THE PROHIBITED CONDUCT, AND THE CONDUCT IS REPEATED OR FORMS A PATTERN; OR

2. MATERIALLY AND SUBSTANTIALLY INTERFERES WITH A STUDENT’S EDUCATIONAL OPPORTUNITIES OR PERFORMANCE OR ABILITY TO PARTICIPATE IN SCHOOL FUNCTIONS OR ACTIVITIES OR RECEIVE SCHOOL BENEFITS, SERVICES, OR PRIVILEGES.

THE TERM, “BULLYING,” SPECIFICALLY INCLUDES CYBERBULLYING AS DEFINED IN THIS POLICY.

B. “CYBERBULLYING” MEANS BULLYING USING TECHNOLOGY OR OTHER ELECTRONIC COMMUNICATION, INCLUDING, BUT NOT LIMITED TO, A TRANSFER OF A SIGN, SIGNAL, WRITING, IMAGE, SOUND, OR DATA, INCLUDING A POST ON A SOCIAL NETWORK INTERNET WEBSITE OR FORUM, TRANSMITTED THROUGH A COMPUTER, CELL PHONE, OR OTHER ELECTRONIC DEVICE. THE TERM APPLIES TO PROHIBITED CONDUCT WHICH OCCURS ON SCHOOL PREMISES, ON SCHOOL DISTRICT PROPERTY, AT SCHOOL FUNCTIONS OR ACTIVITIES, ON SCHOOL TRANSPORTATION, OR ON SCHOOL COMPUTERS, NETWORKS, FORUMS, AND MAILING LISTS, OR OFF SCHOOL PREMISES TO THE EXTENT THAT IT SUBSTANTIALLY AND MATERIALLY DISRUPTS STUDENT LEARNING OR THE SCHOOL ENVIRONMENT.

C. “IMMEDIATELY” MEANS AS SOON AS POSSIBLE BUT IN NO EVENT LONGER THAN 24 HOURS.

514-3

D. “INTIMIDATING, THREATENING, ABUSIVE, OR HARMING CONDUCT” MEANS, BUT IS NOT LIMITED TO, CONDUCT THAT DOES THE FOLLOWING:

1. CAUSES PHYSICAL HARM TO A STUDENT OR A STUDENT’S PROPERTY OR CAUSES A STUDENT TO BE IN REASONABLE FEAR OF HARM TO PERSON OR PROPERTY;

2. UNDER MINNESOTA COMMON LAW, VIOLATES A STUDENT’S REASONABLE EXPECTATION OF PRIVACY, DEFAMES A STUDENT, OR CONSTITUTES INTENTIONAL INFLECTION OF EMOTIONAL

DISTRESS AGAINST A STUDENT; OR

3. IS DIRECTED AT ANY STUDENT OR STUDENTS, INCLUDING THOSE BASED ON A PERSON’S

ACTUAL OR PERCEIVED RACE, ETHNICITY, COLOR, CREED, RELIGION, NATIONAL ORIGIN,

IMMIGRATION STATUS, SEX, MARITAL STATUS, FAMILIAL STATUS, SOCIOECONOMIC STATUS,

PHYSICAL APPEARANCE, SEXUAL ORIENTATION INCLUDING GENDER IDENTITY AND

EXPRESSION, ACADEMIC STATUS RELATED TO STUDENT PERFORMANCE, DISABILITY, OR STATUS

WITH REGARD TO PUBLIC ASSISTANCE, AGE, OR ANY ADDITIONAL CHARACTERISTIC DEFINED IN

THE MINNESOTA HUMAN RIGHTS ACT (MHRA). HOWEVER, PROHIBITED CONDUCT NEED

NOT BE BASED ON ANY PARTICULAR CHARACTERISTIC DEFINED IN THIS PARAGRAPH OR THE

MHRA.

E. “ON SCHOOL PREMISES, ON SCHOOL DISTRICT PROPERTY, AT SCHOOL FUNCTIONS OR ACTIVITIES, OR ON

SCHOOL TRANSPORTATION” MEANS ALL SCHOOL DISTRICT BUILDINGS, SCHOOL GROUNDS, AND SCHOOL

PROPERTY OR PROPERTY IMMEDIATELY ADJACENT TO SCHOOL GROUNDS, SCHOOL BUS STOPS, SCHOOL

BUSES, SCHOOL VEHICLES, SCHOOL CONTRACTED VEHICLES, OR ANY OTHER VEHICLES APPROVED FOR

SCHOOL DISTRICT PURPOSES, THE AREA OF ENTRANCE OR DEPARTURE FROM SCHOOL GROUNDS,

PREMISES, OR EVENTS, AND ALL SCHOOL-RELATED FUNCTIONS, SCHOOL-SPONSORED ACTIVITIES,

EVENTS, OR TRIPS. SCHOOL DISTRICT PROPERTY ALSO MAY MEAN A STUDENT’S WALKING ROUTE TO OR

FROM SCHOOL FOR PURPOSES OF ATTENDING SCHOOL OR SCHOOL-RELATED FUNCTIONS, ACTIVITIES, OR

EVENTS. WHILE PROHIBITING BULLYING AT THESE LOCATIONS AND EVENTS, THE SCHOOL DISTRICT DOES

NOT REPRESENT THAT IT WILL PROVIDE SUPERVISION OR ASSUME LIABILITY AT THESE LOCATIONS AND

EVENTS.

F. “PROHIBITED CONDUCT” MEANS BULLYING OR CYBERBULLYING AS DEFINED IN THIS POLICY OR

RETALIATION OR REPRISAL FOR ASSERTING, ALLEGING, REPORTING, OR PROVIDING INFORMATION ABOUT

SUCH CONDUCT OR KNOWINGLY MAKING A FALSE REPORT ABOUT BULLYING.

G. “REMEDIAL RESPONSE” MEANS A MEASURE TO STOP AND CORRECT PROHIBITED CONDUCT, PREVENT

PROHIBITED CONDUCT FROM RECURRING, AND PROTECT, SUPPORT, AND INTERVENE ON BEHALF OF A

STUDENT WHO IS THE TARGET OR VICTIM OF PROHIBITED CONDUCT.

H. “STUDENT” MEANS A STUDENT ENROLLED IN A PUBLIC SCHOOL OR A CHARTER SCHOOL.

IV. REPORTING PROCEDURE

A. ANY PERSON WHO BELIEVES HE OR SHE HAS BEEN THE TARGET OR VICTIM OF BULLYING OR ANY PERSON WITH KNOWLEDGE OR BELIEF OF CONDUCT THAT MAY CONSTITUTE BULLYING OR PROHIBITED CONDUCT UNDER THIS POLICY SHALL REPORT THE ALLEGED ACTS IMMEDIATELY TO AN APPROPRIATE SCHOOL DISTRICT OFFICIAL DESIGNATED BY THIS POLICY. A PERSON MAY REPORT BULLYING ANONYMOUSLY. HOWEVER, THE SCHOOL DISTRICT MAY NOT RELY SOLELY ON AN ANONYMOUS REPORT TO DETERMINE DISCIPLINE OR OTHER REMEDIAL RESPONSES.

B. THE SCHOOL DISTRICT ENCOURAGES THE REPORTING PARTY OR COMPLAINANT TO USE THE REPORT FORM AVAILABLE FROM THE PRINCIPAL OR BUILDING SUPERVISOR OF EACH BUILDING OR AVAILABLE IN THE SCHOOL DISTRICT OFFICE, BUT ORAL REPORTS SHALL BE CONSIDERED COMPLAINTS AS WELL.

C. THE BUILDING PRINCIPAL, THE PRINCIPAL'S DESIGNEE, OR THE BUILDING SUPERVISOR (HEREINAFTER THE "BUILDING REPORT TAKER") IS THE PERSON RESPONSIBLE FOR RECEIVING REPORTS OF BULLYING OR

514-4

OTHER PROHIBITED CONDUCT AT THE BUILDING LEVEL. ANY PERSON MAY REPORT BULLYING OR OTHER PROHIBITED CONDUCT DIRECTLY TO A SCHOOL DISTRICT HUMAN RIGHTS OFFICER OR THE SUPERINTENDENT. IF THE COMPLAINT INVOLVES THE BUILDING REPORT TAKER, THE COMPLAINT SHALL BE MADE OR FILED DIRECTLY WITH THE SUPERINTENDENT OR THE SCHOOL DISTRICT HUMAN RIGHTS OFFICER BY THE REPORTING PARTY OR COMPLAINANT.

THE BUILDING REPORT TAKER SHALL ENSURE THAT THIS POLICY AND ITS PROCEDURES, PRACTICES, CONSEQUENCES, AND SANCTIONS ARE FAIRLY AND FULLY IMPLEMENTED AND SHALL SERVE AS THE PRIMARY CONTACT ON POLICY AND PROCEDURAL MATTERS. THE BUILDING REPORT TAKER OR A THIRD PARTY DESIGNATED BY THE SCHOOL DISTRICT SHALL BE RESPONSIBLE FOR THE INVESTIGATION. THE BUILDING REPORT TAKER SHALL PROVIDE INFORMATION ABOUT AVAILABLE COMMUNITY RESOURCES TO THE TARGET OR VICTIM OF THE BULLYING OR OTHER PROHIBITED CONDUCT, THE PERPETRATOR, AND OTHER AFFECTED INDIVIDUALS AS APPROPRIATE.

D. A TEACHER, SCHOOL ADMINISTRATOR, VOLUNTEER, CONTRACTOR, OR OTHER SCHOOL EMPLOYEE SHALL BE PARTICULARLY ALERT TO POSSIBLE SITUATIONS, CIRCUMSTANCES, OR EVENTS THAT MIGHT INCLUDE BULLYING. ANY SUCH PERSON WHO WITNESSES, OBSERVES, RECEIVES A REPORT OF, OR HAS OTHER

KNOWLEDGE OR BELIEF OF CONDUCT THAT MAY CONSTITUTE BULLYING OR OTHER PROHIBITED CONDUCT SHALL MAKE REASONABLE EFFORTS TO ADDRESS AND RESOLVE THE BULLYING OR PROHIBITED CONDUCT AND SHALL INFORM THE BUILDING REPORT TAKER IMMEDIATELY. SCHOOL DISTRICT PERSONNEL WHO FAIL TO INFORM THE BUILDING REPORT TAKER OF CONDUCT THAT MAY CONSTITUTE BULLYING OR OTHER PROHIBITED CONDUCT OR WHO FAIL TO MAKE REASONABLE EFFORTS TO ADDRESS AND RESOLVE THE BULLYING OR PROHIBITED CONDUCT IN A TIMELY MANNER MAY BE SUBJECT TO DISCIPLINARY ACTION.

E. REPORTS OF BULLYING OR OTHER PROHIBITED CONDUCT ARE CLASSIFIED AS PRIVATE EDUCATIONAL AND/OR PERSONNEL DATA AND/OR CONFIDENTIAL INVESTIGATIVE DATA AND WILL NOT BE DISCLOSED EXCEPT AS PERMITTED BY LAW. THE BUILDING REPORT TAKER, IN CONJUNCTION WITH THE RESPONSIBLE AUTHORITY, SHALL BE RESPONSIBLE FOR KEEPING AND REGULATING ACCESS TO ANY REPORT OF BULLYING AND THE RECORD OF ANY RESULTING INVESTIGATION.

F. SUBMISSION OF A GOOD FAITH COMPLAINT OR REPORT OF BULLYING OR OTHER PROHIBITED CONDUCT WILL NOT AFFECT THE COMPLAINANT'S OR REPORTER'S FUTURE EMPLOYMENT, GRADES, WORK ASSIGNMENTS, OR EDUCATIONAL OR WORK ENVIRONMENT.

G. THE SCHOOL DISTRICT WILL RESPECT THE PRIVACY OF THE COMPLAINANT(S), THE INDIVIDUAL(S) AGAINST WHOM THE COMPLAINT IS FILED, AND THE WITNESSES AS MUCH AS POSSIBLE, CONSISTENT WITH THE SCHOOL DISTRICT'S OBLIGATION TO INVESTIGATE, TAKE APPROPRIATE ACTION, AND COMPLY WITH ANY LEGAL DISCLOSURE OBLIGATIONS.

V. SCHOOL DISTRICT ACTION

A. WITHIN THREE DAYS OF THE RECEIPT OF A COMPLAINT OR REPORT OF BULLYING OR OTHER PROHIBITED CONDUCT, THE SCHOOL DISTRICT SHALL UNDERTAKE OR AUTHORIZE AN INVESTIGATION BY THE BUILDING REPORT TAKER OR A THIRD PARTY DESIGNATED BY THE SCHOOL DISTRICT.

B. THE BUILDING REPORT TAKER OR OTHER APPROPRIATE SCHOOL DISTRICT OFFICIALS MAY TAKE IMMEDIATE STEPS, AT THEIR DISCRETION, TO PROTECT THE TARGET OR VICTIM OF THE BULLYING OR OTHER PROHIBITED CONDUCT, THE COMPLAINANT, THE REPORTER, AND STUDENTS OR OTHERS, PENDING COMPLETION OF AN INVESTIGATION OF THE BULLYING OR OTHER PROHIBITED CONDUCT, CONSISTENT WITH APPLICABLE LAW.

C. THE ALLEGED PERPETRATOR OF THE BULLYING OR OTHER PROHIBITED CONDUCT SHALL BE ALLOWED THE

OPPORTUNITY TO PRESENT A DEFENSE DURING THE INVESTIGATION OR PRIOR TO THE IMPOSITION OF DISCIPLINE OR OTHER REMEDIAL RESPONSES.

D. UPON COMPLETION OF AN INVESTIGATION THAT DETERMINES THAT BULLYING OR OTHER PROHIBITED
514-5

CONDUCT HAS OCCURRED, THE SCHOOL DISTRICT WILL TAKE APPROPRIATE ACTION. SUCH ACTION MAY INCLUDE, BUT IS NOT LIMITED TO, WARNING, SUSPENSION, EXCLUSION, EXPULSION, TRANSFER, REMEDIATION, TERMINATION, OR DISCHARGE. DISCIPLINARY CONSEQUENCES WILL BE SUFFICIENTLY SEVERE TO TRY TO DETER VIOLATIONS AND TO APPROPRIATELY DISCIPLINE PROHIBITED CONDUCT.

REMEDIAL RESPONSES TO THE BULLYING OR OTHER PROHIBITED CONDUCT SHALL BE TAILORED TO THE PARTICULAR INCIDENT AND NATURE OF THE CONDUCT AND SHALL TAKE INTO ACCOUNT THE FACTORS SPECIFIED IN SECTION II.F. OF THIS POLICY. SCHOOL DISTRICT ACTION TAKEN FOR VIOLATION OF THIS POLICY WILL BE CONSISTENT WITH THE REQUIREMENTS OF APPLICABLE COLLECTIVE BARGAINING AGREEMENTS; APPLICABLE STATUTORY AUTHORITY, INCLUDING THE MINNESOTA PUPIL FAIR DISMISSAL ACT; THE STUDENT DISCIPLINE POLICY (SEE MSBA/MASA MODEL POLICY 506) AND OTHER APPLICABLE SCHOOL DISTRICT POLICIES; AND APPLICABLE REGULATIONS.

E. THE SCHOOL DISTRICT IS NOT AUTHORIZED TO DISCLOSE TO A VICTIM PRIVATE EDUCATIONAL OR PERSONNEL DATA REGARDING AN ALLEGED PERPETRATOR WHO IS A STUDENT OR EMPLOYEE OF THE SCHOOL DISTRICT. SCHOOL OFFICIALS WILL NOTIFY THE PARENT(S) OR GUARDIAN(S) OF STUDENTS WHO ARE TARGETS OF BULLYING OR OTHER PROHIBITED CONDUCT AND THE PARENT(S) OR GUARDIAN(S) OF ALLEGED PERPETRATORS OF BULLYING OR OTHER PROHIBITED CONDUCT WHO HAVE BEEN INVOLVED IN A REPORTED AND CONFIRMED BULLYING INCIDENT OF THE REMEDIAL OR DISCIPLINARY ACTION TAKEN, TO THE EXTENT PERMITTED BY LAW.

F. IN ORDER TO PREVENT OR RESPOND TO BULLYING OR OTHER PROHIBITED CONDUCT COMMITTED BY OR DIRECTED AGAINST A CHILD WITH A DISABILITY, THE SCHOOL DISTRICT SHALL, WHEN DETERMINED APPROPRIATE BY THE CHILD'S INDIVIDUALIZED EDUCATION PROGRAM (IEP) TEAM OR SECTION 504 TEAM, ALLOW THE CHILD'S IEP OR SECTION 504 PLAN TO BE DRAFTED TO ADDRESS THE SKILLS AND PROFICIENCIES THE CHILD NEEDS AS A RESULT OF THE CHILD'S DISABILITY TO ALLOW THE CHILD TO RESPOND TO OR NOT TO ENGAGE IN BULLYING OR OTHER PROHIBITED CONDUCT.

VI. RETALIATION OR REPRISAL

THE SCHOOL DISTRICT WILL DISCIPLINE OR TAKE APPROPRIATE ACTION AGAINST ANY STUDENT, TEACHER, ADMINISTRATOR, VOLUNTEER, CONTRACTOR, OR OTHER EMPLOYEE OF THE SCHOOL DISTRICT WHO COMMITS AN ACT OF REPRISAL OR WHO RETALIATES AGAINST ANY PERSON WHO ASSERTS, ALLEGES, OR MAKES A GOOD FAITH REPORT OF ALLEGED BULLYING OR PROHIBITED CONDUCT, WHO PROVIDES INFORMATION ABOUT BULLYING OR PROHIBITED CONDUCT, WHO TESTIFIES, ASSISTS, OR PARTICIPATES IN AN INVESTIGATION OF ALLEGED BULLYING OR PROHIBITED CONDUCT, OR WHO TESTIFIES, ASSISTS, OR PARTICIPATES IN A PROCEEDING OR HEARING RELATING TO SUCH BULLYING OR PROHIBITED CONDUCT. RETALIATION INCLUDES, BUT IS NOT LIMITED TO, ANY FORM OF INTIMIDATION, REPRISAL, HARASSMENT, OR INTENTIONAL DISPARATE TREATMENT. DISCIPLINARY CONSEQUENCES WILL BE SUFFICIENTLY SEVERE TO DETER VIOLATIONS AND TO APPROPRIATELY DISCIPLINE THE INDIVIDUAL(S) WHO ENGAGED IN THE PROHIBITED CONDUCT. REMEDIAL RESPONSES TO THE PROHIBITED CONDUCT SHALL BE TAILORED TO THE PARTICULAR INCIDENT AND NATURE OF THE CONDUCT AND SHALL TAKE INTO ACCOUNT THE FACTORS SPECIFIED IN SECTION II.F. OF THIS POLICY.

VII. TRAINING AND EDUCATION

A. THE SCHOOL DISTRICT SHALL DISCUSS THIS POLICY WITH SCHOOL PERSONNEL AND VOLUNTEERS AND PROVIDE APPROPRIATE TRAINING TO SCHOOL DISTRICT PERSONNEL REGARDING THIS POLICY. THE SCHOOL DISTRICT SHALL ESTABLISH A TRAINING CYCLE FOR SCHOOL PERSONNEL TO OCCUR DURING A PERIOD NOT TO EXCEED EVERY THREE SCHOOL YEARS. NEWLY EMPLOYED SCHOOL PERSONNEL MUST RECEIVE THE TRAINING WITHIN THE FIRST YEAR OF THEIR EMPLOYMENT WITH THE SCHOOL DISTRICT. THE SCHOOL DISTRICT OR A SCHOOL ADMINISTRATOR MAY ACCELERATE THE TRAINING CYCLE OR PROVIDE ADDITIONAL TRAINING BASED ON A PARTICULAR NEED OR CIRCUMSTANCE. THIS POLICY SHALL BE INCLUDED IN EMPLOYEE HANDBOOKS, TRAINING MATERIALS, AND PUBLICATIONS ON SCHOOL RULES, PROCEDURES, AND STANDARDS OF CONDUCT, WHICH MATERIALS SHALL ALSO BE USED TO PUBLICIZE THIS POLICY.

B. THE SCHOOL DISTRICT SHALL REQUIRE ONGOING PROFESSIONAL DEVELOPMENT, CONSISTENT WITH MINNESOTA STATUTES SECTION 122A.60, TO BUILD THE SKILLS OF ALL SCHOOL PERSONNEL WHO REGULARLY INTERACT WITH STUDENTS TO IDENTIFY, PREVENT, AND APPROPRIATELY ADDRESS BULLYING

514-6

AND OTHER PROHIBITED CONDUCT. SUCH PROFESSIONAL DEVELOPMENT INCLUDES, BUT IS NOT LIMITED

TO, THE FOLLOWING:

1. DEVELOPMENTALLY APPROPRIATE STRATEGIES BOTH TO PREVENT AND TO IMMEDIATELY AND EFFECTIVELY INTERVENE TO STOP PROHIBITED CONDUCT;

2. THE COMPLEX DYNAMICS AFFECTING A PERPETRATOR, TARGET, AND WITNESSES TO PROHIBITED CONDUCT;

3. RESEARCH ON PROHIBITED CONDUCT, INCLUDING SPECIFIC CATEGORIES OF STUDENTS AT RISK FOR PERPETRATING OR BEING THE TARGET OR VICTIM OF BULLYING OR OTHER PROHIBITED CONDUCT IN SCHOOL;

4. THE INCIDENCE AND NATURE OF CYBERBULLYING; AND

5. INTERNET SAFETY AND CYBERBULLYING.

C. THE SCHOOL DISTRICT ANNUALLY WILL PROVIDE EDUCATION AND INFORMATION TO STUDENTS REGARDING BULLYING, INCLUDING INFORMATION REGARDING THIS SCHOOL DISTRICT POLICY PROHIBITING BULLYING, THE HARMFUL EFFECTS OF BULLYING, AND OTHER APPLICABLE INITIATIVES TO PREVENT BULLYING AND OTHER PROHIBITED CONDUCT.

D. THE ADMINISTRATION OF THE SCHOOL DISTRICT IS DIRECTED TO IMPLEMENT PROGRAMS AND OTHER INITIATIVES TO PREVENT BULLYING, TO RESPOND TO BULLYING IN A MANNER THAT DOES NOT STIGMATIZE THE TARGET OR VICTIM, AND TO MAKE RESOURCES OR REFERRALS TO RESOURCES AVAILABLE TO TARGETS OR VICTIMS OF BULLYING.

E. THE ADMINISTRATION IS ENCOURAGED TO PROVIDE DEVELOPMENTALLY APPROPRIATE INSTRUCTION AND IS DIRECTED TO REVIEW PROGRAMMATIC INSTRUCTION TO DETERMINE IF ADJUSTMENTS ARE NECESSARY TO HELP STUDENTS IDENTIFY AND PREVENT OR REDUCE BULLYING AND OTHER PROHIBITED CONDUCT, TO VALUE DIVERSITY IN SCHOOL AND SOCIETY, TO DEVELOP AND IMPROVE STUDENTS' KNOWLEDGE AND SKILLS FOR SOLVING PROBLEMS, MANAGING CONFLICT, ENGAGING IN CIVIL DISCOURSE, AND RECOGNIZING, RESPONDING TO, AND REPORTING BULLYING OR OTHER PROHIBITED CONDUCT, AND TO MAKE EFFECTIVE PREVENTION AND INTERVENTION PROGRAMS AVAILABLE TO STUDENTS.

THE ADMINISTRATION MUST ESTABLISH STRATEGIES FOR CREATING A POSITIVE SCHOOL CLIMATE AND USE EVIDENCE-BASED SOCIAL-EMOTIONAL LEARNING TO PREVENT AND REDUCE DISCRIMINATION AND OTHER IMPROPER CONDUCT.

THE ADMINISTRATION IS ENCOURAGED, TO THE EXTENT PRACTICABLE, TO TAKE SUCH ACTIONS AS IT MAY DEEM APPROPRIATE TO ACCOMPLISH THE FOLLOWING:

1. ENGAGE ALL STUDENTS IN CREATING A SAFE AND SUPPORTIVE SCHOOL ENVIRONMENT;
2. PARTNER WITH PARENTS AND OTHER COMMUNITY MEMBERS TO DEVELOP AND IMPLEMENT PREVENTION AND INTERVENTION PROGRAMS;
3. ENGAGE ALL STUDENTS AND ADULTS IN INTEGRATING EDUCATION, INTERVENTION, AND OTHER REMEDIAL RESPONSES INTO THE SCHOOL ENVIRONMENT;
4. TRAIN STUDENT BYSTANDERS TO INTERVENE IN AND REPORT INCIDENTS OF BULLYING AND OTHER PROHIBITED CONDUCT TO THE SCHOOLS’ PRIMARY CONTACT PERSON;
5. TEACH STUDENTS TO ADVOCATE FOR THEMSELVES AND OTHERS;
6. PREVENT INAPPROPRIATE REFERRALS TO SPECIAL EDUCATION OF STUDENTS WHO MAY ENGAGE IN BULLYING OR OTHER PROHIBITED CONDUCT; AND
7. FOSTER STUDENT COLLABORATIONS THAT, IN TURN, FOSTER A SAFE AND SUPPORTIVE SCHOOL CLIMATE.

514-7

F. THE SCHOOL DISTRICT MAY IMPLEMENT VIOLENCE PREVENTION AND CHARACTER DEVELOPMENT EDUCATION PROGRAMS TO PREVENT OR REDUCE POLICY VIOLATIONS. SUCH PROGRAMS MAY OFFER INSTRUCTION ON CHARACTER EDUCATION INCLUDING, BUT NOT LIMITED TO, CHARACTER QUALITIES SUCH AS ATTENTIVENESS, TRUTHFULNESS, RESPECT FOR AUTHORITY, DILIGENCE, GRATEFULNESS, SELFDISCIPLINE, PATIENCE, FORGIVENESS, RESPECT FOR OTHERS, PEACEMAKING, AND RESOURCEFULNESS.

G. THE SCHOOL DISTRICT SHALL INFORM AFFECTED STUDENTS AND THEIR PARENTS OF RIGHTS THEY MAY HAVE UNDER STATE AND FEDERAL DATA PRACTICES LAWS TO OBTAIN ACCESS TO DATA RELATED TO AN INCIDENT AND THEIR RIGHT TO CONTEST THE ACCURACY OR COMPLETENESS OF THE DATA. THE SCHOOL DISTRICT MAY ACCOMPLISH THIS REQUIREMENT BY INCLUSION OF ALL OR APPLICABLE PARTS OF ITS PROTECTION AND PRIVACY OF PUPIL RECORDS POLICY (SEE MSBA/MASA MODEL POLICY 515) IN THE STUDENT HANDBOOK.

VIII. NOTICE

A. THE SCHOOL DISTRICT WILL GIVE ANNUAL NOTICE OF THIS POLICY TO STUDENTS, PARENTS OR GUARDIANS,

AND STAFF, AND THIS POLICY SHALL APPEAR IN THE STUDENT HANDBOOK.

B. THIS POLICY OR A SUMMARY THEREOF MUST BE CONSPICUOUSLY POSTED IN THE ADMINISTRATIVE OFFICES OF THE SCHOOL DISTRICT AND THE OFFICE OF EACH SCHOOL.

C. THIS POLICY MUST BE GIVEN TO EACH SCHOOL EMPLOYEE AND INDEPENDENT CONTRACTOR WHO REGULARLY INTERACTS WITH STUDENTS AT THE TIME OF INITIAL EMPLOYMENT WITH THE SCHOOL DISTRICT.

D. NOTICE OF THE RIGHTS AND RESPONSIBILITIES OF STUDENTS AND THEIR PARENTS UNDER THIS POLICY MUST BE INCLUDED IN THE STUDENT DISCIPLINE POLICY (SEE MSBA/MASA MODEL POLICY 506) DISTRIBUTED TO PARENTS AT THE BEGINNING OF EACH SCHOOL YEAR.

E. THIS POLICY SHALL BE AVAILABLE TO ALL PARENTS AND OTHER SCHOOL COMMUNITY MEMBERS IN AN ELECTRONIC FORMAT IN THE LANGUAGE APPEARING ON THE SCHOOL DISTRICT'S OR A SCHOOL'S WEBSITE.

F. THE SCHOOL DISTRICT SHALL PROVIDE AN ELECTRONIC COPY OF ITS MOST RECENTLY AMENDED POLICY TO THE COMMISSIONER OF EDUCATION.

IX. POLICY REVIEW

TO THE EXTENT PRACTICABLE, THE SCHOOL BOARD SHALL, ON A CYCLE CONSISTENT WITH OTHER SCHOOL DISTRICT POLICIES, REVIEW AND REVISE THIS POLICY. THE POLICY SHALL BE MADE CONSISTENT WITH MINN. STAT. § 121A.031 AND OTHER APPLICABLE LAW. REVISIONS SHALL BE MADE IN CONSULTATION WITH STUDENTS, PARENTS, AND COMMUNITY ORGANIZATIONS.

LEGAL REFERENCES: MINN. STAT. CH. 13 (MINNESOTA GOVERNMENT DATA PRACTICES ACT)

MINN. STAT. § 120A.05, SUBDS. 9, 11, 13, AND 17 (DEFINITIONS)

MINN. STAT. § 120B.232 (CHARACTER DEVELOPMENT EDUCATION)

MINN. STAT. § 121A.03 (MODEL POLICY)

MINN. STAT. § 121A.031 (SCHOOL STUDENT BULLYING POLICY)

MINN. STAT. § 121A.0311 (NOTICE OF THE RIGHTS AND RESPONSIBILITIES OF STUDENTS

AND PARENTS UNDER THE SAFE AND SUPPORTIVE MINNESOTA SCHOOLS ACT)

MINN. STAT. §§ 121A.40-121A.56 (PUPIL FAIR DISMISSAL ACT)

MINN. STAT. § 121A.69 (HAZING POLICY)

MINN. STAT. CH. 124E (CHARTER SCHOOLS)

MINN. STAT. CH. 363A (MINNESOTA HUMAN RIGHTS ACT)

20 U.S.C. § 1232G ET SEQ. (FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT)

34 C.F.R. §§ 99.1 - 99.67 (FAMILY EDUCATIONAL RIGHTS AND PRIVACY)

CROSS REFERENCES: MSBA/MASA MODEL POLICY 403 (DISCIPLINE, SUSPENSION, AND DISMISSAL OF SCHOOL
514-8
DISTRICT EMPLOYEES)

MSBA/MASA MODEL POLICY 413 (HARASSMENT AND VIOLENCE)

MSBA/MASA MODEL POLICY 414 (MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL
OR SEXUAL ABUSE)

MSBA/MASA MODEL POLICY 415 (MANDATED REPORTING OF MALTREATMENT OF
VULNERABLE ADULTS)

MSBA/MASA MODEL POLICY 423 (EMPLOYEE-STUDENT RELATIONSHIPS)

MSBA/MASA MODEL POLICY 501 (SCHOOL WEAPONS POLICY)

MSBA/MASA MODEL POLICY 506 (STUDENT DISCIPLINE)

MSBA/MASA MODEL POLICY 507 (CORPORAL PUNISHMENT)

MSBA/MASA MODEL POLICY 515 (PROTECTION AND PRIVACY OF PUPIL RECORDS)

MSBA/MASA MODEL POLICY 521 (STUDENT DISABILITY NONDISCRIMINATION)

MSBA/MASA MODEL POLICY 522 (TITLE IX SEX NONDISCRIMINATION POLICY)

MSBA/MASA MODEL POLICY 524 (INTERNET ACCEPTABLE USE AND SAFETY POLICY)

MSBA/MASA MODEL POLICY 525 (VIOLENCE PREVENTION)

MSBA/MASA MODEL POLICY 526 (HAZING PROHIBITION)

MSBA/MASA MODEL POLICY 529 (STAFF NOTIFICATION OF VIOLENT BEHAVIOR BY
STUDENTS)

MSBA/MASA MODEL POLICY 709 (STUDENT TRANSPORTATION SAFETY POLICY)

MSBA/MASA MODEL POLICY 711 (VIDEO RECORDING ON SCHOOL BUSES)

MSBA/MASA MODEL POLICY 712 (VIDEO SURVEILLANCE OTHER THAN ON BUSES)

524 INTERNET ACCEPTABLE USE AND SAFETY POLICY

[NOTE: SCHOOL DISTRICTS ARE REQUIRED BY STATUTE TO HAVE A POLICY ADDRESSING THESE ISSUES.]

I. PURPOSE

THE PURPOSE OF THIS POLICY IS TO SET FORTH POLICIES AND GUIDELINES FOR ACCESS TO THE SCHOOL DISTRICT COMPUTER SYSTEM AND ACCEPTABLE AND SAFE USE OF THE INTERNET, INCLUDING ELECTRONIC COMMUNICATIONS.

II. GENERAL STATEMENT OF POLICY

IN MAKING DECISIONS REGARDING STUDENT AND EMPLOYEE ACCESS TO THE SCHOOL DISTRICT COMPUTER SYSTEM AND THE INTERNET, INCLUDING ELECTRONIC COMMUNICATIONS, THE SCHOOL DISTRICT CONSIDERS ITS OWN STATED EDUCATIONAL MISSION, GOALS, AND OBJECTIVES. ELECTRONIC INFORMATION RESEARCH SKILLS ARE NOW FUNDAMENTAL TO PREPARATION OF CITIZENS AND FUTURE EMPLOYEES. ACCESS TO THE SCHOOL DISTRICT COMPUTER SYSTEM AND TO THE INTERNET ENABLES STUDENTS AND EMPLOYEES TO EXPLORE THOUSANDS OF LIBRARIES, DATABASES, BULLETIN BOARDS, AND OTHER RESOURCES WHILE EXCHANGING MESSAGES WITH PEOPLE AROUND THE WORLD. THE SCHOOL DISTRICT EXPECTS THAT FACULTY WILL BLEND THOUGHTFUL USE OF THE SCHOOL DISTRICT COMPUTER SYSTEM AND THE INTERNET THROUGHOUT THE CURRICULUM AND WILL PROVIDE GUIDANCE AND INSTRUCTION TO STUDENTS IN THEIR USE.

III. LIMITED EDUCATIONAL PURPOSE

THE SCHOOL DISTRICT IS PROVIDING STUDENTS AND EMPLOYEES WITH ACCESS TO THE SCHOOL DISTRICT COMPUTER SYSTEM, WHICH INCLUDES INTERNET ACCESS. THE PURPOSE OF THE SYSTEM IS MORE SPECIFIC THAN PROVIDING STUDENTS AND EMPLOYEES WITH GENERAL ACCESS TO THE INTERNET. THE SCHOOL DISTRICT SYSTEM HAS A LIMITED EDUCATIONAL PURPOSE, WHICH INCLUDES USE OF THE SYSTEM FOR CLASSROOM ACTIVITIES, EDUCATIONAL RESEARCH, AND PROFESSIONAL OR CAREER DEVELOPMENT ACTIVITIES. USERS ARE EXPECTED TO USE INTERNET ACCESS THROUGH THE DISTRICT SYSTEM TO FURTHER EDUCATIONAL AND PERSONAL GOALS CONSISTENT WITH THE MISSION OF THE SCHOOL DISTRICT AND SCHOOL POLICIES. USES WHICH MIGHT BE ACCEPTABLE ON A USER'S PRIVATE PERSONAL ACCOUNT ON ANOTHER SYSTEM MAY NOT BE ACCEPTABLE ON THIS LIMITED-PURPOSE NETWORK.

IV. USE OF SYSTEM IS A PRIVILEGE

THE USE OF THE SCHOOL DISTRICT SYSTEM AND ACCESS TO USE OF THE INTERNET IS A PRIVILEGE, NOT A RIGHT. DEPENDING ON THE NATURE AND DEGREE OF THE VIOLATION AND THE NUMBER OF PREVIOUS VIOLATIONS, UNACCEPTABLE USE OF THE SCHOOL DISTRICT SYSTEM OR THE INTERNET MAY RESULT IN ONE OR MORE OF THE FOLLOWING CONSEQUENCES: SUSPENSION OR CANCELLATION OF USE OR ACCESS PRIVILEGES; PAYMENTS FOR DAMAGES AND REPAIRS; DISCIPLINE UNDER OTHER APPROPRIATE SCHOOL DISTRICT POLICIES, INCLUDING SUSPENSION, EXPULSION, EXCLUSION, OR TERMINATION OF EMPLOYMENT; OR CIVIL OR CRIMINAL LIABILITY UNDER OTHER APPLICABLE LAWS.

V. UNACCEPTABLE USES

A. WHILE NOT AN EXHAUSTIVE LIST, THE FOLLOWING USES OF THE SCHOOL DISTRICT SYSTEM AND INTERNET RESOURCES OR ACCOUNTS ARE CONSIDERED UNACCEPTABLE:

1. USERS WILL NOT USE THE SCHOOL DISTRICT SYSTEM TO ACCESS, REVIEW, UPLOAD, DOWNLOAD, STORE, PRINT, POST, RECEIVE, TRANSMIT, OR DISTRIBUTE:
 - A. PORNOGRAPHIC, OBSCENE, OR SEXUALLY EXPLICIT MATERIAL OR OTHER VISUAL DEPICTIONS THAT ARE HARMFUL TO MINORS;
 - B. OBSCENE, ABUSIVE, PROFANE, LEWD, VULGAR, RUDE, INFLAMMATORY, THREATENING, DISRESPECTFUL, OR SEXUALLY EXPLICIT LANGUAGE;
 - C. MATERIALS THAT USE LANGUAGE OR IMAGES THAT ARE INAPPROPRIATE IN THE EDUCATION SETTING OR DISRUPTIVE TO THE EDUCATIONAL PROCESS;
 - D. INFORMATION OR MATERIALS THAT COULD CAUSE DAMAGE OR DANGER OF

DISRUPTION TO THE EDUCATIONAL PROCESS;

E. MATERIALS THAT USE LANGUAGE OR IMAGES THAT ADVOCATE VIOLENCE OR DISCRIMINATION TOWARD OTHER PEOPLE (HATE LITERATURE) OR THAT MAY CONSTITUTE HARASSMENT OR DISCRIMINATION.

2. USERS WILL NOT USE THE SCHOOL DISTRICT SYSTEM TO KNOWINGLY OR RECKLESSLY POST, TRANSMIT, OR DISTRIBUTE FALSE OR DEFAMATORY INFORMATION ABOUT A PERSON OR ORGANIZATION, OR TO HARASS ANOTHER PERSON, OR TO ENGAGE IN PERSONAL ATTACKS, INCLUDING PREJUDICIAL OR DISCRIMINATORY ATTACKS.

3. USERS WILL NOT USE THE SCHOOL DISTRICT SYSTEM TO ENGAGE IN ANY ILLEGAL ACT OR VIOLATE ANY LOCAL, STATE, OR FEDERAL STATUTE OR LAW.

4. USERS WILL NOT USE THE SCHOOL DISTRICT SYSTEM TO VANDALIZE, DAMAGE, OR DISABLE THE PROPERTY OF ANOTHER PERSON OR ORGANIZATION, WILL NOT MAKE DELIBERATE ATTEMPTS TO DEGRADE OR DISRUPT EQUIPMENT, SOFTWARE, OR SYSTEM PERFORMANCE BY SPREADING COMPUTER VIRUSES OR BY ANY OTHER MEANS, WILL NOT TAMPER WITH, MODIFY, OR CHANGE THE SCHOOL DISTRICT SYSTEM SOFTWARE, HARDWARE, OR WIRING OR TAKE ANY ACTION TO VIOLATE THE SCHOOL DISTRICT'S SECURITY SYSTEM, AND WILL NOT USE THE SCHOOL DISTRICT SYSTEM IN SUCH A WAY AS TO DISRUPT THE USE OF THE SYSTEM BY OTHER USERS.

5. USERS WILL NOT USE THE SCHOOL DISTRICT SYSTEM TO GAIN UNAUTHORIZED ACCESS TO INFORMATION RESOURCES OR TO ACCESS ANOTHER PERSON'S MATERIALS, INFORMATION, OR FILES WITHOUT THE IMPLIED OR DIRECT PERMISSION OF THAT PERSON.

6. USERS WILL NOT USE THE SCHOOL DISTRICT SYSTEM TO POST PRIVATE INFORMATION ABOUT ANOTHER PERSON, PERSONAL CONTACT INFORMATION ABOUT THEMSELVES OR OTHER PERSONS, OR OTHER PERSONALLY IDENTIFIABLE INFORMATION, INCLUDING, BUT NOT LIMITED TO, ADDRESSES, TELEPHONE NUMBERS, SCHOOL ADDRESSES, WORK ADDRESSES, IDENTIFICATION NUMBERS, ACCOUNT NUMBERS, ACCESS CODES OR PASSWORDS, LABELED PHOTOGRAPHS, OR OTHER INFORMATION THAT WOULD MAKE THE INDIVIDUAL'S IDENTITY EASILY TRACEABLE, AND WILL NOT REPOST A MESSAGE THAT WAS SENT TO THE USER PRIVATELY WITHOUT PERMISSION OF THE PERSON WHO SENT THE MESSAGE.

[NOTE: SCHOOL DISTRICTS SHOULD CONSIDER THE IMPACT OF THIS PARAGRAPH ON PRESENT PRACTICES AND PROCEDURES, INCLUDING, BUT NOT LIMITED TO, PRACTICES PERTAINING TO EMPLOYEE COMMUNICATIONS, SCHOOL OR CLASSROOM WEBSITES, AND STUDENT/EMPLOYEE USE OF SOCIAL NETWORKING WEBSITES.

DEPENDING UPON SCHOOL DISTRICT POLICIES AND PRACTICES, SCHOOL DISTRICTS MAY WISH TO ADD ONE OR MORE OF THE FOLLOWING CLARIFYING PARAGRAPHS.]

A. THIS PARAGRAPH DOES NOT PROHIBIT THE POSTING OF EMPLOYEE CONTACT INFORMATION ON SCHOOL DISTRICT WEBPAGES OR COMMUNICATIONS BETWEEN EMPLOYEES AND OTHER INDIVIDUALS WHEN SUCH COMMUNICATIONS ARE MADE FOR EDUCATION-RELATED PURPOSES (I.E., COMMUNICATIONS WITH PARENTS OR OTHER STAFF MEMBERS RELATED TO STUDENTS).

B. EMPLOYEES CREATING OR POSTING SCHOOL-RELATED WEBPAGES MAY INCLUDE PERSONAL CONTACT INFORMATION ABOUT THEMSELVES ON A WEBPAGE. HOWEVER, EMPLOYEES MAY NOT POST PERSONAL CONTACT INFORMATION OR OTHER PERSONALLY IDENTIFIABLE INFORMATION ABOUT STUDENTS UNLESS:

(1) SUCH INFORMATION IS CLASSIFIED BY THE SCHOOL DISTRICT AS DIRECTORY INFORMATION AND VERIFICATION IS MADE THAT THE SCHOOL DISTRICT HAS NOT RECEIVED NOTICE FROM A PARENT/GUARDIAN OR ELIGIBLE STUDENT THAT SUCH INFORMATION IS NOT TO BE DESIGNATED AS DIRECTORY INFORMATION IN ACCORDANCE WITH **POLICY 515**; OR

(2) SUCH INFORMATION IS NOT CLASSIFIED BY THE SCHOOL DISTRICT AS DIRECTORY INFORMATION BUT WRITTEN CONSENT FOR RELEASE OF THE INFORMATION TO BE POSTED HAS BEEN OBTAINED FROM A PARENT/GUARDIAN OR ELIGIBLE STUDENT IN ACCORDANCE WITH **POLICY 515**.

IN ADDITION, PRIOR TO POSTING ANY PERSONAL CONTACT OR PERSONALLY IDENTIFIABLE INFORMATION ON A SCHOOL-RELATED WEBPAGE, EMPLOYEES SHALL OBTAIN WRITTEN APPROVAL OF THE CONTENT OF THE POSTINGS FROM THE BUILDING ADMINISTRATOR.

C. THESE PROHIBITIONS SPECIFICALLY PROHIBIT A USER FROM UTILIZING THE SCHOOL DISTRICT SYSTEM TO POST PERSONAL INFORMATION ABOUT A USER OR ANOTHER INDIVIDUAL ON SOCIAL NETWORKS, INCLUDING, BUT NOT LIMITED TO, SOCIAL NETWORKS SUCH AS “FACEBOOK,” “TWITTER,” “INSTAGRAM,” “SNAPCHAT,” “TIKTOK,” “REDDIT,” AND SIMILAR WEBSITES OR APPLICATIONS.

7. USERS MUST KEEP ALL ACCOUNT INFORMATION AND PASSWORDS ON FILE WITH THE DESIGNATED SCHOOL DISTRICT OFFICIAL. USERS WILL NOT ATTEMPT TO GAIN UNAUTHORIZED ACCESS TO THE SCHOOL DISTRICT SYSTEM OR ANY OTHER SYSTEM THROUGH THE SCHOOL DISTRICT SYSTEM, ATTEMPT TO LOG IN THROUGH ANOTHER PERSON’S ACCOUNT, OR USE COMPUTER ACCOUNTS, ACCESS CODES, OR NETWORK IDENTIFICATION OTHER THAN THOSE ASSIGNED TO THE USER. MESSAGES AND RECORDS ON THE SCHOOL DISTRICT SYSTEM MAY NOT BE ENCRYPTED WITHOUT THE PERMISSION OF APPROPRIATE SCHOOL AUTHORITIES.

8. USERS WILL NOT USE THE SCHOOL DISTRICT SYSTEM TO VIOLATE COPYRIGHT LAWS OR USAGE LICENSING AGREEMENTS, OR OTHERWISE TO USE ANOTHER PERSON’S PROPERTY WITHOUT THE PERSON’S PRIOR APPROVAL OR PROPER CITATION, INCLUDING THE DOWNLOADING OR EXCHANGING OF PIRATED SOFTWARE OR COPYING SOFTWARE TO OR FROM ANY SCHOOL COMPUTER, AND WILL NOT PLAGIARIZE WORKS THEY FIND ON THE INTERNET.

9. USERS WILL NOT USE THE SCHOOL DISTRICT SYSTEM FOR CONDUCTING BUSINESS, FOR UNAUTHORIZED COMMERCIAL PURPOSES, OR FOR FINANCIAL GAIN UNRELATED TO THE MISSION OF THE SCHOOL DISTRICT. USERS WILL NOT USE THE SCHOOL DISTRICT SYSTEM TO OFFER OR PROVIDE GOODS OR SERVICES OR FOR PRODUCT ADVERTISEMENT. USERS WILL NOT USE THE SCHOOL DISTRICT SYSTEM TO PURCHASE GOODS OR SERVICES FOR PERSONAL USE WITHOUT AUTHORIZATION FROM THE APPROPRIATE SCHOOL DISTRICT OFFICIAL.

10. USERS WILL NOT USE THE SCHOOL DISTRICT SYSTEM TO ENGAGE IN BULLYING OR CYBERBULLYING IN VIOLATION OF THE SCHOOL DISTRICT’S BULLYING PROHIBITION POLICY. THIS PROHIBITION INCLUDES USING ANY TECHNOLOGY OR OTHER ELECTRONIC COMMUNICATION OFF SCHOOL PREMISES TO THE EXTENT THAT STUDENT LEARNING OR THE SCHOOL ENVIRONMENT IS SUBSTANTIALLY AND MATERIALLY DISRUPTED.

524-4

B. THE SCHOOL DISTRICT HAS A SPECIAL INTEREST IN REGULATING OFF-CAMPUS SPEECH THAT MATERIALLY DISRUPTS CLASSWORK OR INVOLVES SUBSTANTIAL DISORDER OR INVASION OF THE RIGHTS OF OTHERS. A STUDENT OR EMPLOYEE ENGAGING IN THE FOREGOING UNACCEPTABLE USES OF THE INTERNET WHEN OFF SCHOOL DISTRICT PREMISES ALSO MAY BE IN VIOLATION OF THIS POLICY AS WELL AS OTHER SCHOOL DISTRICT POLICIES. EXAMPLES OF SUCH VIOLATIONS MAY INCLUDE, BUT ARE NOT LIMITED TO, SERIOUS OR SEVERE BULLYING OR HARASSMENT TARGETING PARTICULAR INDIVIDUALS, THREATS AIMED AT TEACHERS OR OTHER STUDENTS, FAILURE TO FOLLOW RULES CONCERNING LESSONS, THE WRITING OF PAPERS, THE USE OF COMPUTERS, OR PARTICIPATION IN OTHER ONLINE SCHOOL ACTIVITIES, AND BREACHES OF SCHOOL SECURITY DEVICES. IF THE SCHOOL DISTRICT RECEIVES A REPORT OF AN UNACCEPTABLE USE ORIGINATING FROM A NON-SCHOOL COMPUTER OR RESOURCE, THE SCHOOL DISTRICT MAY INVESTIGATE SUCH REPORTS TO THE BEST OF ITS ABILITY. STUDENTS OR EMPLOYEES MAY BE SUBJECT TO DISCIPLINARY ACTION FOR SUCH CONDUCT, INCLUDING, BUT NOT LIMITED TO, SUSPENSION OR CANCELLATION OF THE USE OR ACCESS TO THE SCHOOL DISTRICT COMPUTER SYSTEM AND THE INTERNET AND DISCIPLINE UNDER OTHER APPROPRIATE SCHOOL DISTRICT POLICIES, INCLUDING SUSPENSION, EXPULSION, EXCLUSION, OR TERMINATION OF EMPLOYMENT.

C. IF A USER INADVERTENTLY ACCESSES UNACCEPTABLE MATERIALS OR AN UNACCEPTABLE INTERNET SITE, THE USER SHALL IMMEDIATELY DISCLOSE THE INADVERTENT ACCESS TO AN APPROPRIATE SCHOOL DISTRICT OFFICIAL. IN THE CASE OF A SCHOOL DISTRICT EMPLOYEE, THE IMMEDIATE DISCLOSURE SHALL BE TO THE EMPLOYEE’S IMMEDIATE SUPERVISOR AND/OR THE BUILDING ADMINISTRATOR. THIS DISCLOSURE MAY SERVE AS A DEFENSE AGAINST AN ALLEGATION THAT THE USER HAS INTENTIONALLY VIOLATED THIS POLICY. IN CERTAIN RARE INSTANCES, A USER ALSO MAY ACCESS OTHERWISE UNACCEPTABLE MATERIALS IF NECESSARY TO COMPLETE AN ASSIGNMENT AND IF DONE WITH THE PRIOR APPROVAL OF AND WITH APPROPRIATE GUIDANCE FROM THE APPROPRIATE TEACHER OR, IN THE CASE OF A SCHOOL DISTRICT EMPLOYEE, THE BUILDING ADMINISTRATOR.

VI. FILTER

[NOTE: PURSUANT TO STATE LAW, SCHOOL DISTRICTS ARE REQUIRED TO RESTRICT ACCESS TO INAPPROPRIATE MATERIALS ON SCHOOL COMPUTERS WITH INTERNET ACCESS. SCHOOL DISTRICTS SEEKING TECHNOLOGY

REVENUE PURSUANT TO MINNESOTA STATUTES SECTION 125B.26 OR CERTAIN FEDERAL FUNDING, SUCH AS E-RATE DISCOUNTS, FOR PURPOSES OF INTERNET ACCESS AND CONNECTION SERVICES AND/OR RECEIVE FUNDS TO PURCHASE INTERNET ACCESSIBLE COMPUTERS ARE SUBJECT TO THE FEDERAL CHILDREN’S INTERNET PROTECTION ACT, EFFECTIVE IN 2001. THOSE DISTRICTS ARE REQUIRED TO COMPLY WITH ADDITIONAL STANDARDS IN RESTRICTING POSSIBLE ACCESS TO INAPPROPRIATE MATERIALS. THEREFORE, SCHOOL DISTRICTS SHOULD SELECT ONE OF THE FOLLOWING ALTERNATIVE SECTIONS DEPENDING UPON WHETHER THE SCHOOL DISTRICT IS SEEKING SUCH FUNDING AND THE TYPE OF FUNDING SOUGHT.]

ALTERNATIVE NO. 1

[NOTE: FOR A SCHOOL DISTRICT THAT DOES NOT SEEK EITHER STATE OR FEDERAL FUNDING IN CONNECTION WITH ITS COMPUTER SYSTEM, THE FOLLOWING LANGUAGE SHOULD BE ADOPTED. IT REFLECTS A MANDATORY REQUIREMENT UNDER MINNESOTA STATUTES SECTION 125B.15.]

ALL COMPUTERS EQUIPPED WITH INTERNET ACCESS AND AVAILABLE FOR STUDENT USE AT EACH SCHOOL SITE WILL BE EQUIPPED TO RESTRICT, BY USE OF AVAILABLE SOFTWARE FILTERING TECHNOLOGY OR OTHER EFFECTIVE METHODS, ALL STUDENT ACCESS TO MATERIALS THAT ARE REASONABLY BELIEVED TO BE OBSCENE, CHILD PORNOGRAPHY OR HARMFUL TO MINORS UNDER STATE OR FEDERAL LAW. SOFTWARE FILTERING TECHNOLOGY SHALL BE NARROWLY TAILORED AND SHALL NOT DISCRIMINATE BASED ON VIEWPOINT.

[NOTE: THE PURCHASE OF FILTERING TECHNOLOGY IS NOT REQUIRED BY STATE LAW IF THE SCHOOL SITE WOULD INCUR MORE THAN INCIDENTAL EXPENSE IN MAKING THE PURCHASE. IN THE ABSENCE OF FILTERING TECHNOLOGY, SCHOOL SITES STILL ARE REQUIRED TO USE “OTHER EFFECTIVE METHODS” TO RESTRICT STUDENT ACCESS TO SUCH MATERIALS.]

ALTERNATIVE NO. 2

[NOTE: TECHNOLOGY REVENUE IS AVAILABLE TO SCHOOL DISTRICTS THAT MEET THE ADDITIONAL CONDITION OF ALSO RESTRICTING ADULT ACCESS TO INAPPROPRIATE MATERIALS. SCHOOL DISTRICTS THAT SEEK SUCH STATE TECHNOLOGY REVENUE MAY ADOPT OR RETAIN THE FOLLOWING LANGUAGE. HOWEVER, THE SCHOOL DISTRICT IS NOT REQUIRED TO DO SO.]

A. ALL SCHOOL DISTRICT COMPUTERS WITH INTERNET ACCESS AND AVAILABLE FOR STUDENT USE WILL BE EQUIPPED TO RESTRICT, BY USE OF AVAILABLE SOFTWARE FILTERING TECHNOLOGY OR OTHER EFFECTIVE METHODS, ALL STUDENT ACCESS TO MATERIALS THAT ARE REASONABLY BELIEVED TO BE OBSCENE, CHILD PORNOGRAPHY OR HARMFUL TO MINORS UNDER STATE OR FEDERAL LAW.

B. ALL SCHOOL DISTRICT COMPUTERS WITH INTERNET ACCESS, NOT JUST THOSE ACCESSIBLE AND AVAILABLE TO STUDENTS, WILL BE EQUIPPED TO RESTRICT, BY USE OF AVAILABLE SOFTWARE FILTERING TECHNOLOGY OR OTHER EFFECTIVE METHODS, ADULT ACCESS TO MATERIALS THAT ARE REASONABLY BELIEVED TO BE OBSCENE OR CHILD PORNOGRAPHY UNDER STATE OR FEDERAL LAW.

C. SOFTWARE FILTERING TECHNOLOGY SHALL BE NARROWLY TAILORED AND SHALL NOT DISCRIMINATE BASED ON VIEWPOINT.

ALTERNATIVE NO. 3

[NOTE: SCHOOL DISTRICTS THAT RECEIVE CERTAIN FEDERAL FUNDING, SUCH AS E-RATE DISCOUNTS, FOR PURPOSES OF INTERNET ACCESS AND CONNECTION SERVICES AND/OR RECEIVE FUNDS TO PURCHASE INTERNET ACCESSIBLE COMPUTERS ARE SUBJECT TO THE FEDERAL CHILDREN’S INTERNET PROTECTION ACT, EFFECTIVE IN 2001. THIS LAW REQUIRES SCHOOL DISTRICTS TO ADOPT AN INTERNET SAFETY POLICY THAT CONTAINS THE PROVISIONS SET FORTH BELOW. ALSO, THE ACT REQUIRES SUCH SCHOOL DISTRICTS TO PROVIDE REASONABLE NOTICE AND HOLD AT LEAST ONE PUBLIC HEARING OR MEETING TO ADDRESS THE PROPOSED INTERNET SAFETY POLICY PRIOR TO ITS IMPLEMENTATION. SCHOOL DISTRICTS THAT DO NOT SEEK SUCH FEDERAL FINANCIAL ASSISTANCE NEED NOT ADOPT THE ALTERNATIVE LANGUAGE SET FORTH BELOW NOR MEET THE REQUIREMENTS WITH RESPECT TO A PUBLIC MEETING TO REVIEW THE POLICY. THE FOLLOWING ALTERNATIVE LANGUAGE FOR SCHOOL DISTRICTS THAT SEEK SUCH FEDERAL FINANCIAL ASSISTANCE SATISFIES BOTH STATE AND FEDERAL LAW REQUIREMENTS.]

A. WITH RESPECT TO ANY OF ITS COMPUTERS WITH INTERNET ACCESS, THE SCHOOL DISTRICT WILL MONITOR THE ONLINE ACTIVITIES OF BOTH MINORS AND ADULTS AND EMPLOY TECHNOLOGY PROTECTION MEASURES DURING ANY USE OF SUCH COMPUTERS BY MINORS AND ADULTS. THE TECHNOLOGY PROTECTION MEASURES UTILIZED WILL BLOCK OR FILTER INTERNET ACCESS TO ANY VISUAL DEPICTIONS THAT ARE:

1. OBSCENE;
2. CHILD PORNOGRAPHY; OR
3. HARMFUL TO MINORS.

B. THE TERM “HARMFUL TO MINORS” MEANS ANY PICTURE, IMAGE, GRAPHIC IMAGE FILE, OR OTHER VISUAL DEPICTION THAT:

1. TAKEN AS A WHOLE AND WITH RESPECT TO MINORS, APPEALS TO A PRURIENT INTEREST IN NUDITY, SEX, OR EXCRETION; OR
2. DEPICTS, DESCRIBES, OR REPRESENTS, IN A PATENTLY OFFENSIVE WAY WITH RESPECT TO WHAT IS SUITABLE FOR MINORS, AN ACTUAL OR SIMULATED SEXUAL ACT OR SEXUAL CONTACT, ACTUAL OR SIMULATED NORMAL OR PERVERTED SEXUAL ACTS, OR A LEWD EXHIBITION OF THE GENITALS; AND
3. TAKEN AS A WHOLE, LACKS SERIOUS LITERARY, ARTISTIC, POLITICAL, OR SCIENTIFIC VALUE AS TO MINORS.

C. SOFTWARE FILTERING TECHNOLOGY SHALL BE NARROWLY TAILORED AND SHALL NOT DISCRIMINATE BASED ON VIEWPOINT.

D. AN ADMINISTRATOR, SUPERVISOR, OR OTHER PERSON AUTHORIZED BY THE SUPERINTENDENT MAY DISABLE THE TECHNOLOGY PROTECTION MEASURE, DURING USE BY AN ADULT, TO ENABLE ACCESS FOR BONA FIDE RESEARCH OR OTHER LAWFUL PURPOSES.

E. THE SCHOOL DISTRICT WILL EDUCATE STUDENTS ABOUT APPROPRIATE ONLINE BEHAVIOR, INCLUDING INTERACTING WITH OTHER INDIVIDUALS ON SOCIAL NETWORKING WEBSITES AND IN CHAT ROOMS AND CYBERBULLYING AWARENESS AND RESPONSE.

[NOTE: ALTHOUGH SCHOOL DISTRICTS ARE NOT REQUIRED TO ADOPT THE MORE RESTRICTIVE PROVISIONS CONTAINED IN EITHER ALTERNATIVE No. 2 OR No. 3 IF THEY DO NOT SEEK STATE OR FEDERAL FUNDING, THEY MAY CHOOSE TO ADOPT THE MORE RESTRICTIVE PROVISIONS AS A MATTER OF SCHOOL POLICY.]

VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

USE OF THE SCHOOL DISTRICT COMPUTER SYSTEM AND USE OF THE INTERNET SHALL BE CONSISTENT WITH SCHOOL DISTRICT POLICIES AND THE MISSION OF THE SCHOOL DISTRICT.

VIII. LIMITED EXPECTATION OF PRIVACY

A. BY AUTHORIZING USE OF THE SCHOOL DISTRICT SYSTEM, THE SCHOOL DISTRICT DOES NOT RELINQUISH CONTROL OVER MATERIALS ON THE SYSTEM OR CONTAINED IN FILES ON THE SYSTEM. USERS SHOULD EXPECT ONLY LIMITED PRIVACY IN THE CONTENTS OF PERSONAL FILES ON THE SCHOOL DISTRICT SYSTEM.

B. ROUTINE MAINTENANCE AND MONITORING OF THE SCHOOL DISTRICT SYSTEM MAY LEAD TO A DISCOVERY THAT A USER HAS VIOLATED THIS POLICY, ANOTHER SCHOOL DISTRICT POLICY, OR THE LAW.

C. AN INDIVIDUAL INVESTIGATION OR SEARCH WILL BE CONDUCTED IF SCHOOL AUTHORITIES HAVE A REASONABLE SUSPICION THAT THE SEARCH WILL UNCOVER A VIOLATION OF LAW OR SCHOOL DISTRICT POLICY.

D. PARENTS MAY HAVE THE RIGHT AT ANY TIME TO INVESTIGATE OR REVIEW THE CONTENTS OF THEIR CHILD'S FILES AND E-MAIL FILES IN ACCORDANCE WITH THE SCHOOL DISTRICT'S PROTECTION AND PRIVACY OF PUPIL RECORDS POLICY. PARENTS HAVE THE RIGHT TO REQUEST THE TERMINATION OF THEIR CHILD'S INDIVIDUAL ACCOUNT AT ANY TIME.

E. SCHOOL DISTRICT EMPLOYEES SHOULD BE AWARE THAT THE SCHOOL DISTRICT RETAINS THE RIGHT AT ANY TIME TO INVESTIGATE OR REVIEW THE CONTENTS OF THEIR FILES AND E-MAIL FILES. IN ADDITION, SCHOOL DISTRICT EMPLOYEES SHOULD BE AWARE THAT DATA AND OTHER MATERIALS IN FILES MAINTAINED ON THE SCHOOL DISTRICT SYSTEM MAY BE SUBJECT TO REVIEW, DISCLOSURE, OR DISCOVERY UNDER MINNESOTA STATUTES CHAPTER 13 (MINNESOTA GOVERNMENT DATA PRACTICES ACT).

F. THE SCHOOL DISTRICT WILL COOPERATE FULLY WITH LOCAL, STATE AND FEDERAL AUTHORITIES IN ANY INVESTIGATION CONCERNING OR RELATED TO ANY ILLEGAL ACTIVITIES OR ACTIVITIES NOT IN COMPLIANCE WITH SCHOOL DISTRICT POLICIES CONDUCTED THROUGH THE SCHOOL DISTRICT SYSTEM.

524-7

IX. INTERNET USE AGREEMENT

A. THE PROPER USE OF THE INTERNET, AND THE EDUCATIONAL VALUE TO BE GAINED FROM PROPER INTERNET USE, IS THE JOINT RESPONSIBILITY OF STUDENTS, PARENTS, AND EMPLOYEES OF THE SCHOOL DISTRICT.

B. THIS POLICY REQUIRES THE PERMISSION OF AND SUPERVISION BY THE SCHOOL'S DESIGNATED PROFESSIONAL STAFF BEFORE A STUDENT MAY USE A SCHOOL ACCOUNT OR RESOURCE TO ACCESS THE INTERNET.

C. THE INTERNET USE AGREEMENT FORM FOR STUDENTS MUST BE READ AND SIGNED BY THE USER, THE PARENT OR GUARDIAN, AND THE SUPERVISING TEACHER. THE INTERNET USE AGREEMENT FORM FOR EMPLOYEES MUST BE SIGNED BY THE EMPLOYEE. THE FORM MUST THEN BE FILED AT THE

SCHOOL OFFICE. AS SUPERVISING TEACHERS CHANGE, THE AGREEMENT SIGNED BY THE NEW TEACHER SHALL BE ATTACHED TO THE ORIGINAL AGREEMENT.

X. LIMITATION ON SCHOOL DISTRICT LIABILITY

USE OF THE SCHOOL DISTRICT SYSTEM IS AT THE USER'S OWN RISK. THE SYSTEM IS PROVIDED ON AN "AS IS, AS AVAILABLE" BASIS. THE SCHOOL DISTRICT WILL NOT BE RESPONSIBLE FOR ANY DAMAGE USERS MAY SUFFER, INCLUDING, BUT NOT LIMITED TO, LOSS, DAMAGE, OR UNAVAILABILITY OF DATA STORED ON SCHOOL DISTRICT DISKETTES, TAPES, HARD DRIVES, OR SERVERS, OR FOR DELAYS OR CHANGES IN OR INTERRUPTIONS OF SERVICE OR MISDELIVERIES OR NONDELIVERIES OF INFORMATION OR MATERIALS, REGARDLESS OF THE CAUSE. THE SCHOOL DISTRICT IS NOT RESPONSIBLE FOR THE ACCURACY OR QUALITY OF ANY ADVICE OR INFORMATION OBTAINED THROUGH OR STORED ON THE SCHOOL DISTRICT SYSTEM. THE SCHOOL DISTRICT WILL NOT BE RESPONSIBLE FOR FINANCIAL OBLIGATIONS ARISING THROUGH UNAUTHORIZED USE OF THE SCHOOL DISTRICT SYSTEM OR THE INTERNET.

XI. USER NOTIFICATION

A. ALL USERS SHALL BE NOTIFIED OF THE SCHOOL DISTRICT POLICIES RELATING TO INTERNET USE.

B. THIS NOTIFICATION SHALL INCLUDE THE FOLLOWING:

1. NOTIFICATION THAT INTERNET USE IS SUBJECT TO COMPLIANCE WITH SCHOOL DISTRICT POLICIES.
2. DISCLAIMERS LIMITING THE SCHOOL DISTRICT'S LIABILITY RELATIVE TO:
 - A. INFORMATION STORED ON SCHOOL DISTRICT DISKETTES, HARD DRIVES, OR SERVERS.
 - B. INFORMATION RETRIEVED THROUGH SCHOOL DISTRICT COMPUTERS, NETWORKS, OR ONLINE RESOURCES.
 - C. PERSONAL PROPERTY USED TO ACCESS SCHOOL DISTRICT COMPUTERS, NETWORKS, OR ONLINE RESOURCES.
 - D. UNAUTHORIZED FINANCIAL OBLIGATIONS RESULTING FROM USE OF SCHOOL DISTRICT RESOURCES/ACCOUNTS TO ACCESS THE INTERNET.
3. A DESCRIPTION OF THE PRIVACY RIGHTS AND LIMITATIONS OF SCHOOL SPONSORED/MANAGED INTERNET ACCOUNTS.
4. NOTIFICATION THAT, EVEN THOUGH THE SCHOOL DISTRICT MAY USE TECHNICAL MEANS TO LIMIT STUDENT INTERNET ACCESS, THESE LIMITS DO NOT PROVIDE A FOOLPROOF MEANS FOR ENFORCING THE PROVISIONS OF THIS ACCEPTABLE USE POLICY.
5. NOTIFICATION THAT GOODS AND SERVICES CAN BE PURCHASED OVER THE INTERNET THAT COULD POTENTIALLY RESULT IN UNWANTED FINANCIAL OBLIGATIONS AND THAT ANY FINANCIAL OBLIGATION INCURRED BY A STUDENT THROUGH THE INTERNET IS THE SOLE RESPONSIBILITY OF THE STUDENT AND/OR THE STUDENT'S PARENTS.
6. NOTIFICATION THAT THE COLLECTION, CREATION, RECEPTION, MAINTENANCE, AND DISSEMINATION OF DATA VIA THE INTERNET, INCLUDING ELECTRONIC COMMUNICATIONS, IS GOVERNED BY PUBLIC AND PRIVATE PERSONNEL DATA POLICY, AND PROTECTION AND PRIVACY OF PUPIL RECORDS POLICY.
7. NOTIFICATION THAT, SHOULD THE USER VIOLATE THE SCHOOL DISTRICT'S ACCEPTABLE USE POLICY, THE USER'S ACCESS PRIVILEGES MAY BE REVOKED, SCHOOL DISCIPLINARY ACTION MAY BE TAKEN AND/OR APPROPRIATE LEGAL ACTION MAY BE TAKEN.
8. NOTIFICATION THAT ALL PROVISIONS OF THE ACCEPTABLE USE POLICY ARE SUBORDINATE TO LOCAL, STATE, AND FEDERAL LAWS.

XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

A. OUTSIDE OF SCHOOL, PARENTS BEAR RESPONSIBILITY FOR THE SAME GUIDANCE OF INTERNET USE AS THEY EXERCISE WITH INFORMATION SOURCES SUCH AS TELEVISION, TELEPHONES, RADIO, MOVIES, AND OTHER POSSIBLY OFFENSIVE MEDIA. PARENTS ARE RESPONSIBLE FOR MONITORING THEIR STUDENT'S USE OF THE SCHOOL DISTRICT SYSTEM AND OF THE INTERNET IF THE STUDENT IS ACCESSING THE SCHOOL DISTRICT SYSTEM FROM HOME OR A REMOTE LOCATION.

B. PARENTS WILL BE NOTIFIED THAT THEIR STUDENTS WILL BE USING SCHOOL DISTRICT RESOURCES/ACCOUNTS TO ACCESS THE INTERNET AND THAT THE SCHOOL DISTRICT WILL PROVIDE PARENTS THE OPTION TO REQUEST ALTERNATIVE ACTIVITIES NOT REQUIRING INTERNET ACCESS. THIS NOTIFICATION SHOULD INCLUDE:

1. A COPY OF THE USER NOTIFICATION FORM PROVIDED TO THE STUDENT USER.

2. A DESCRIPTION OF PARENT/GUARDIAN RESPONSIBILITIES.
3. A NOTIFICATION THAT THE PARENTS HAVE THE OPTION TO REQUEST ALTERNATIVE EDUCATIONAL ACTIVITIES NOT REQUIRING INTERNET ACCESS AND THE MATERIAL TO EXERCISE THIS OPTION.
4. A STATEMENT THAT THE INTERNET USE AGREEMENT MUST BE SIGNED BY THE USER, THE PARENT OR GUARDIAN, AND THE SUPERVISING TEACHER PRIOR TO USE BY THE STUDENT.
5. A STATEMENT THAT THE SCHOOL DISTRICT'S ACCEPTABLE USE POLICY IS AVAILABLE FOR PARENTAL REVIEW.

XIII. NOTIFICATION REGARDING TECHNOLOGY PROVIDERS

A. "TECHNOLOGY PROVIDER" MEANS A PERSON WHO:

1. CONTRACTS WITH THE SCHOOL DISTRICT, AS PART OF A ONE-TO-ONE PROGRAM OR OTHERWISE, TO PROVIDE A SCHOOL-ISSUED DEVICE FOR STUDENT USE; AND
2. CREATES, RECEIVES, OR MAINTAINS EDUCATIONAL DATA PURSUANT OR INCIDENTAL TO A CONTRACT WITH THE SCHOOL DISTRICT.

524-9

B. "PARENT" MEANS A PARENT OF A STUDENT AND INCLUDES A NATURAL PARENT, A GUARDIAN, OR AN INDIVIDUAL ACTING AS A PARENT IN THE ABSENCE OF A PARENT OR A GUARDIAN.

C. WITHIN 30 DAYS OF THE START OF EACH SCHOOL YEAR, THE SCHOOL DISTRICT MUST GIVE PARENTS AND STUDENTS DIRECT AND TIMELY NOTICE, BY UNITED STATES MAIL, E-MAIL, OR OTHER DIRECT FORM OF COMMUNICATION, OF ANY CURRICULUM, TESTING, OR ASSESSMENT TECHNOLOGY PROVIDER CONTRACT AFFECTING A STUDENT'S EDUCATIONAL DATA. THE NOTICE MUST:

1. IDENTIFY EACH CURRICULUM, TESTING, OR ASSESSMENT TECHNOLOGY PROVIDER WITH ACCESS TO EDUCATIONAL DATA;
2. IDENTIFY THE EDUCATIONAL DATA AFFECTED BY THE CURRICULUM, TESTING, OR ASSESSMENT TECHNOLOGY PROVIDER CONTRACT; AND
3. INCLUDE INFORMATION ABOUT THE CONTRACT INSPECTION AND PROVIDE CONTACT INFORMATION FOR A SCHOOL DEPARTMENT TO WHICH A PARENT OR STUDENT MAY DIRECT QUESTIONS OR CONCERNS REGARDING ANY PROGRAM OR ACTIVITY THAT ALLOWS A CURRICULUM, TESTING, OR ASSESSMENT TECHNOLOGY PROVIDER TO ACCESS A STUDENT'S EDUCATIONAL DATA.

D. THE SCHOOL DISTRICT MUST PROVIDE PARENTS AND STUDENTS AN OPPORTUNITY TO INSPECT A COMPLETE COPY OF ANY CONTRACT WITH A TECHNOLOGY PROVIDER.

E. A CONTRACT BETWEEN A TECHNOLOGY PROVIDER AND THE SCHOOL DISTRICT MUST INCLUDE REQUIREMENTS TO ENSURE APPROPRIATE SECURITY SAFEGUARDS FOR EDUCATIONAL DATA. THE CONTRACT MUST REQUIRE THAT:

1. THE TECHNOLOGY PROVIDER'S EMPLOYEES OR CONTRACTORS HAVE ACCESS TO EDUCATIONAL DATA ONLY IF AUTHORIZED; AND
2. THE TECHNOLOGY PROVIDER'S EMPLOYEES OR CONTRACTORS MAY BE AUTHORIZED TO ACCESS EDUCATIONAL DATA ONLY IF ACCESS IS NECESSARY TO FULFILL THE OFFICIAL DUTIES OF THE EMPLOYEE OR CONTRACTOR.

F. ALL EDUCATIONAL DATA CREATED, RECEIVED, MAINTAINED, OR DISSEMINATED BY A TECHNOLOGY PROVIDER PURSUANT OR INCIDENTAL TO A CONTRACT WITH A PUBLIC EDUCATIONAL AGENCY OR INSTITUTION ARE NOT THE TECHNOLOGY PROVIDER'S PROPERTY.

XIV. SCHOOL-ISSUED DEVICES

A. "SCHOOL-ISSUED DEVICE" MEANS HARDWARE OR SOFTWARE THAT THE SCHOOL DISTRICT, ACTING INDEPENDENTLY OR WITH A TECHNOLOGY PROVIDER, PROVIDES TO AN INDIVIDUAL STUDENT FOR THAT STUDENT'S DEDICATED PERSONAL USE. A SCHOOL-ISSUED DEVICE INCLUDES A DEVICE ISSUED THROUGH A ONE-TO-ONE PROGRAM.

B. EXCEPT AS PROVIDED IN PARAGRAPH C, THE SCHOOL DISTRICT OR A TECHNOLOGY PROVIDER MUST NOT ELECTRONICALLY ACCESS OR MONITOR:

1. ANY LOCATION-TRACKING FEATURE OF A SCHOOL-ISSUED DEVICE;
2. ANY AUDIO OR VISUAL RECEIVING, TRANSMITTING, OR RECORDING FEATURE OF A SCHOOL ISSUED DEVICE; OR
3. STUDENT INTERACTIONS WITH A SCHOOL-ISSUED DEVICE, INCLUDING BUT NOT LIMITED TO KEYSTROKES AND WEB-BROWSING ACTIVITY.

C. THE SCHOOL DISTRICT OR A TECHNOLOGY PROVIDER MAY ONLY ENGAGE IN ACTIVITIES PROHIBITED BY

PARAGRAPH B IF:

1. THE ACTIVITY IS LIMITED TO A NONCOMMERCIAL EDUCATIONAL PURPOSE FOR INSTRUCTION, TECHNICAL SUPPORT, OR EXAM-PROCTORING BY SCHOOL DISTRICT EMPLOYEES, STUDENT TEACHERS, STAFF CONTRACTED BY THE SCHOOL DISTRICT, A VENDOR, OR THE MINNESOTA DEPARTMENT OF EDUCATION, AND NOTICE IS PROVIDED IN ADVANCE;
2. THE ACTIVITY IS PERMITTED UNDER A JUDICIAL WARRANT;
3. THE SCHOOL DISTRICT IS NOTIFIED OR BECOMES AWARE THAT THE DEVICE IS MISSING OR STOLEN;
4. THE ACTIVITY IS NECESSARY TO RESPOND TO AN IMMINENT THREAT TO LIFE OR SAFETY AND THE ACCESS IS LIMITED TO THAT PURPOSE;
5. THE ACTIVITY IS NECESSARY TO COMPLY WITH FEDERAL OR STATE LAW, INCLUDING BUT NOT LIMITED TO MINNESOTA STATUTES SECTION 121A.031; or
6. THE ACTIVITY IS NECESSARY TO PARTICIPATE IN FEDERAL OR STATE FUNDING PROGRAMS, INCLUDING BUT NOT LIMITED TO THE E-RATE PROGRAM.

D. IF THE SCHOOL DISTRICT OR A TECHNOLOGY PROVIDER INTERACTS WITH A SCHOOL-ISSUED DEVICE AS PROVIDED IN PARAGRAPH C, CLAUSE 4, IT MUST, WITHIN 72 HOURS OF THE ACCESS, NOTIFY THE STUDENT TO WHOM THE SCHOOL-ISSUED DEVICE WAS ISSUED OR THAT STUDENT'S PARENT AND PROVIDE A WRITTEN DESCRIPTION OF THE INTERACTION, INCLUDING WHICH FEATURES OF THE DEVICE WERE ACCESSED AND A DESCRIPTION OF THE THREAT. THIS NOTICE IS NOT REQUIRED AT ANY TIME WHEN THE NOTICE ITSELF WOULD POSE AN IMMINENT THREAT TO LIFE OR SAFETY, BUT MUST INSTEAD BE GIVEN WITHIN 72 HOURS AFTER THAT IMMINENT THREAT HAS CEASED.

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

A CHILD IN A PUBLICLY FUNDED PRESCHOOL OR KINDERGARTEN PROGRAM MAY NOT USE AN INDIVIDUAL-USE SCREEN, SUCH AS A TABLET, SMARTPHONE, OR OTHER DIGITAL MEDIA, WITHOUT ENGAGEMENT FROM A TEACHER OR OTHER STUDENTS. THIS SECTION DOES NOT APPLY TO A CHILD FOR WHOM THE SCHOOL HAS AN INDIVIDUALIZED FAMILY SERVICE PLAN, AN INDIVIDUALIZED EDUCATION PROGRAM, OR A 504 PLAN IN EFFECT.

XVI. IMPLEMENTATION; POLICY REVIEW

- A. THE SCHOOL DISTRICT ADMINISTRATION MAY DEVELOP APPROPRIATE USER NOTIFICATION FORMS, GUIDELINES, AND PROCEDURES NECESSARY TO IMPLEMENT THIS POLICY FOR SUBMISSION TO THE SCHOOL BOARD FOR APPROVAL. UPON APPROVAL BY THE SCHOOL BOARD, SUCH GUIDELINES, FORMS, AND PROCEDURES SHALL BE AN ADDENDUM TO THIS POLICY.
- B. THE ADMINISTRATION SHALL REVISE THE USER NOTIFICATIONS, INCLUDING STUDENT AND PARENT NOTIFICATIONS, IF NECESSARY, TO REFLECT THE ADOPTION OF THESE GUIDELINES AND PROCEDURES.
- C. THE SCHOOL DISTRICT INTERNET POLICIES AND PROCEDURES ARE AVAILABLE FOR REVIEW BY ALL PARENTS, GUARDIANS, STAFF, AND MEMBERS OF THE COMMUNITY.
- D. BECAUSE OF THE RAPID CHANGES IN THE DEVELOPMENT OF THE INTERNET, THE SCHOOL BOARD SHALL CONDUCT AN ANNUAL REVIEW OF THIS POLICY.

524-11

LEGAL REFERENCES: MINN. STAT. CH. 13 (MINNESOTA GOVERNMENT DATA PRACTICES ACT)

MINN. STAT. § 13.32 (EDUCATIONAL DATA)

MINN. STAT. § 121A.031 (SCHOOL STUDENT BULLYING POLICY)

MINN. STAT. § 124D.166 (LIMIT ON SCREEN TIME FOR CHILDREN IN PRESCHOOL AND KINDERGARTEN)

MINN. STAT. § 125B.15 (INTERNET ACCESS FOR STUDENTS)

MINN. STAT. § 125B.26 (TELECOMMUNICATIONS/INTERNET ACCESS EQUITY ACT)

15 U.S.C. § 6501 ET SEQ. (CHILDREN'S ONLINE PRIVACY PROTECTION ACT)

17 U.S.C. § 101 ET SEQ. (COPYRIGHTS)

20 U.S.C. § 1232G (FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT)

47 U.S.C. § 254 (CHILDREN'S INTERNET PROTECTION ACT OF 2000 (CIPA))

47 C.F.R. § 54.520 (FCC RULES IMPLEMENTING CIPA)

MAHANAY AREA SCH. DIST. V. B.L., 594 U.S. ___, 141 S. CT. 2038 (2021)

TINKER V. DES MOINES INDEP. CMTY. SCH. DIST., 393 U.S. 503 (1969)

UNITED STATES V. AMER. LIBRARY ASSOC., 539 U.S. 194 (2003)

SAGEHORN V. INDEP. SCH. DIST. NO. 728, 122 F.SUPP.2D 842 (D. MINN. 2015)

R.S. V. MINNEWASKA AREA SCH. DIST. NO. 2149, 894 F.SUPP.2D 1128 (D. MINN. 2012)

2012)

TATRO v. UNIV. OF MINNESOTA, 800 N.W.2d 811 (MINN. APP. 2011), AFF'D ON OTHER GROUNDS 816 N.W.2d 509 (MINN. 2012)

S.J.W. v. LEE'S SUMMIT R-7 SCH. DIST., 696 F.3d 771 (8TH CIR. 2012)

PARENTS, FAMILIES AND FRIENDS OF LESBIANS AND GAYS, INC. v. CAMDENTON R-III SCH. DIST., 853 F.Supp.2d 888 (W.D. Mo. 2012)

M.T. v. CENT. YORK SCH. DIST., 937 A.2d 538 (PA. COMMW. CT. 2007)

CROSS REFERENCES: MSBA/MASA MODEL POLICY 403 (DISCIPLINE, SUSPENSION, AND DISMISSAL OF SCHOOL DISTRICT EMPLOYEES)

MSBA/MASA MODEL POLICY 406 (PUBLIC AND PRIVATE PERSONNEL DATA)

MSBA/MASA MODEL POLICY 505 (DISTRIBUTION OF NONSCHOOL-SPONSORED MATERIALS ON SCHOOL PREMISES BY STUDENTS AND EMPLOYEES)

MSBA/MASA MODEL POLICY 506 (STUDENT DISCIPLINE)

MSBA/MASA MODEL POLICY 514 (BULLYING PROHIBITION POLICY)

MSBA/MASA MODEL POLICY 515 (PROTECTION AND PRIVACY OF PUPIL RECORDS)

MSBA/MASA MODEL POLICY 519 (INTERVIEWS OF STUDENTS BY OUTSIDE AGENCIES)

MSBA/MASA MODEL POLICY 521 (STUDENT DISABILITY NONDISCRIMINATION)

MSBA/MASA MODEL POLICY 522 (TITLE IX SEX NONDISCRIMINATION GRIEVANCE PROCEDURES AND PROCESS)

MSBA/MASA MODEL POLICY 603 (CURRICULUM DEVELOPMENT)

MSBA/MASA MODEL POLICY 604 (INSTRUCTIONAL CURRICULUM)

MSBA/MASA MODEL POLICY 606 (TEXTBOOKS AND INSTRUCTIONAL MATERIALS)

MSBA/MASA MODEL POLICY 806 (CRISIS MANAGEMENT POLICY)

MSBA/MASA MODEL POLICY 904 (DISTRIBUTION OF MATERIALS ON SCHOOL DISTRICT PROPERTY BY NONSCHOOL PERSONS)

FOLEY PUBLIC SCHOOLS REVISED: 05/13/2019

MSBA/MASA MODEL POLICY 532

MSBA ORIGINAL 2003

FOLEY PUBLIC SCHOOLS ADOPTED BY THE BOARD: 07/22/2019

MSBA REVISED 2015

FOLEY PUBLIC SCHOOLS REVISED: 05-13-2019

MSBA/MASA MODEL POLICY 532

MSBA ORIGINAL 2003

FOLEY PUBLIC SCHOOLS ADOPTED BY THE BOARD: 07-22-2019

MSBA REVISED 2015

532 USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS WITH IEPs FROM SCHOOL GROUNDS

[NOTE: SCHOOL DISTRICTS ARE REQUIRED BY STATUTE TO HAVE A POLICY ADDRESSING THESE ISSUES.]

[NOTE: MINNESOTA LAWS 2009, CHAPTER 96, MADE A NUMBER OF CHANGES TO THE LAWS AND RULES GOVERNING THE USE OF "CONDITIONAL PROCEDURES" WITH RESPECT TO SPECIAL EDUCATION STUDENTS. SPECIFICALLY, CHAPTER 96 REPEALED, EFFECTIVE AUGUST 1, 2011, MINN. STAT. §§ 121A.66, 121A.67, SUBD. 1, AS WELL AS MINN. RULES 3525.0210, SUBPARTS 5, 6, 9, 13, 17, 29, 30, 46, 47, AND 3525.2900, SUBP. 5. THESE LAWS AND RULES WERE REPLACED, EFFECTIVE AUGUST 1, 2011, WITH A RESTRICTIVE PROCEDURES LAW WHICH GENERALLY ADDRESSES THE RESTRAINT OF SPECIAL EDUCATION STUDENTS. ALSO NOTE THAT THE RESTRICTIVE PROCEDURES LAW CONTAINS A SIGNIFICANT STAFF TRAINING COMPONENT, FOUND AT MINN. STAT. § 125A.0942, SUBDS. 1, 2, AND 5. STAFF WHO INTEND TO USE RESTRICTIVE PROCEDURES MUST BE TRAINED IN THE AREAS SPECIFIED IN SUBD. 5 TO USE THESE PROCEDURES.]

I. PURPOSE

THE PURPOSE OF THIS POLICY IS TO DESCRIBE THE APPROPRIATE USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE, IF NECESSARY, A STUDENT WITH AN INDIVIDUALIZED EDUCATION PROGRAM (IEP) FROM SCHOOL GROUNDS.

II. GENERAL STATEMENT OF POLICY

THE SCHOOL DISTRICT IS COMMITTED TO PROMOTING LEARNING ENVIRONMENTS THAT ARE SAFE FOR ALL MEMBERS OF THE SCHOOL COMMUNITY. IT FURTHER BELIEVES THAT STUDENTS ARE THE FIRST PRIORITY AND THAT THEY SHOULD BE REASONABLY PROTECTED FROM PHYSICAL OR EMOTIONAL HARM AT ALL SCHOOL LOCATIONS AND DURING ALL SCHOOL ACTIVITIES.

IN GENERAL, ALL STUDENTS, INCLUDING THOSE WITH IEPs, ARE SUBJECT TO THE TERMS OF THE SCHOOL DISTRICT’S DISCIPLINE POLICY. BUILDING LEVEL ADMINISTRATORS HAVE THE LEADERSHIP RESPONSIBILITY TO MAINTAIN A SAFE, SECURE, AND ORDERLY EDUCATIONAL ENVIRONMENT WITHIN WHICH LEARNING CAN OCCUR. CORRECTIVE ACTION TO DISCIPLINE A STUDENT AND/OR MODIFY A STUDENT’S BEHAVIOR WILL BE TAKEN BY STAFF WHEN A STUDENT’S BEHAVIOR VIOLATES THE SCHOOL DISTRICT’S DISCIPLINE POLICY.

IF A STUDENT WITH AN IEP ENGAGES IN CONDUCT WHICH, IN THE JUDGMENT OF SCHOOL PERSONNEL, ENDANGERS OR MAY ENDANGER THE HEALTH, SAFETY, OR PROPERTY OF THE STUDENT, OTHER STUDENTS, STAFF MEMBERS, OR SCHOOL PROPERTY, THAT STUDENT MAY BE REMOVED FROM SCHOOL GROUNDS IN ACCORDANCE WITH THIS POLICY.

III. DEFINITIONS

FOR PURPOSES OF THIS POLICY, THE FOLLOWING TERMS HAVE THE MEANING GIVEN THEM IN THIS SECTION:

A. “STUDENT WITH AN IEP” OR “THE STUDENT” MEANS A STUDENT WHO IS ELIGIBLE TO RECEIVE SPECIAL EDUCATION AND RELATED SERVICES PURSUANT TO THE TERMS OF AN IEP OR AN INDIVIDUAL INTERAGENCY INTERVENTION PLAN (IIP).

B. “PEACE OFFICER” MEANS AN EMPLOYEE OR AN ELECTED OR APPOINTED OFFICIAL OF A POLITICAL SUBDIVISION OR LAW ENFORCEMENT AGENCY WHO IS LICENSED BY THE BOARD OF PEACE OFFICER STANDARDS AND TRAINING, CHARGED WITH THE PREVENTION AND DETECTION OF CRIME AND THE ENFORCEMENT OF GENERAL CRIMINAL LAWS OF THE STATE AND WHO HAS THE FULL POWER OF ARREST. THE TERM “PEACE OFFICER” INCLUDES A PERSON WHO SERVES AS A SHERIFF, A DEPUTY SHERIFF, A POLICE OFFICER, OR A STATE PATROL TROOPER.

C. “POLICE LIAISON OFFICER” IS A PEACE OFFICER WHO, PURSUANT TO AN AGREEMENT BETWEEN THE SCHOOL DISTRICT AND A POLITICAL SUBDIVISION OR LAW ENFORCEMENT AGENCY, IS ASSIGNED TO A SCHOOL BUILDING FOR ALL OR A PORTION OF THE SCHOOL DAY TO PROVIDE LAW ENFORCEMENT ASSISTANCE AND SUPPORT TO THE BUILDING ADMINISTRATION AND TO PROMOTE SCHOOL SAFETY, SECURITY, AND POSITIVE RELATIONSHIPS WITH STUDENTS.

D. “CRISIS TEAM” MEANS A GROUP OF PERSONS, WHICH MAY INCLUDE TEACHERS AND NON-TEACHING SCHOOL PERSONNEL, SELECTED BY THE BUILDING ADMINISTRATOR IN EACH SCHOOL BUILDING WHO HAVE RECEIVED CRISIS INTERVENTION TRAINING AND ARE RESPONSIBLE FOR BECOMING ACTIVELY INVOLVED WITH RESOLVING CRISES. THE BUILDING ADMINISTRATOR OR DESIGNEE SHALL SERVE AS THE LEADER OF THE CRISIS TEAM.

E. THE PHRASE “REMOVE THE STUDENT FROM SCHOOL GROUNDS” IS THE ACT OF SECURING THE PERSON OF A STUDENT WITH AN IEP AND ESCORTING THAT STUDENT FROM THE SCHOOL BUILDING OR SCHOOL ACTIVITY AT WHICH THE STUDENT WITH AN IEP IS LOCATED.

F. “EMERGENCY” MEANS A SITUATION WHERE IMMEDIATE INTERVENTION IS NEEDED TO PROTECT A CHILD OR OTHER INDIVIDUAL FROM PHYSICAL INJURY.

G. ALL OTHER TERMS AND PHRASES USED IN THIS POLICY SHALL BE DEFINED IN ACCORDANCE WITH APPLICABLE STATE AND FEDERAL LAW OR ORDINARY AND CUSTOMARY USAGE.

IV. REMOVAL OF STUDENTS WITH IEPs FROM SCHOOL GROUNDS

A. REMOVAL BY CRISIS TEAM

IF THE BEHAVIOR OF A STUDENT WITH AN IEP ESCALATES TO THE POINT WHERE THE STUDENT’S BEHAVIOR ENDANGERS OR MAY ENDANGER THE HEALTH, SAFETY, OR PROPERTY OF THE STUDENT, OTHER STUDENTS, STAFF MEMBERS, OR SCHOOL PROPERTY, THE SCHOOL BUILDING’S CRISIS TEAM MAY BE SUMMONED. THE CRISIS TEAM MAY ATTEMPT TO DE-ESCALATE THE STUDENT’S BEHAVIOR BY MEANS INCLUDING, BUT NOT LIMITED TO, THOSE DESCRIBED IN THE STUDENT’S IEP AND/OR BEHAVIOR INTERVENTION PLAN. WHEN SUCH MEASURES FAIL, OR WHEN THE CRISIS TEAM DETERMINES THAT THE STUDENT’S BEHAVIOR CONTINUES TO ENDANGER OR MAY ENDANGER THE HEALTH, SAFETY, OR PROPERTY OF THE STUDENT, OTHER STUDENTS, STAFF MEMBERS, OR SCHOOL PROPERTY, THE CRISIS TEAM MAY REMOVE THE STUDENT FROM SCHOOL GROUNDS.

IF THE STUDENT’S BEHAVIOR CANNOT BE SAFELY MANAGED, SCHOOL PERSONNEL MAY IMMEDIATELY REQUEST ASSISTANCE FROM THE POLICE LIAISON OFFICER OR A PEACE OFFICER.

B. REMOVAL BY POLICE LIAISON OFFICER OR PEACE OFFICER

IF A STUDENT WITH AN **IEP** ENGAGES IN CONDUCT WHICH ENDANGERS OR MAY ENDANGER THE HEALTH, SAFETY, OR PROPERTY OF THE STUDENT, OTHER STUDENTS, STAFF MEMBERS, OR SCHOOL PROPERTY, THE SCHOOL BUILDING'S CRISIS TEAM, BUILDING ADMINISTRATOR, OR THE BUILDING ADMINISTRATOR'S DESIGNEE, MAY REQUEST THAT THE POLICE LIAISON OFFICER OR A PEACE OFFICER REMOVE THE STUDENT FROM SCHOOL GROUNDS.

IF A STUDENT WITH AN **IEP** IS RESTRAINED OR REMOVED FROM A CLASSROOM, SCHOOL BUILDING, OR SCHOOL GROUNDS BY A PEACE OFFICER AT THE REQUEST OF A SCHOOL ADMINISTRATOR OR SCHOOL STAFF PERSON DURING THE SCHOOL DAY TWICE IN A **30-DAY PERIOD**, THE STUDENT'S **IEP** TEAM MUST MEET TO DETERMINE IF THE STUDENT'S **IEP** IS ADEQUATE OR IF ADDITIONAL EVALUATION IS NEEDED.

WHETHER OR NOT A STUDENT WITH AN **IEP** ENGAGES IN CONDUCT WHICH ENDANGERS OR MAY ENDANGER THE HEALTH, SAFETY, OR PROPERTY OF THE STUDENT, OTHER STUDENTS, STAFF MEMBERS, OR SCHOOL PROPERTY, SCHOOL DISTRICT PERSONNEL MAY REPORT A CRIME COMMITTED BY A STUDENT WITH AN **IEP** TO APPROPRIATE AUTHORITIES. IF THE SCHOOL DISTRICT REPORTS A CRIME COMMITTED BY A STUDENT WITH AN **IEP**, SCHOOL PERSONNEL SHALL TRANSMIT COPIES OF THE SPECIAL EDUCATION AND DISCIPLINARY RECORDS OF THE STUDENT FOR CONSIDERATION BY APPROPRIATE AUTHORITIES TO WHOM IT REPORTS THE CRIME, TO THE EXTENT THAT THE TRANSMISSION IS PERMITTED BY THE **FAMILY EDUCATION RIGHTS AND PRIVACY ACT (FERPA)**, THE **MINNESOTA GOVERNMENT DATA PRACTICES ACT**, AND SCHOOL DISTRICT'S POLICY, **PROTECTION AND PRIVACY OF PUPIL RECORDS**.

[NOTE: IF THE SCHOOL DISTRICT USES A DIFFERENT REFERENCE NAME FOR ITS STUDENT RECORDS POLICY, INSERT THAT NAME IN PLACE OF THE REFERENCE TO **PROTECTION AND PRIVACY OF PUPIL RECORDS**, WHICH IS THE TITLE OF **MSBA/MASA MODEL POLICY 515**.]

THE FACT THAT A STUDENT WITH AN **IEP** IS COVERED BY SPECIAL EDUCATION LAW DOES NOT PREVENT STATE LAW ENFORCEMENT AND JUDICIAL AUTHORITIES FROM EXERCISING THEIR RESPONSIBILITIES WITH REGARD TO THE APPLICATION OF FEDERAL AND STATE LAW TO CRIMES COMMITTED BY A STUDENT WITH AN **IEP**.

C. REASONABLE FORCE PERMITTED

IN REMOVING A STUDENT WITH AN **IEP** FROM SCHOOL GROUNDS, A BUILDING ADMINISTRATOR, OTHER CRISIS TEAM MEMBERS, OR THE POLICE LIAISON OFFICER OR OTHER AGENTS OF THE SCHOOL DISTRICT, WHETHER OR NOT MEMBERS OF A CRISIS TEAM, MAY USE REASONABLE FORCE WHEN IT IS NECESSARY UNDER THE CIRCUMSTANCES TO CORRECT OR RESTRAIN A STUDENT OR PREVENT BODILY HARM OR DEATH TO ANOTHER.

IN REMOVING A STUDENT WITH AN **IEP** FROM SCHOOL GROUNDS, POLICE LIAISON OFFICERS AND SCHOOL DISTRICT PERSONNEL ARE FURTHER PROHIBITED FROM ENGAGING IN THE FOLLOWING CONDUCT:

1. **CORPORAL PUNISHMENT PROHIBITED BY MINN. STAT. § 121A.58;**
2. **REQUIRING A CHILD TO ASSUME AND MAINTAIN A SPECIFIED PHYSICAL POSITION, ACTIVITY, OR POSTURE THAT INDUCES PHYSICAL PAIN;**
3. **TOTALLY OR PARTIALLY RESTRICTING A CHILD'S SENSES AS PUNISHMENT;**
4. **DENYING OR RESTRICTING A CHILD'S ACCESS TO EQUIPMENT AND DEVICES SUCH AS WALKERS, WHEEL CHAIRS, HEARING AIDS, AND COMMUNICATION BOARDS THAT FACILITATE THE CHILD'S FUNCTIONING EXCEPT WHEN TEMPORARILY REMOVING THE EQUIPMENT OR DEVICE IS NEEDED TO PREVENT INJURY TO THE CHILD OR OTHERS OR SERIOUS DAMAGE TO THE EQUIPMENT OR DEVICE, IN WHICH CASE THE EQUIPMENT OR DEVICE SHALL BE RETURNED TO THE CHILD AS SOON AS POSSIBLE;**
5. **INTERACTING WITH A CHILD IN A MANNER THAT CONSTITUTES SEXUAL ABUSE, NEGLECT, OR PHYSICAL ABUSE UNDER MINN. STAT. § 626.556;**
6. **PHYSICAL HOLDING (AS DEFINED IN MINN. STAT. § 125A.0941) THAT RESTRICTS OR IMPAIRS A CHILD'S ABILITY TO BREATHE;**
7. **WITHHOLDING REGULARLY SCHEDULED MEALS OR WATER; AND/OR**
8. **DENYING A CHILD ACCESS TO TOILET FACILITIES.**

D. PARENTAL NOTIFICATION

THE BUILDING ADMINISTRATOR OR DESIGNEE SHALL MAKE REASONABLE EFFORTS TO NOTIFY THE STUDENT’S PARENT OR GUARDIAN OF THE STUDENT’S REMOVAL FROM SCHOOL GROUNDS AS SOON AS POSSIBLE FOLLOWING THE REMOVAL.

E. CONTINUED REMOVALS; REVIEW OF IEP

CONTINUED AND REPEATED USE OF THE REMOVAL PROCESS DESCRIBED HEREIN MUST BE REVIEWED IN THE DEVELOPMENT OF THE INDIVIDUAL STUDENT’S IEP OR IIP.

F. EFFECT OF POLICY IN AN EMERGENCY; USE OF RESTRICTIVE PROCEDURES

A STUDENT WITH AN IEP MAY BE REMOVED IN ACCORDANCE WITH THIS POLICY REGARDLESS OF WHETHER THE STUDENT’S CONDUCT WOULD CREATE AN EMERGENCY.

IF THE SCHOOL DISTRICT SEEKS TO REMOVE A STUDENT WITH AN IEP FROM SCHOOL GROUNDS UNDER THIS POLICY DUE TO BEHAVIORS THAT CONSTITUTE AN EMERGENCY AND THE STUDENT’S IEP, IIP, OR BEHAVIOR INTERVENTION PLAN AUTHORIZES THE USE OF ONE OR MORE RESTRICTIVE PROCEDURES, THE CRISIS TEAM MAY EMPLOY THOSE RESTRICTIVE PROCEDURES, IN ADDITION TO ANY REASONABLE FORCE THAT MAY BE NECESSARY, TO FACILITATE THE STUDENT’S REMOVAL FROM SCHOOL GROUNDS, AS LONG AS THE CRISIS TEAM MEMBERS WHO ARE IMPLEMENTING THE RESTRICTIVE PROCEDURES HAVE RECEIVED THE TRAINING REQUIRED BY MINN. STAT § 125A.0942, SUBD. 5, AND OTHERWISE COMPLY WITH THE REQUIREMENTS OF § 125A.0942.

G. REPORTING TO THE MINNESOTA DEPARTMENT OF EDUCATION (MDE)

ANNUALLY, STAKEHOLDERS MAY RECOMMEND, AS NECESSARY, TO THE COMMISSIONER OF MDE (COMMISSIONER) SPECIFIC AND MEASURABLE IMPLEMENTATION AND OUTCOME GOALS FOR REDUCING THE USE OF RESTRICTIVE PROCEDURES. THE COMMISSIONER MUST SUBMIT TO THE LEGISLATURE A REPORT ON DISTRICTS’ PROGRESS IN REDUCING THE USE OF RESTRICTIVE PROCEDURES THAT RECOMMENDS HOW TO FURTHER REDUCE THESE PROCEDURES AND ELIMINATE THE USE OF PRONE RESTRAINTS. BY JUNE 30 OF EACH YEAR, DISTRICTS MUST REPORT SUMMARY DATA ON THE USE OF RESTRICTIVE PROCEDURES TO THE MDE, IN A FORM AND MANNER DETERMINED BY THE COMMISSIONER. THE SUMMARY DATA MUST INCLUDE INFORMATION ABOUT THE USE OF RESTRICTIVE PROCEDURES, INCLUDING THE USE OF REASONABLE FORCE BY SCHOOL PERSONNEL THAT IS CONSISTENT WITH THE DEFINITION OF PHYSICAL HOLDING OR SECLUSION OF A CHILD WITH A DISABILITY.

LEGAL REFERENCES: MINN. STAT. CHAPTER 13 (MINNESOTA GOVERNMENT DATA PRACTICES ACT)

MINN. STAT. §§ 121A.40-121A.56 (MINNESOTA PUPIL FAIR DISMISSAL ACT)

MINN. STAT. § 121A.582 (STUDENT DISCIPLINE; REASONABLE FORCE)

MINN. STAT. § 121A.61 (DISCIPLINE AND REMOVAL OF STUDENTS FROM CLASS)

MINN. STAT. § 121A.67, SUBD. 2 (AVERSIVE AND DEPRIVATION PROCEDURES)

MINN. STAT. §§ 125A.094-125A.0942 (RESTRICTIVE PROCEDURES FOR CHILDREN WITH DISABILITIES)

MINN. STAT. § 609.06 (AUTHORIZED USE OF FORCE)

MINN. STAT. § 609.379 (PERMITTED ACTIONS)

20 U.S.C. § 1232G ET SEQ. (FAMILY EDUCATIONAL RIGHTS AND PRIVACY (FERPA))

20 U.S.C. § 1415(k)(6) (INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT OF 2004 (IDEA))

34 C.F.R. § 300.535 (IDEA REGULATION REGARDING INVOLVEMENT OF LAW ENFORCEMENT)

CROSS REFERENCES: MSBA/MASA MODEL POLICY 506 (STUDENT DISCIPLINE)

MSBA/MASA MODEL POLICY 507 (CORPORAL PUNISHMENT)

MSBA/MASA MODEL POLICY 515 (PROTECTION AND PRIVACY OF PUPIL RECORDS)

MSBA/MASA MODEL POLICY 525 (VIOLENCE PREVENTION)

MSBA/MASA MODEL POLICY 806 (CRISIS MANAGEMENT POLICY)

RECORDS)

FOLEY PUBLIC SCHOOLS REVISED: 12/13/2021

MSBA/MASA MODEL POLICY 903

MSBA ORIGINAL 1995

FOLEY PUBLIC SCHOOLS ADOPTED BY THE BOARD: 02/28/2022

MSBA REVISED 2017

903 VISITORS TO SCHOOL DISTRICT BUILDINGS AND SITES

I. PURPOSE

THE PURPOSE OF THIS POLICY IS TO INFORM THE SCHOOL COMMUNITY AND THE GENERAL PUBLIC OF THE POSITION OF THE SCHOOL BOARD ON VISITORS TO SCHOOL BUILDINGS AND OTHER SCHOOL PROPERTY.

II. GENERAL STATEMENT OF POLICY

A. THE SCHOOL BOARD ENCOURAGES INTEREST ON THE PART OF PARENTS AND COMMUNITY MEMBERS IN SCHOOL PROGRAMS AND STUDENT ACTIVITIES. THE SCHOOL BOARD WELCOMES VISITS TO SCHOOL BUILDINGS AND SCHOOL PROPERTY BY PARENTS AND COMMUNITY MEMBERS PROVIDED THE VISITS ARE CONSISTENT WITH THE HEALTH, EDUCATION AND SAFETY OF STUDENTS AND EMPLOYEES AND ARE CONDUCTED WITHIN THE PROCEDURES AND REQUIREMENTS ESTABLISHED BY THE SCHOOL DISTRICT.

B. THE SCHOOL BOARD REAFFIRMS ITS POSITION ON THE IMPORTANCE OF MAINTAINING A SCHOOL ENVIRONMENT THAT IS SAFE FOR STUDENTS AND EMPLOYEES AND FREE OF ACTIVITY THAT MAY BE DISRUPTIVE TO THE STUDENT LEARNING PROCESS OR EMPLOYEE WORKING ENVIRONMENT.

III. POST-SECONDARY ENROLLMENT OPTIONS STUDENTS

A. A STUDENT IN A POST-SECONDARY ENROLLMENT OPTIONS COURSE MAY REMAIN AT THE SCHOOL SITE DURING REGULAR SCHOOL HOURS IN ACCORDANCE WITH ESTABLISHED PROCEDURES.

B. A STUDENT ENROLLED IN A POST-SECONDARY ENROLLMENT OPTIONS MAY BE PROVIDED WITH REASONABLE ACCESS, DURING REGULAR SCHOOL HOURS, TO A COMPUTER AND OTHER TECHNOLOGY RESOURCES THAT THE STUDENT NEEDS TO COMPLETE COURSEWORK FOR A POST-SECONDARY ENROLLMENT COURSE IN ACCORDANCE WITH ESTABLISHED PROCEDURES.

IV. RESPONSIBILITY

A. THE SCHOOL DISTRICT ADMINISTRATION SHALL PRESENT RECOMMENDED VISITOR AND POST-SECONDARY ENROLLMENT OPTIONS STUDENT PROCEDURES AND REQUIREMENTS TO THE SCHOOL BOARD FOR REVIEW AND APPROVAL. THE PROCEDURES SHOULD REFLECT INPUT FROM EMPLOYEES, STUDENTS AND ADVISORY GROUPS, AND SHALL BE COMMUNICATED TO THE SCHOOL COMMUNITY AND THE GENERAL PUBLIC. UPON APPROVAL BY THE SCHOOL BOARD, SUCH PROCEDURES AND REQUIREMENTS SHALL BE AN ADDENDUM TO THIS POLICY.

B. THE SUPERINTENDENT SHALL BE RESPONSIBLE FOR PROVIDING COORDINATION THAT MAY BE NEEDED THROUGHOUT THE PROCESS AND PROVIDING FOR PERIODIC SCHOOL BOARD REVIEW AND APPROVAL OF THE PROCEDURES.

IV. VISITOR LIMITATIONS

A. AN INDIVIDUAL, POST-SECONDARY ENROLLMENT OPTIONS STUDENT, OR GROUP MAY BE DENIED PERMISSION TO VISIT A SCHOOL OR SCHOOL PROPERTY OR SUCH PERMISSION MAY BE REVOKED IF THE VISITOR(S) DOES NOT COMPLY WITH THE SCHOOL DISTRICT PROCEDURES AND REGULATIONS OR IF THE VISIT IS NOT IN THE BEST INTEREST OF STUDENTS, EMPLOYEES OR THE SCHOOL DISTRICT.

B. VISITORS, INCLUDING POST-SECONDARY ENROLLMENT OPTIONS STUDENTS, ARE AUTHORIZED TO PARK VEHICLES ON SCHOOL PROPERTY AT TIMES AND IN LOCATIONS SPECIFIED IN THE APPROVED VISITOR PROCEDURES AND REQUIREMENTS WHICH ARE AN ADDENDUM TO THIS POLICY OR AS OTHERWISE SPECIFICALLY AUTHORIZED BY SCHOOL OFFICIALS. WHEN UNAUTHORIZED VEHICLES OF VISITORS ARE PARKED ON SCHOOL PROPERTY, SCHOOL OFFICIALS MAY:

1. MOVE THE VEHICLE OR REQUIRE THE DRIVER OR OTHER PERSON IN CHARGE OF THE VEHICLE TO MOVE IT OFF SCHOOL DISTRICT PROPERTY; OR

2. IF UNATTENDED, PROVIDE FOR THE REMOVAL OF THE VEHICLE, AT THE EXPENSE OF THE OWNER OR OPERATOR, TO THE NEAREST CONVENIENT GARAGE OR OTHER PLACE OF SAFETY OFF OF SCHOOL PROPERTY.

C. AN INDIVIDUAL, POST-SECONDARY ENROLLMENT OPTIONS STUDENT, OR GROUP WHO ENTERS SCHOOL PROPERTY WITHOUT COMPLYING WITH THE PROCEDURES AND REQUIREMENTS MAY BE GUILTY OF CRIMINAL TRESPASS AND THUS SUBJECT TO CRIMINAL PENALTY. SUCH PERSONS MAY BE DETAINED BY THE SCHOOL PRINCIPAL OR A PERSON DESIGNATED BY THE SCHOOL PRINCIPAL IN A REASONABLE MANNER FOR A REASONABLE PERIOD OF TIME PENDING THE ARRIVAL OF A POLICE OFFICER.

LEGAL REFERENCES: MINN. STAT. § 123B.02 (GENERAL POWERS OF INDEPENDENT SCHOOL DISTRICTS)

MINN. STAT. § 124D.09 (POST-SECONDARY ENROLLMENT OPTIONS PROGRAM)

MINN. STAT. § 128C.08 (ASSAULTING A SPORTS OFFICIAL PROHIBITED)

MINN. STAT. § 609.605, SUBD. 4 (TRESPASSES ON SCHOOL PROPERTY)

CROSS REFERENCES:

1. Attending any meeting on the premises or any organization which has been duly authorized by the school administration.
2. Voting or aiding in the conduct of any legally called election.
3. Attending or aiding authorized athletic, recreation, or cultural events.

Written permission granted hereunder may be limited as to time or purpose and may be revoked by the administration granting the same or by the Superintendent of Schools at any time if in his/her opinion such visits are no longer in harmony with the proper conduct of the schools.

An individual or group who enters school property without complying with the procedures and requirements may be guilty of criminal trespass and thus subject to criminal penalty. Such persons may be detained in a reasonable manner for a reasonable period of time pending the arrival of a police officer.

HEALTH AND SAFETY INFORMATION

The complete Health and Safety policies are located on the district website at www.foley.k12.mn.us.

The Foley Public School District IAQ coordinator is Mr. Darwin Fleck. Darwin received his IAQ certificate #I0755 in May of 2000. He can be reached at 320-968-8409 or dfleck@apps.isd51.org

The Foley Public School District ADA Coordinator is the Administrative Assistant to the Superintendent, who can be reached at 320-968-8609.

The Foley Public Schools Health and Safety Consultants are IEA. Jeff Flatten, the IEA District Health and Safety Consultant, is available at 218-454-0703.

The Foley Public School District expects each employee with supervisory duties, or when they are the only individual in that category, to be the expert in their field. Therefore, it is expected that they be abreast of the latest information, technology, rules and regulations pertaining to their job duties. It is further expected, that it will apply to their curriculum.

AHERA, Annual Notification: The school district buildings have been inspected for asbestos containing materials. The only known asbestos containing materials left in the Foley school buildings is: at Elementary ONLY, Thermal System Insulation in the tunnels and some overhead

pipng, above the ceilings, and floor tiles under carpet in some class rooms. This asbestos is kept in good condition through the use of an operations and maintenance program. To find the specific locations of the asbestos containing materials in the district you may contact the school district's consulting firm, IEA, please speak with Jeff Flaten at 218-454-0703. The high school and intermediate school do not have asbestos containing materials in their construction.

Animals: Animals in the classroom will be used for educational purposes only. They are not to be in the area indefinitely. Every effort will be made to determine if there are any sensitive occupants with allergies. Teachers will inform parents when an animal will be used in the classroom. When there are concerns about allergies, asthma or other health related issues, animals will not be allowed in the school.

Fertilizer Application: The school grounds are fertilized spring, summer & fall. Notification of application dates are sent to staff.

Indoor Air Quality: The Foley school district has an IAQ program in force and all areas are addressed to provide a healthy environment. The current IAQ Management Plan is available on the district website at www.foley.k12.mn.us

Latex: Products that contain latex will not be allowed in the schools, (excluding building products.) This includes balloons and any other type of materials that would present a problem for sensitive individuals.

Lead & Copper in Water: The fixtures in all Foley school buildings are tested and all fixtures are within present guidelines.

Radon: Testing has been done in the past, and all areas are within current guidelines.

Pest Management: Integrated pest management has been implemented and all efforts will be made to keep all areas safe. Outside contractors are/will be used to manage and control pests. Notification is given prior to pesticide use. Notifications will be done annually, and postings will be done during application of products. Mass e-mail will be used in house to notify employees, the district newspaper may be used to notify parents and residents of the district. The pest control method used in this district is contracted by--Granite Pest Control. Service visits are scheduled during: Aug. Dec. March and June. Application of EPA-registered pest control materials is "as needed" (this means pest control materials are not necessarily applied on every service visit.)

Plants: Plants will be allowed in the buildings. The number of plants in an area shall be kept to a minimum. If there is a concern that a plant is the cause of concern for a sensitive individual, then it must be removed. It will be the responsibility of the individual with the plant, to determine if there are any occupants that may have an issue with the plant, and to check with the nurse about allergies relating to that plant.

Safety Committee: Each school building has a Safety/IAQ committee; a list of committee members will be posted. This list along with the minutes from past meetings may be available on the district website. Committees meet on a quarterly basis.

Upholstered Furniture: The district will purchase approved furniture for faculty lounges and offices. Faculty and students will not bring upholstered furniture into the district buildings without proper authorization. No unapproved upholstered furniture will be purchased for the classrooms without UL labeling or written verification of proper fire retardant application.

PARENTS RIGHT TO KNOW – NO CHILD LEFT BEHIND PARENT NOTIFICATION

School districts are required to notify parents of ALL children in ALL Title I schools in the beginning of each year, that parents have the right to request and receive timely information on the professional qualifications of the student's classroom teachers. This requirement applies to all parents of the children in the school—whether or not the students receive Title I services—and include all Title I schools, both targeted assistance and school wide.

When the parent of child requests information on their child's classroom teacher's professional qualifications, districts must respond in a timely manner, to the requested information, at a minimum, report the following:

- a. Whether or not the teacher has met Minnesota's licensing requirements for the grade level(s) and core academic subject(s) they teach.
- b. Whether or not the teacher is teaching under a variance status;
- c. The education level and subject area of the teacher's college degree major and any graduate degree or certificate held;
- d. Whether the child is provided services by paraprofessionals, and if so, their qualifications.

Schools that receive Title I funds shall provide to each parent;

- a. Information on the level of achievement of the parent's child on the state academic assessments.
- b. Timely notice that the parent's child has been assigned, or has been taught for four or more consecutive weeks, by a teacher who is not highly qualified.

NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT

PPRA affords parents certain rights regarding the conducting of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education—
 1. Political affiliations or beliefs of the student or student’s parent;
 2. Mental or psychological problems of the student or student’s family;
 3. Sex behavior or attitudes;
 4. Illegal, anti-social, self-incriminating, or demeaning behavior;
 5. Critical appraisals of others with whom respondents have close family relationships;
 6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
 7. Religious practices, affiliations, or beliefs of the student or parents; or
 8. Income, other than as required by law to determine program eligibility.
- *Receive notice and an opportunity to opt a student out of*—
 1. Any other protected information survey, regardless of funding;
 2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings; and
 3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- *Inspect*, upon request and before administration or use —
 1. Protected information surveys of students;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

These rights transfer to from the parents to a student who is 18 years old or an emancipated minor under State law.

Foley Public Schools will/has develop(ed) and adopt(ed) policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

Foley Public Schools will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. **Foley Public Schools** will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. **Foley Public Schools** will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys.

Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by Education Department.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5901

Student Participation in Statewide Testing

This information will help parents/guardians make informed decisions that benefit their children, schools and communities.

Why statewide testing?

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

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

Why does participation matter?

A statewide assessment is just one measure of your student's achievement, but your student's participation is important to understand how effectively the education at your student's school is aligned to the academic standards.

- In Minnesota's implementation of the federal Every Student Succeeds Act, a student not participating in the statewide assessments will not receive an individual score for the purposes of school and district accountability calculations, including opportunities for support and recognition, will not be considered "proficient".
- Students who receive a college-ready score on the high school MCA are not required to take a remedial, noncredit course at a Minnesota State college or university in the corresponding subject area, potentially saving the student time and money.
- Educators and policy makers use information from assessments to make decisions about resources and support provided.
- Parents and the general public use assessment information to compare schools and make decisions about where to purchase a home or to enroll their children.
- School performance results that are publicly released and used by families and communities, are negatively impacted if students do not participate in assessments.
- English learners not taking ACCESS or Alternate ACCESS for ELLs will not receive a score to meet English learner program exiting criteria.

Academic Standards and Assessments

What are academic standards?

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

What is the relationship between academic statewide assessments and the academic standards?

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

Minnesota Comprehensive Assessment (MCA) and Minnesota Test of Academic Skills MTAS)

significant cognitive disabilities.

- Based on the Minnesota Academic Standards; given annually in grades 3–8 and high school in reading and mathematics; given annually in grades 5, 8 and high school for science.
- Majority of students take the MCA.
- MTAS is an option for students with the most

ACCESS and Alternate ACCESS for English Learners

- Based on the WIDA English Language Development Standards.
- Given annually to English learners in grades K–12 in reading, writing, listening and speaking.

- Majority of English learners take ACCESS for ELLs.
- Alternate ACCESS for ELLs is an option for English learners with the most significant cognitive disabilities.

Why are these assessments effective?

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

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

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

Are there limits on local testing?

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

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

What if I choose not to have my student participate?

Parents/guardians have a right to not have their student participate in state-required standardized assessments. Minnesota Statutes require the department to provide information about statewide assessments to parents/guardians and include a form to complete if they refuse to have their student participate. This form follows on the next page and includes an area to note the reason for the refusal to participate. Your student's district may require additional information.

A school or district may have additional consequences beyond those mentioned in this document for a student not participating in the state-required standardized assessments. There may also be consequences for not participating in assessments selected and administered at the local level. Please contact your school for more information regarding local decisions.

When do students take the assessments?

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

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

When do I receive my student's results?

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

How much time is spent on testing?

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

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

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

Where do I get more information?

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



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

Parent/Guardian Refusal for Student Participation in Statewide Assessments

To opt out of statewide assessments, the parent/guardian must complete this form and return it to the student's school.

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

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

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

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

Student's District/School _____ Grade _____

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

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

Reason for refusal:

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

_____ MCA/MTAS Reading

_____ MCA/MTAS Science

_____ MCA/MTAS Mathematics

_____ ACCESS or Alternate ACCESS for ELLs

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

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

If my student is in high school, I understand that by signing this form my student will not have an MCE score that could potentially save time and money by not having to take remedial, non-credit courses at a Minnesota State college or university.

Parent/Guardian Name (print) _____

Parent/Guardian Signature _____

To be completed by school or district staff only.

Student ID or MARSS Number _____