LAKEVIEW ELEMENTARY SCHOOL #2167

STUDENT HANDBOOK

2026-2027

LAKEVIEW ELEMENTARY SCHOOL HANDBOOK

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Welcome to the 2026–2027 School Year!

We are excited to welcome our students, families, and staff to another outstanding year at Lakeview Elementary! As we begin the 2026–2027 school year, we look forward to working together to create a positive, supportive, and engaging learning environment where every student can thrive.

The partnership between our school and families is one of the greatest strengths of our educational community. We appreciate your continued support and involvement as we help students grow academically, socially, and emotionally throughout the year.

This handbook contains important information regarding school policies, procedures, expectations, and resources. We encourage families to review the handbook together and keep it as a reference throughout the school year.

Your support in helping students understand and follow these guidelines contributes greatly to a safe, respectful, and successful school environment. If you have any questions or need additional information, please contact the elementary office, we are always happy to assist.

Thank you for being an important part of the Lakeview Elementary family. We look forward to a fantastic 2026–2027 school year filled with learning, growth, and success for all students!

Sincerely,
Corey Boe
K-6 Elementary Principal and K-12 Curriculum Director

Lakeview School District's Annual Notice to Parents

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age (eligible students) certain rights with respect to the student education records:

- The right to inspect and review the student's education records within 45 days of the day the school receives a request for access.
- The right to request the amendment of the student's education records that the parent, or eligible student, believes are inaccurate or misleading.
- The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA.
- Obtain a copy of the school district's policy on data practices.
- Prevent publication of any or all directory information, listed below, regarding a student by providing written notice to the building principal within 30 days of this notice.
- Students have the responsibility to follow established building and district procedures regarding access to their school records.

The information listed below may be made public as “directory” information. A parent may refuse to have any or all of the above directory information made public by notifying the building principal in writing within 30 days of this notice.
1) name, 2) gender, 3) address, 4) telephone listing, 5) date and place of birth, 6) dates of attendance, 7) grade levels completed, 8) participation in officially recognized activities and sports, 9) weight and height (if a member of an athletic team), 10) degrees and awards received, 11) most recent previous educational agency or institution attended, and 12) photos in the normal course of school activities and other similar information to include data recorded by cameras on school property, including school buses.
Lakeview Public School has a policy of forwarding a student’s educational records to other educational institutions which request them and to which the student is seeking to or intends to enroll or is currently enrolled. A copy of the district’s policy regarding access to student records is available at the district office (875 Barstad Road, Cottonwood, MN 56229).

Lakeview School 2026-2027 School Calendar

August 18, 19, 25	Teacher Workshop Day
August 26	First Full Day of School
September 7	Labor Day – No School
September 25	Mid-Term (1st Quarter)
October 14	MRVED Consortium - No School
October 15-16	Education MN Conference – No School
October 23	End of 1st Quarter
October 26	First Day of 2nd Quarter
November 5 & 12	K-12 Parent Teacher Conferences 4- 8 p.m
November 20	Mid-Term of 2nd Quarter
November 25	1 p.m. Dismissal - Thanksgiving
November 26-27	Thanksgiving Vacation
December 23	1:00 p.m. - End of 2nd Quarter
December 24-Jan 4	Winter Break – No School
January 5	First Day of 3rd Quarter (2nd Semester)
January 18	No School – MRVED Consortium
February 5	Mid-Term (3rd Quarter)
February 15	President’s Day – No School
March 12	End of 3rd Quarter, Classroom Requests Due
March 15	No School – Teacher In-Service
March 16	First Day of 4th Quarter
March 25	No School – MRVED Consortium
March 26-29	Spring Break - No School
April 1	12:30 p.m. Dismissal - Solo Ensemble Contest
April 23	Mid-Term of 4th Quarter
May 21	End of 4th Quarter – Last Day of School 1:00 Dismissal
May 21	Graduation (Commencement) – 5:00 p.m.
May 24	No School – Teacher In-Service

This schedule is subject to change. Adverse weather conditions may alter vacation days.
You will be notified of any change during the school year.

Staff Directory 2026-2027

Board of Education

Chairman	Jason Louwagie
Vice-Chairman	Al Grube
Secretary	Vicki Myers
Treasurer	Joel Timm
Directors	Korey Herrick, Jay Meiners, Sean Brovold

Administrative Staff

Superintendent	Mr. Chris Fenske
7-12 Principal	Mr. Scott Hanson
K-6 Principal/Curriculum Director	Mr. Corey Boe
Comm. Ed. Director/Lunch-MARSS Coordinator	Mrs. Karen Meiners
Business Manager	Mrs. Paula Geistfeld
Activities Director	Mr. Matt Konrad
Tech Coordinator	Mr. Darren Fransen and Mr. Joe Hafner
Counselor/Social Worker	Mrs. Becca Johnson
Counselor/Social Worker	Mrs. Shelley Butjer
School Psychologist	Mrs. Jill Przybilla
Superintendent's Secretary	Mrs. Heidi Beck
Elementary Secretary	Mrs.Mandie Krutchek
Cultural Liaison	Mrs. Sylvia Jimenez
Health Office	Ms. Holli Olson

Elementary Faculty & Staff

Physical Education	Mrs. Traci Olson, Mr. Erik Lundberg
Art Teacher	Ms. Jeshsalem Salisbury
Computer Education	Mrs. Karen Gustafson
English Learner	Mrs. Karen Hartke
Preschool Teachers	Mrs. Diana Foy, Ms. Tanna Nolz, Mrs. Shawnee Dechant, Mrs. Sarah Keleher
Title I Teachers	Mrs. Christine Fenske, Mrs. Heidi Louwagie
Kindergarten Teachers	Mrs. Shana Anspach, Ms. Angela Prokop, Mrs. Chelsey May
First Grade Teachers	Mrs. Billie Jo Varpness, Mrs. Lindsay Sabin, Mrs. Gina Huso
Second Grade Teachers	Mrs. Michelle Kurowski, Miss. Erin Geary, Mrs. Emily Enger
Third Grade Teachers	Mrs. Krista Isaacs, Ms. Alexis Staples, Julie Neisius & Korysa Caron (Student Teacher)
Fourth Grade Teachers	Mrs. Beth Kesteloot, Mrs. Chelsey Christensen, Mrs. Kylie Howk
Fifth/Sixth Grade Teachers	Mr. Cory Hendrickson (Science), Mrs. Stephanie Lundberg (ELA), Mrs. Caroline Newton (ELA) Mr. Andrew Dallmann (Math), Ms. Ella Mages (Social Studies)
Special Ed. Instructors	Ms. Sarah Wahlstrom, Mrs. Danielle Benson, Ms. Heather Rinke, Ms. Meagan Gile, Ms. Cassie Evans
Instrumental Music	Mr. Brett Jacobson
Vocal Music	Mrs. Krishana Dempcy and Cheyenne Blanchard
Library Aide	Mrs. Sylvia Jimenez

Food Service

Head Cook	Ms. Shelbie Walters

Maintenance Staff

Head Custodian	Mr. Darrell Dirckx
Groundskeeper	Mr. Darrell Dirckx

School Hours

8:15 – 3:15. Please try not to drop students off at school before 7:45 a.m. There is no supervision available at the school for students before 7:45 a.m. or after 3:15 p.m. Please note that athletic events do not start until later in the day. Elementary students should not stay in the building without adult supervision until athletic events start.

Accidents or Illness at School

School personnel will attend to children who receive injuries. Parent/guardian(s) are called if a student requires more than basic first aid or if a student becomes ill at school. Parent/guardian(s) are called in the order listed in the emergency contacts. If the first person listed as the emergency contact cannot be reached, the second person on the list will be contacted, then the 3rd person, etc. until an adult is contacted. A student will not be sent home without an adult taking responsibility. The emergency contact we speak to is responsible for arranging transportation home and for notifying other family members if needed. The Health Office is not always aware of complicated family dynamics and custody agreements and is not responsible for relaying information to multiple parties. Therefore, it is important to work out a family communication plan ahead of time and keep your contact information updated in Parent-Vue or by calling the school offices.

If a child has a fever of 99.9 degrees or higher, has vomiting or diarrhea, or is otherwise unable to participate in class due to illness, he/she will be sent home and should stay at home until he/she has been fever free without fever-reducing medications for 24 hours, is no longer having vomiting or diarrhea, and is fully able to participate in class. If your child has an uncomfortable or new rash, they should stay at home until it has been evaluated and/or treatment is controlling the symptoms. If your child has strep throat, ear infection, eye infection, or other bacterial infection that requires antibiotics, they should be on antibiotics for a minimum of 24 hours before returning to school. Remember they must also meet all of the other requirements: fever free for 24 hours without fever reducing medications, symptoms and pain are controlled so that they can participate in class. A child with impetigo or an open wound must keep the wound covered at all times while at school and at sports. If a child has head/body lice, fleas, or bedbug bites, they may only return to school after their body has been treated with medicated shampoo/soap and/or their clothes/backpacks and household has also been treated.

Students who are ill and need to go home will remain in the Health Office until parents/guardians/emergency contact pick them up and **sign them out** of the building. Students should be picked up in a timely fashion. The offices are not routinely staffed past 3:45. Neither the school nor Palmer Bus Service can transport sick students. Please have transportation issues worked out in advance.

When students return to school from a doctor's appointment, etc., they must be **signed in** at the elementary office with a note. ***Please remember that PARENTS/GAURDIANS of Pre-K through 6th grade students **MUST come in to the elementary office to sign the student in and out of school**. The student cannot meet you outside nor can you drop them off at the curb during school hours.***

Students with diagnosed chronic conditions (i.e. diabetes, asthma, seizures, heart conditions) must provide the Health Office with updated notes and orders after their visits with their providers. Remember that chronic medical conditions require forms to be completed at least yearly and anytime medications or treatments change. Particularly if the change could affect the activities/work/behavior of the student while at school.

After-School Arrangements

If students are going to another student's home, on another bus, to an appointment, or any destination other than the place they normally go after school, the student must provide a permission note from the parent by 3:15pm. If your child is having friends over, please make arrangements to pick the children up or call **Palmer Service at 507-423-6080 or 507-828-6548** to be sure there is room on the bus.

Attendance - Refer to Policy 503

All students are expected to attend school regularly. Regular school attendance is closely related to success in school and is part of your child's school record. **If your child is absent for any reason, contact the school office at 423-5164, extension 1150**. Please call the morning of the day they are absent.

Absences or tardies not confirmed by the parent will constitute an unexcused absence. All calls and notes must be received on the day of or the day following the absence. **Calls and notes after the second day will not be accepted, and the absence will be considered unexcused.** The school reserves the right to request verification on all calls and notes.

When an absence/tardy is anticipated, **please tell us in advance** so your child's teacher can help them plan for their absence. Whenever possible, please schedule a dentist, doctor, or other types of appointments after school hours.

On occasion, you may have to take your child out of class for a short period of time or before the end of the school day. **Please come to the office and sign them out.** No child will be allowed to leave his or her classroom early without clearance from the school office.

Because we want to be sure children are either at home or school, the following policy has been established for children who are absent:

1. We request that you call the school when your child will be absent for more than one day.
2. We will attempt to call those students from whom we do not receive calls.
3. If we are unable to reach the family by phone, the elementary secretary, principal, or social worker may call upon the home. Law enforcement may be called to make a welfare check if they are unable to make contact with a parent/ guardian. Again, the intent of the policy is to ensure your child's safety.

The primary responsibility for assuring that each student fully attends classes and acquires the knowledge and skills necessary for effective citizenship rests with the individual student and his or her parent/guardian.

1. **Minnesota Compulsory Attendance Law** requires that truancy be reported to law enforcement authorities. (Minn. Stat. 8120.103, subd. 5)
2. Once absences reach 10 total, you will receive a letter in the mail.

Subd. 19. Habitual Truant. "Habitual truant" means a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school under section 120A.22, subdivision 8. Referral to county attorney will be made if habitual.

CLASSIFICATION OF ABSENCES AND TARDIES

A. Excused Absences: With the exception of students who are emancipated from their parents, all students must provide the building principal with a note which is signed by the student's parent/guardian and which states a valid reason for the absence. An emancipated student is one who does not live with and also is not economically dependent upon his or her

parent, a guardian, a family member or other adult. An emancipated student must also provide the building principal with a note stating a valid reason for the absence but may sign the note himself or herself. If a student fails to provide the principal with such a note before or upon the student's return to school or within the next two school days, the absence will be counted as unexcused. An absence will be excused if the student provides a timely note which is signed by a parent/guardian and states that the absence is/was the result of one of the following conditions:

1. A parent, guardian, or other person having control of a child may apply to a school district to have the child excused from attendance for the whole or any part of the time school is in session during any school year. Application may be made to any member of the board, a truant officer, a principal, or the superintendent. A note from a physician or a licensed mental health professional stating that the child cannot attend school is a valid excuse.
2. Illness, injury, or hospitalization of the student.
3. Disability of the student. If a student suffers from a permanent or temporary disability which prevents the student from regular attendance, verification from the student's physician specifying the nature of the disability and the anticipated duration of the disabling condition will be required once per school year. For each absence, the student's parent must provide the building principal with a signed note verifying the reason for the absence.
4. Medical, dental, counseling (includes telehealth) and other professional appointments (not haircuts) which cannot be scheduled outside of school hours.
5. Family emergency, serious illness of family member, or death in the family.
6. Work at home. A student may be excused to work at home only when the student's assistance is essential to the family's welfare. No more than two class periods in the same course will be allowed as excused absences for work during a quarter unless the building principal has a conference with the parent/guardian and determines that extra days are justified.
7. Religious holidays.
8. Attendance at a course of religious instruction for up to three hours each week as provided by Minn. Stat. 120.101, subd. 9(3). Before attending such a program, the parent/guardian must obtain permission from the School Board.
9. Mandatory court appearances.
10. Family trips taken with a parent if the principal, or principal's designee, has approved the trip or visit in advance. A maximum of five days in one quarter, not to exceed a total of ten days per school year, will be excused to permit a student to travel with a parent on a family trip. Parents are strongly encouraged to schedule such trips during school breaks and vacations. At the building principal's discretion, an absence for a family trip which exceeds five days may be counted as excused.
11. Compliance with any provision of a disabled student's Individual Education Program Plan or Section 504 Accommodation Plan.
12. Special education assessment performed by or at the direction of School District personnel.
13. Pre-approved testing, including college testing and military testing. Approval must be sought from the building principal at least twenty-four hours prior to the absence.
14. Any pre-approved absence which, in the principal's opinion, will provide educational value to the student including state fair trips, 4-H events, etc. Approval must be obtained from the building principal at least twenty-four hours prior to the absence.
15. Participation in a school-sponsored activity. Examples include, but are not limited to, absence from class in order to participate in a school-sponsored field trip, foreign exchange program, student council, Knowledge Bowl, athletic contest, or school-sponsored music performance. The student must have been in attendance for the three class periods preceding the school-sponsored event in order for participation to be considered to be excused.
16. Work on an educational assignment or exam with another teacher in the building which spills over into another class period. In this instance, a note from the teacher rather than from the parent is required.
17. Visits to the principal's or assistant principal's office and scheduled visits to the office of the counselor or school social worker.
18. Suspensions. Absence from class as a result of an in-school or out-of-school suspension is counted as excused.
19. College visits must be approved in advance by the Guidance Counselor. Two college visits will be excused. Additional college visits will need Principal approval.

20. Active duty in any military branch of the United States.
21. that it is the wish of the parent, guardian, or other person having control of the child, that the child attend for a period or periods not exceeding in the aggregate three hours in any week, instruction conducted by a Tribal spiritual or cultural advisor, or a school for religious instruction conducted and maintained by a church, or association of churches, or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof. This instruction must be conducted and maintained in a place other than a public school building, and it must not, in whole or in part, be conducted and maintained at public expense. A child may be absent from school on days that the child attends upon instruction according to this clause.

Unexcused Absences.

Any absence which is not excused under this policy will be counted as unexcused such as: oversleeping, don't want to go to school, need for rest or sleep, a malfunctioning alarm clock, missing the bus, shopping, visiting friends, appointment at a tanning booth, haircuts, slow restaurant service, work, weather, prom related activities, etc. are not a basis for an excused absence.

Excused Tardy

If a student is tardy to class but has a written note from a teacher, counselor, nurse, school psychologist, or school administrator, the tardy will be excused. If a student arrives to school late and has a valid excuse signed by a parent, a school administrator will provide the student with a written note excusing the tardy. An excuse signed by a parent will be deemed valid if it states that the student's tardiness was caused by one or more of the conditions, listed above, which give rise to an excused absence.

Unexcused Tardy

Any tardy which is not excused under this policy will be considered unexcused.

False Excuses

Any student who submits a false excuse or forges the signature of a parent/guardian or school personnel will be subject to disciplinary action.

Excessive Absences

Students who have been absent for a **total of 10 days (for any reason (even excused)** will receive a letter concerning attendance. After missing a class(es) on day 14, students may be required to present "doctor's note" or medical excuse physician' for any illness to be considered excused. Visits to the Health Office at school does **not** automatically result in an excused absence. Other than verified medical excuses, all other absences over 14 days will be unexcused and count towards habitual truancy. Consider this when planning those unnecessary days away from school. School activities do not count in absence total.

If your child will be gone for more than 5 days, please clear it with administration first, if it is not, those days will go down as unexcused.

Returning to Class

Upon entering the building after being tardy or absent, students must sign in and pick up a pass or admit slip from the office before reporting to class.

Leaving the Building

Students must have prior permission to leave school. That permission is granted by the secretary, Health Office, or the Principal's designated representative. Students are not allowed to come to the office and just "sign out". **Parents/Guardians must send the office secretary an email/note or a phone conversation must take place with a parent/guardian before a student is allowed to leave the building**. Students should not call or text home saying they want to go home. Leaving the building without permission will result in disciplinary action.

Birthdays/Treats

Elementary students may bring treats for classmates as long as they bring a treat for everyone in the class. **Homemade treats are not permitted.** If your child is having friends over for a party see the AFTER SCHOOL ARRANGEMENTS section of this handbook.

Books and Equipment

Each student is responsible for taking good care of the books and for returning all books and equipment. Items, which are lost or destroyed, will be valued based on age. An appropriate fine will be charged to the student who has lost or misused the material.

Classroom Placements

Classroom placement or friend requests will no longer be taken. Class lists will be created with the input of administration, your child's classroom teacher and other grade level teachers. In addition to student personality conflicts, classrooms are balanced in regards to teaching styles, behavior issues, academic and social needs, and gender balance. The staff thanks you for your continued trust in their work and placement of your child for his or her academic and social well-being.

Curriculum

Students at Lakeview Elementary are taught a balanced curriculum. Instructors regularly review the curriculum with guidance from the Minnesota River Valley Education District, SWWC and MDE. Specific curriculum questions should be directed to your child's instructor. If you have concerns regarding the curriculum please address the instructor.

Cheating and Plagiarism

Cheating and plagiarism are prohibited. Students who cheat or commit plagiarism on any test or assignment will be given a failing grade for that test or assignment and will be disciplined in accordance with the school district's "Student Discipline" policy.

Data Privacy

Notice is hereby given that Independent School District #2167 pursuant to the U.S. General Education Provisions Act and Minnesota Government Data Practices Act, declares the following as "Directory information" as said Act, and that information related to students may be made public if said information is in any of the following categories:

- Student's name, address, and telephone listing
- Participation in officially recognized activities & sports
- Weight and height of members of athletic teams
- Grade levels completed
- Date and place of birth
- Gender
- Dates of attendance
- Degrees & awards received
- The most recent previous educational agency or institution attended by a student

- Photos in the normal course of school activities and other similar information to include data recorded by cameras on school property, including school buses

Video Monitoring/Recording

All individuals in the building, outside areas, and school transportation are subject to video monitoring/recording in the common areas and hallways.

Discipline

Please refer to the Lakeview School's Discipline Policy or matrix. A copy of the complete discipline policy/matrix that was adopted by the school board is available for your review on the school website. If you would like a copy of this policy, please contact the school or look on the school website.

Bullying

Bullying means intimidating, threatening, abusive or harming conduct that is objectively offensive and an actual or perceived imbalance of power exists; a pattern is formed over a period of time, or materially and substantially interferes with a student's educational opportunities, performance, or ability to participate in school functions or activities.

Instances of bullying must be reported immediately, meaning as soon as possible, but in no event longer than 24 hours. This reporting can be done to the school social worker, guidance counselor, building principal, or through our anonymous Care Card reporting system. Care Cards can be found on the homepage of our school website. Because bullying often includes a pattern of behaviors, initial instances of bullying may be categorized according to the behaviors listed above, i.e. inappropriate language towards students, etc.

A copy of the full bullying policy of Lakeview Public Schools is attached as an appendix 514.

Dress for Indoors and Outdoors

Lakeview takes pride in the appearance of our school and students; the responsibility for the appearance of our students rests with the parents and the students themselves. A person's dress affects the quality of the school or work, his or her conduct, and his or her work. Inappropriate dress is defined as any clothing that distracts from or disrupts education and learning, including but not limited to the following:

1. No article of clothing with alcoholic beverages, drugs, or tobacco advertisements, or inappropriate saying will be allowed. Instructional staff and school administration will be the judge of what is acceptable.
2. No article of clothing containing derogatory statements, sexual innuendos, etc. will be allowed. Instructional staff and school administration will be the judge of what is acceptable.
3. No hats or hoods will be allowed to be worn in the school building during school hours. Hats should be placed in lockers upon entering the building.
4. No bandanas or sunglasses will be allowed to be worn in the school building by girls or boys during school hours. 5. Any clothing that allows undergarments to be visible is not allowed.
6. Shoes or sandals need to be worn in the building.

Proper and appropriate dress not clarified in 1-6 will be at the discretion of the administration. In the event of an individual conference on student dress, parents will be notified. This notification will be for informational and educational purposes. Ongoing violations may result in further disciplinary action, including a parent conference.

It is important that your child comes to school dressed for outdoor activity as well as indoor activities.

Suggestions for How to Dress for Recess:

If the "Real Feel" temperature is…

- **Above 50 degrees: student's choice**
- **40-50 degrees**

  Jacket, sweatshirt, long sleeves, or coat are suggested
- **30-40 degrees**

  Winter jackets, hats, gloves/mittens, and covered legs (tights, jeans, or pants) are advised
  - boots and snow pants are not required if no snow
  - If snow, and no snow pants or boots available, then students will be asked to stay on the sidewalks/blacktop during recess to avoid getting their clothes and shoes wet or muddy.
- **Below 30 degrees**

  full snow gear (winter jacket, snow pants, hat, mittens, and boots) is recommended for warmth.

Specific Considerations:

- It is recommended to keep separate/additional outer wear at school if possible so the kids cant forget
- The school does not have the capacity to provide/borrow gear for every student however please email our social worker if you need assistance. We will try to find something.
- Parents are responsible for making sure your kids are prepared for the weather. Kids don't have the option to skip recess. Make sure they are dressed like they would be for playing at home.
- Label all items and make them easy to get on and off.
- Check the lost and found regularly, many lost items get thrown or donated each year.

Emergency Drills/ALICE

At Lakeview, the safety of our students, staff, and visitors is among our highest priorities. We work collaboratively to foster a safe, secure learning environment as we deliver on our mission to equip each student with the tools of life.. This is a less passive approach to a crisis situation that provides our staff with more options based on the circumstances of the incident. The ALICE acronym stands for Alert, Lockdown, Inform, Counter, and Evacuate. The threat of an active shooter or intruder in our schools is rare but a reality in today's society. Therefore, empowering our staff with proactive response strategies, rather than a passive one-size fits all approach, is a positive change to our district's emergency response and crisis management plans. Ultimately, we hope to never have to utilize an emergency response plan, but in the event we do, please be assured that staff will be well prepared to act in the best interests and safety of our students.

What is A.L.I.C.E.?

A.L.I.C.E. is a school safety program created in 2000 to offer additional options for students and staff dealing with an armed intruder situation. Two of the individuals who founded and developed the program are long-term law enforcement professionals. A 30-year educational professional is a member of the team and works to ensure that A.L.I.C.E. teaching/training materials are age-appropriate, psychologically sound, and address the issues of individuals with special needs.

A.L.I.C.E. is an acronym that stands for:

- ALERT: Get the word out that a threat exists.
- LOCKDOWN: Secure a place to stay as much as possible as a starting point to buy time.
- INFORM: Give constant, real-time information throughout the building using all available technology.
- COUNTER: This is a last resort. Individuals are unable to escape. Countering may be as simple as creating a distraction to allow opportunities to escape.
- EVACUATE: The goal is to move students out of the danger zone. It's important to be prepared to escape.

Fire Drill

The purpose is to get all students out of the building in an orderly fashion. Students should keep in line and follow their teacher. DO NOT RUN! Do not try to take coats, books, or materials with you. Further instructions will be given by your teachers and should be followed carefully. Fire drills will be held periodically without advance notice. All rooms have rules posted with instructions concerning fire exits.

Enhanced Lock Down Drill

A school lock down would occur when there is an intruder in the building, community emergency, or any other time administration feels it is necessary to keep students in their classrooms to ensure their safety. During a drill, students and/or staff in hallways enter the closest classroom, classroom doors are locked, and students will receive instruction from the staff in the classroom/area.

Secure Building Drill

A secure building would occur when there is a need to keep students in a classroom/area while something is occurring outside the rooms. (Examples: medical emergency, loss of power, law enforcement present)

Tornado Drill

In the event of a tornado, students will be directed to the interior areas of the building. Teachers are to escort their students quickly and calmly to the directed area, sit down quietly and wait for further instructions.

Shelter-in-Place

In the event of a need to shelter within the building, students will be directed to the large gym. Teachers are to escort their students quickly and calmly to the directed area, sit quietly, and wait for further instructions.

Enrichment Programs

Band – This program is available for 5th & 6th-grade students. They may sign up in the spring of fourth grade and start the next fall with lessons. Instruments must be rented or purchased by the family. As this is considered an academic area, students who are absent for non-medical reasons during the school day may still participate in the band or choir concert the night of, if approved by the music director.

Field Trips – These are organized by grade level throughout the school year to coordinate with the present curriculum. Parents are requested to sign permission slips and return them to school. Some field trips may require a nominal fee to cover the admission fee. For chaperones, the grade level teachers will decide how many are needed, if there are more people signed up then needed, it will be up to the grade level to randomly draw who will be going. **Students are not allowed to ride with parents to the field trip, unless pre approved by principal.** For students with allergies, medications, special diets, or complex medical issues please talk with the teacher and Health Office to make arrangements for medical care while on the trip. A teacher or paraprofessional may need additional training before the trip. A nurse or health aid can NOT be promised on most field trips so a parent meeting may need to occur. In most cases, the teacher will have a first aid kit with them.

Other Enrichment Opportunities – Each year, enrichment opportunities change. Please watch for information concerning enrichment in the notes sent home with your child.

Fundraising

All fundraising activities conducted by student groups and organizations and/or parent groups must be approved in advance by filling out the fundraising form from the main office and approved by the administration.

Health Office

Overall Health and Safety at School:

The Health Office is generally open during regular school hours and days. However, Lakeview can NOT guarantee the availability of a nurse/provider for every bump, bruise, fall, scrape, collision, or mishap that occurs in school. There are multiple first aid kits located around the school and most of the staff are trained in first aid. They are also trained to handle many other emergencies like CPR, seizures, and allergic reactions.

Parent(s)/Guardians **are required to update their student's Health History yearly** by completing…one of the following: the Online Registration in Parent-Vue, submitting a paper or electronic Health History Form, or providing a similar history form from their doctor or early childhood screening.

- Updated vaccination records if any received in the last 12 months
- Provide the last date of Eye, Hearing, and Dental screenings/exams done outside of school
- If the student has **ANY significant medical conditions**, contact the Health Office and have a copy of the last provider's notes.
    - Most complex medical issues, special diets, food allergies, etc. require YEARLY updates, paperwork, and discussions with the teachers/staff BEFORE the start of school.
    - Notifications should be done far in advance to allow for planning and training as needed to ensure a safe learning environment for the student.

Illness: See Also prior section on Illness and Injury

Parents/Guardians need to call in daily to the elementary office to inform the secretary of the absence. The secretary will then pass on the information to the Health Office. Parents should also inform the teacher and the bus garage.

The Health Office is mandated by the state to track illness/symptom rates in the school. **When you call or email, please provide the secretary with symptoms: fever, sore throat, headache, cough, vomiting, diarrhea, severe muscle aches, severe fatigue etc. Be as detailed as possible.** If the student has had positive test results, please notify the secretary or the Health Office immediately. Your privacy is protected. In certain situations a report to the State Health Department is required but they will contact the family outside of school. Examples include Strep, influenza, COVID, measles, chicken pox, pertussis, salmonella, e. Coli etc.

To reduce the risk of spreading infection to the rest of the school…

Students who have symptoms of respiratory or gastrointestinal infections, such as cough, fever, sore throat, vomiting, or diarrhea, should stay home. ***(The first 5 days of illness are the most contagious)***.

1. ***Stay home*** *until symptoms have significantly improved.*

AND *you can effectively participate in the school day.*

AND, *and you are fever free for at least 24 hours without fever reducing medications.*

2. *Currently there is* ***no mandated*** *quarantine or mask requirement. However, 5 days of isolation and a mask is recommended by the Centers for Disease Control for the above symptoms to help reduce spread of infections.*

3. ***Test*** *for COVID, Flu, RSV, Strep and other infections early in the illness. Treatment is sometimes available and can shorten the duration of the illness. (Submit those doctor's notes)* **If you** have any positive results, please notify the health office.

    a. *If someone in your household is waiting on test results or tests positive for a viral illness monitor the rest of the family closely for symptoms. Infections are most contagious in the first few days so consider keeping the student home and/or wearing a mask even with minor symptoms.*

4. ***Get vaccinated*** *to help your body fight infections. However, vaccination status does not affect these guidelines.*
5. Uncomfortable or new rash, student should stay at home until it has been evaluated and/or treatment is controlling the symptoms (stay home until symptoms have significantly improved and fever free, etc.)
6. If your child has strep throat, ear infection, eye infection, or other bacterial infection that requires antibiotics, they should be on antibiotics for a minimum of 24 hours before returning to school. (fever free 24 hours and symptoms significantly improved etc.)
7. A child with impetigo or an open wound must keep the wounds covered at all times while at school and at sports.
8. If a child has head/body lice, fleas, or bedbug bites, they may only return to school after their body has been treated with medicated shampoo/soap and/or their clothes/backpacks and household has also been treated.

For more information on a specific illness, get instructions from your medical provider, visit the Health Office website: https://www.lakeview2167.com/students-and-parents/health-office or contact the Health Office directly at healthoffice@lakeview2167.com **or** 507-423-5164 ext. 1154. **If you are unsure if your child should return to school after an illness, contact the Health Office or Elementary Office Secretary and do NOT send the student to school until you hear back from us.**

A student will be sent home if they have fever/chills, vomiting, excessive diarrhea, or other symptoms that impair his/her ability to participate in class. Students may also be sent home for undiagnosed rashes or other infectious disease concerns. Each student is evaluated independently and the Health Office may contact the parent/guardian for further discussion. Recurrent visits to the Health Office and excessive absences are taken into consideration. Students without fevers and only minor, resolving, or vague symptoms may be encouraged to stay. If that student decides to contact their parents and go home anyway, that absence may not be excused if that student already has excessive absences. Students are only allowed to go home ill after they are evaluated in the Health Office or in some cases, by teaching staff. The Health Office, teacher, or other assigned staff will contact the parent/guardian. **Students should not call their parents/guardians to go home directly, unless they are in the office and have approval.**

Students will remain in the Health Office until parents/guardians/emergency contact pick them up and **sign them out** of the building. Students need to be picked up in a timely fashion. The offices are not routinely staffed past 3:30. Neither the school nor Palmer Bus Service can transport sick students. Please have transportation issues worked out in advance.

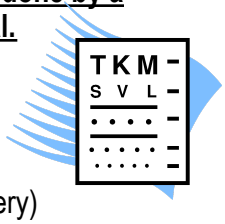
Injuries:

Minor injuries: scrapes, bumps, falls, etc. may be managed by any staff member utilizing the various first aid kits located around the school. For more serious issues, the student will be evaluated in the Health Office. Parents are

usually only notified if the injury requires more than basic first aid, if the injury requires monitoring or care at home, or if the child needs further evaluation/treatment at a medical facility. For Emergency Care, the parent/guardian will be notified as soon as possible and a staff member will stay with the student until the parent arrives.

SCREENING

Screenings do not diagnose vision/hearing loss and they are not a substitute for a complete exam done by a specialist. Screenings are meant only to catch losses that a child might not recognize as abnormal.



Vision screening is NOT recommended for children with

- known vision loss
- glasses/contacts
- medical condition/history frequently related to vision complications (ex. Diabetes, premature delivery)
- who have active complaints such as eye pain, discharge, or blurry vision
- Who have significant developmental delays or unable to follow directions to complete a matching game

These children should establish care or continue to see their outside eye doctor and supply the Health Office with the updated notes for the student's health records.

Hearing screening is NOT recommended for children with

- Known hearing loss, hearing aides, cochlear implants
- History of chronic ear infections and/or tubes and has not passed a formal hearing test by an audiologist previously
- Medical condition/ history or family history associated with hearing loss
- Has speech or developmental delays impairing his/her ability to follow instructions and give test responses
- Suspect current hearing loss, ringing in the ears, ear pain, ear drainage etc.

These children should see their primary care provider, pediatrician, or ENT provider for a formal audiology referral. Copy of the results should be provided to the Health Office.

Per the Minnesota Department of Health, vision and hearing screening is not required in MN schools except for..

- Children must have both hearing and vision screening at least one time before or shortly after starting kindergarten. This may have been done in early childhood (preschool) screening.
- New students should have vision and hearing screening unless their records indicate they have had it done recently elsewhere.
- Students being evaluated for special education/ Individualized Education Plans (unless they need to be referred for formal evaluations based on the criteria above)

As time and staffing permits, the Health Office staff may complete additional vision and hearing screening for students throughout the year, focusing on the younger students first. The general recommendations are to check vision in grades 1, 3, 5, 7 and 10. Hearing screening is recommended in grades 1, 3, 5, 8 and 11.

Parents may opt out of school screenings and obtain screenings elsewhere. The Health Office asks that you please provide the results on the updated health histories, in Parent-vue, or by forwarding to the health office.

MEDICATION

Medications are most safely given in the home setting. Your child shouldcan be medicated at home rather than at school for most acute illnesses. For example, if your child needs an antibiotic for an infection and the doctor has prescribed medication

to be given three times a day, give one dose before school, one dose right after school, and one dose before bedtime. For ADHD meds, ask about long acting medication that can be taken before school.

Medications are stored in the Health Office. Medications that must be given during school hours will be administered by the Health Office Staff or school staff members trained to administer medications under the supervision of the Health Office Professional nurse.

The Health Office staff will administer the medication according to the prescription and/or label. Therefore, it is the responsibility of the parent to ensure the Health Office receives updated orders/notes/prescription information to prevent errors. The Health Office reserves the right to refuse to accept/give a medication that is not properly labeled, if there are concerns about interactions, side effects, or dosage, or if further documentation/clarification is needed.

A Medication Administration Form must be completed for **all** medications (prescription, emergency, respiratory, and over-the-counter) to be given at school or that are left in the Health Office. **The second page of the form is a permission form and should be completed yearly even if you do not leave any medication at school.**

- Please bring to the health office over-the-counter medications your child might need. Particularly if they are prone to indigestion, headaches, allergy congestion, eczema, hives, etc. If your child is not seriously ill, giving your child the same medication they normally get at home can help them stay in school.

Other forms and requirements that are needed for certain medical conditions.

Special Conditions:

ASTHMA

- REQUIRES YEARLY ASTHMA ACTION PLAN ON FILE
- Inhaler Self Administration Form

ALLERGIES

- EMERGENCY CARE PLAN AND
  - SPECIAL DIET REQUEST FORM (if that allergy is a food) with a doctor's order.

MAJOR MEDICAL ISSUES

- yearly updates (notes)/orders from their doctor's. Particularly if there is care needed at school.
- The Parent/Guardian is responsible for obtaining/completing/turning in the required records, orders, medications, supplies, etc.

FORMS are located on the Health Office website: https://www.lakeview2167.com/students-and-parents/health-office or can be obtained by contacting the Health Office directly via email at healthoffice@lakeview2167.com

Forms are also available during Online Registration through ParentVue

IMMUNIZATIONS

It is the law for students to receive certain vaccines in order to attend school or the parent/guardian must file an exemption. If the exemption is due to medical reasons, a form or statement must be completed by a health care provider. If the exemption is due to any other reason, the exemption must be notarized. **Exemption forms and up to date vaccine records must be submitted to the Health Office prior to the start of school. This law applies to all public, private, online, and home schools in MN.** All newly enrolled students must provide proof of immunizations as required by Minnesota law

Required Immunizations: For the most up to date requirements talk to your health care provider or visit: https://www.health.state.mn.us/people/immunize/basics/kids.html

Kindergarten to Sixth Grade:

Hepatitis B (Hep B) : 3 doses

Polio (IPV): 4 doses

Measles, Mumps, Rubella (MMR) 2 doses

Varicella (Chickenpox) 2 Doses

Diphtheria, tetanus, and pertussis (DTaP) 5 Doses

Seventh Grade to Eleventh Grade:

Hepatitis B (Hep B) 3 doses

Polio (IPV): 4 doses

Measles, Mumps, Rubella (MMR) 2 doses

Varicella (Chickenpox) 2 Doses

Diphtheria, tetanus, and pertussis (DTaP) 5 Doses

Tetanus, diphtheria, and pertussis (Tdap) 1 Dose

Meningococcal ACWY (MenACWY) 1 Dose

Twelfth Grade:

Hepatitis B (Hep B) 3 doses

Polio (IPV): 4 doses

Measles, Mumps, Rubella (MMR) 2 doses

Varicella (Chickenpox) 2 Doses

Diphtheria, tetanus, and pertussis (DTaP) 5 Doses

Tetanus, diphtheria, and pertussis (Tdap) 1 Dose

Meningococcal ACWY (MenACWY) 2 Doses

Human Papillomavirus (HPV) at age 11/12, Meningococcal B (MenB) at age 16-18, Influenza (flu) and COVID-19 yearly. Remember to talk to your provider if you are traveling overseas to see what additional vaccines are needed.

Internet Policy

Please refer to the Lakeview Schools Internet policy. The teachers will also go over the policy with their class. If you would like a copy of this policy, please contact the elementary office. iPads and Chromebook are school property and can be seized or search at any time.

Lakeview AI Procedure

This framework sets how students may use AI on a given assignment. Please refer to the AI Procedural Manual for more information. For each task, the teacher picks one level, Red, Yellow, or Green, and tells students which one applies. The level indicates whether AI is off-limits, allowed only in specific ways, or built into the work.

The three levels

Level	What it means	What the student does
Red (stop)	No AI on this task.	Work from your own knowledge and skills. Example: a closed-book essay or a test where you show your own reasoning.
Yellow (check)	AI is allowed in the specific ways the teacher names, such as brainstorming or feedback on a draft.	Do the thinking yourself, then verify and correct whatever AI produces. Disclose AI use as the teacher asks. Example: brainstorm ideas with AI, then write and fact-check the draft yourself.
Green (go)	AI is part of the assignment. The teacher directs how to use it and teaches the skill.	Use AI as the teacher directs, judge and verify its output, and own the final result. Disclose AI use as the teacher asks. Example: the teacher leads the class in using an AI tool to test and improve a project.

Yellow and Green keep the Human-AI-Human check: the student does the thinking, verifies the output, and remains responsible for the result.

Lost and Found

Unidentified items that are found at school are put in the lost and found area by the elementary office. Small and valuable items (such as watches, rings, etc.) are kept in the office, and students must identify the lost item before it is given to them. Items that are unclaimed at the end of the school year will be donated to a charity or thrown. Please try to put your child's name on their jacket and equipment brought to school. If there is a name on an item that is found, the item will be returned to them.

Lunch Program

All students may have breakfast and noon meals at school. Each student will have a meal account number with an ID#. Payment on lunch accounts can be made online or at one of the school offices. Breakfast will be available from 7:50 - 8:10 am. The monthly lunch menu is available online at www.lakeview2167.com.

Unpaid Meal Charges:
Negative balances of more than $10.00 times the number of enrolled Lakeview students in the family for sixty consecutive days will be turned over to the superintendent or superintendent's designee for collection. Collection options may include but are not limited to, the use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.

Pest Control

Our district utilizes a licensed, professional pest control service firm for the prevention and control of rodents, insects, and other pests in and around the district's buildings. Their program consists of:

1. Inspection and monitoring to determine whether pests are present and whether any treatment is needed;
2. Recommendations for maintenance and sanitation to help eliminate pests without the need for pest control materials.
3. Utilization of non-chemical measures such as traps, caulking, and screening, and
4. Application of EPA-registered pest control materials when needed.

Pests can sting, bite, cause contamination, damage property, and spread disease; therefore, we must prevent and control them. The long-term health effects on children from the application of such pest control materials, or the class of materials to which they belong, may not be fully understood. All pest control materials are chosen and applied according to label instructions per Federal law. An estimated schedule of interior pest control inspections and possible treatments is available for review or copying at each school office. A similar estimated schedule is available for the application of herbicides and other materials to school grounds. Parents of students may request to receive, at their expense, prior notification of any application of a pest control material, should such an application be deemed necessary on a day different from the days specified in the schedule.

Parent-Teaching Conferences

Parent-Teacher Conferences will be held once a year so teachers can confer with parents. This conference gives parents an excellent opportunity to discuss with their child's teacher his/her physical, emotional, social, and educational needs and concerns. A sign-up schedule of your child(ren)'s conference time(s) will be sent beforehand for you to sign-up for times. Arrangements can be made with the classroom teacher if the designated conference time(s) cannot be attended. **Minnesota Law does allow parents to take time off from work to attend conferences.**

Pledge of Allegiance

Minnesota Statutes 121A.11 mandates that all public schools in Minnesota recite the Pledge of Allegiance weekly. "Anyone who does not wish to participate in reciting the Pledge of Allegiance for any personal reason may elect not to do so. Students must respect another person's right to make that choice."

Student Drug and Alcohol Policy

No students shall distribute, possess, use, or be under the influence of any alcoholic beverage, malt beverage or fortified wine or other intoxicating liquor or unlawfully manufacture, distribute, dispense, possess or use, or be under the influence of any narcotic drug, tobacco, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid, or any other controlled substance, as defined in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 C.F.R. 1300.11 through 1200.15, before, during or after school hours, at school or in any other school district location as defined below.

"School district location" means in any school building or on any school premises; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

A student who violates the terms of this policy will be subject to disciplinary action in accordance with the school district's discipline policy and may be suspended or expelled from school.

Report Cards

Report cards can be found on the school website through the parent portal under the school view. Paper copies will be sent home by request only. You will be given the dates the report cards will be viewable in the monthly newsletter. The purpose of a report card is to show academic growth throughout the school year. Lakeview uses a variety of methods to communicate this growth.

Our K-6 classes are standards-based. The efforts of the K-6 teachers in this curricular area are to better inform parents regarding exactly what students can do and at what level in regards to the Minnesota State Standards. Students will be scored as follows:

3	Achieves Standards	AG – above grade level
2	Approaching Standards	BG – below grade level
1	Needs Support	NA – not assessed

Supplemental reports providing a variety of information related to grade level and standard performances will also be used when appropriate.

Grade marks of S, N, and U are used in certain aspects of primary grades and areas where there is more subjective grading involved; indicate the following:

S	Satisfactory
N	Needs improvement
U	Unsatisfactory

Safety and Security

In the summer of 2014, the Minnesota Legislation enacted the Safe and Supportive Schools Act; commonly, this is known as the bullying law. In compliance with this piece of legislation, the school board approved revised Policy #514 in July of 2014, which can be found on the school website as well as in this document as an appendix. A paper copy can be made available upon request; further supporting documents are posted in the offices of the school as well on administrative web pages. In addition to these changes, in consultation with local law enforcement, the following directives are issued:

1. Backpacks, drawstring bags, and coats will be left in lockers.
2. Earbuds/headphones are allowed in the building; however, due to safety recommendations, one ear should be uncovered/free when not in class at all times to hear teacher directives or public address announcements.

Searches

In the interest of student safety and to ensure that schools are drug-free, district authorities may conduct searches. Students violate school policy when they carry contraband on their person or in their personal possessions or store contraband in desks, lockers, or vehicles parked on school property. “Contraband” means any unauthorized item, the possession of which is prohibited by school district policy and/or law. If a search yields contraband, school officials will seize the item(s) and, when appropriate, give the item(s) to legal officials for ultimate disposition. Students found to be in violation of this policy are subject to discipline in accordance with the school district’s “Student Discipline” policy, which may include suspension, exclusion, expulsion, and, when appropriate, the student may be referred to legal officials.

- **Lockers and Personal Possessions within a Locker [*]**

Under Minnesota law, school lockers are school district property. At no time does the school district relinquish its exclusive control of lockers provided for students' convenience. School officials may inspect the interior of lockers for any reason at any time, without notice, without student consent, and without a search warrant.

Students' personal possessions within a school locker may be searched only when school officials have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school officials will provide notice of the search to students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.

- **Desks**

School desks are school district property. At no time does the school district relinquish its exclusive control of desks provided for students' convenience. School officials may inspect the interior of desks for any reason at any time, without notice, without student consent, and without a search warrant.

- **Personal Possessions and Student's Person**

The personal possessions of a student and/or a student's person may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law or school rules. The search will be reasonable in its scope and intrusiveness.

School Parties

Celebrations are an important part of life. Birthdays, holidays, and other special events are celebrated at Lakeview. During the year, notes will be sent home indicating the reason for the celebration and what if any, special treats students may bring. If your child has allergies to foods or is not allowed to eat certain foods, please let your child's teacher know.

School Portraits

Individual student pictures will be taken in the fall. Specific information will be sent to you before picture day.

School Visits

Under FERPA guidelines, parents may be present in classrooms during non-structured curriculum periods, such as lunch, recess, Grandparents Day, or volunteer activities like reading to students. If you would like to visit your child's classroom, **please make arrangements for the visit with the teacher or principal's office beforehand for permission.** This will enable the teacher to schedule activities that might be of particular interest to you. Please try not to bring your other children with you when you visit. We have found that their presence disrupts the classroom. Whenever visiting the school, you must check in the main office to sign in and receive a visitor pass. Lakeview is also proud to sponsor a grandparents/special relative day in the spring. Information regarding this event will be sent home with your child.

Special Announcements

In the event that a snowstorm or emergency arises during the day requiring the school to be dismissed early, an attempt will be made to allow buses to leave soon enough to enable them to make their normal routes. If this is not feasible, children will stay at the homes designated on the Snow Home Form. All emergency announcements will be sent to families using the School Messenger System. Messages will be made by phone call and email. Announcements will also be made on local

radio and TV stations. The announcements will include the closing of school due to inclement weather, blocked or impassable roads, or failure at school buildings causing shutdown.

Sportsmanship

It is important for reasons of safety and sportsmanship that students of the Lakeview Elementary School conduct themselves in an orderly and respectful manner while in attendance at athletic contests in which our school is involved. Just as it is important for our athletes and cheerleaders to be good ambassadors and representatives of the Lakeview Schools, the same is true of the spectators of these contests. All spectators should exhibit good sportsmanship and courtesy in attendance at all athletic events. For the safety of spectators and participants, we ask that student spectators adhere to the following guidelines:

1. Students are not allowed on the playing floor.
2. All students should cooperate with the cheerleaders when the cheerleaders are on the floor, and when they are leading a cheer.
3. Students should not "boo" the opposing team members or the officials of the contest. Such behavior is unsportsmanlike and in poor taste.
4. Students should treat visiting contestants and spectators as guests, not as enemies.
5. There shall be no running, shouting, or horseplay by students in the halls prior to, during, or after the athletic contest.
6. Once students enter the building, they are to remain in the building until the conclusion of the game unless they are leaving the building for the evening. If students leave the building, they will need to purchase a new ticket to get back in.
7. Parents are not to drop off or send their children to school activities and leave them unsupervised. We will be calling any parents that do and requesting they come and get their child.

Students should be aware that unruly or disrespectful behavior is unacceptable and will result in the following consequences: 1) Students will receive one warning. 2) Students will be asked to leave if they have to be talked to a second time, and they will not be allowed to attend the next home athletic event. Unruly or disrespectful behavior that is reported to the administration by a host school official when Lakeview is the visiting school for an athletic contest will be subject to disciplinary action by the administration of this school.

Suicide Prevention Information

Students suffering from depression or other mental health issues can seek help from our School Health Office, School Counselors, and School Social Workers. We will assess the needs of the student and discuss with the family what services we can offer. For services not available at Lakeview, our team can help coordinate on going care mental health in the surrounding communities. For immediate assistance, please call the Suicide and Crisis Lifeline at 988, 24 hours a day.

Technology

iPads will be issued to all students in grades 1-4. Chromebooks in grade 5-6. These devices are leased by the school and function similarly to student lockers. They may be searched at any time by school personnel. Students are required to follow the district's Technology Acceptable Use Policy, a copy is available on the district's website, regarding individual use, not loaning them to other students, and academic integrity. In the event a student violates the policy, such as playing games during academic times, the device will be confiscated according to the schedule below:

1st occurrence: for the remainder of the period
2nd occurrence: for the remainder of the day
3rd occurrence: for two to three days
4th occurrence: student will be issued a PG version district iPad/Chromebook. Given the timing in the school year, the student

may be reissued their original iPad/Chromebook. A PG version district iPad is one where the App Store is controlled by the district. No unauthorized apps, i.e. games, will be permitted on a PG version district iPad/Chromebook.
These time frames are at the discretion of the administration and may be subject to modification based upon the findings of an investigation.

Telephone Use

School Phone, Cell Phones, Wrist Devices, Ear Pods, Headphones and Electronic Devices

Students are prohibited from using cell phones, earpods and wrist devices and all other electronic communication devices during the instructional time. Students are required to keep their cell phones out of sight or in the caddy located in each classroom. Once school starts, cell phones are allowed to be used (checked) only in between class periods and during lunch. Cell phone use is prohibited in the bathrooms, during safety drills and in locker rooms. If a parent needs to communicate with their child during the school day please call the main office, they should not text or call them on their cell phones. Any proof of misuse must be presented to the Activities Director or School Principal. Failure to comply will result in enforcement of MSHSL Code of Conduct By Law 206. If cell phone usage becomes a repeated disruption, the cell phone will be confiscated and retained by the school principal. *(Please refer to Lakeview School Policy 524 of page 105 on the student handbook)*

***Note: Students also are prohibited from using a cell phone or other electronic communication device to engage in conduct prohibited by school district policies including, but not limited to, cheating, bullying, harassment, etc. If the school district has reasonable suspicion that a student has violated a school rule or law by use of a cell phone or other electronic device, the school district will turn it over to law enforcement.

The search of the device will be reasonable related in scope to the circumstances justifying the search. Students who use an electronic device during the school day and/or in violation of school district policies may be subject to disciplinary action pursuant to the school district's discipline policy. At any time, a student's cell phone or electronic device may be confiscated by the school district and, if applicable, provided to law enforcement. Cell phones or other electronic devices that are confiscated and retained by the school district will be returned in accordance with school building procedures.

***It is against Lakeview school rules to have inappropriate or illegal material (ex. pictures, videos, etc.) on a cell phone or electronic device while in Lakeview Schools.

The following procedure will be followed for cell phone violations:

1. 1st Offense - Teacher will confiscate the phone and it will remain in the Principal's office for student to pick up and the end of the school day.
2. 2nd Offense - Parent or guardian will come to the school to pick up the cell phone, earpods and/or writst device.
3. 3rd Offense - Parent or guardian will come to the school to pick up the cell phone, earpods and/or writst device and detention.
4. 4th Offense - Parent or guardian will come to the school to pick up the cell phone, earpods and/or writst device and detention

Please see the discipline policy for specific discipline information and refer to policy 524.

Testing/Assessments

FastBridge & Read Basix assessments will be given to select students in the fall, winter, and spring. The tests measure student achievement in skills of reading, language, math, and science. Each year in the spring, students will also be required to take the Minnesota Comprehensive Assessments (MCA III's) which help benchmark student development. If you should choose to opt out of testing, please notify the assessment coordinator before the testing session begins. This testing provides teachers with information in providing the best instruction for all students here at Lakeview.

Transportation

Bicycles: A bicycle rack is provided for parking bikes. It is a good idea to lock the bike when in school.
Skateboards: are not to be ridden on the sidewalk in front of the school.
Roller Shoes: Heelys and other "roller shoes" are not to be worn during school hours or in the school building.

TRANSPORTATION PROCEDURES AND RULES

The purpose of this policy is to provide safe transportation for students and to educate students on safety issues and the responsibilities of school bus ridership.

Please send all bus changes to the elementary office, including the teacher and office secretary. By doing this it will minimize miscommunications with the students and teachers. Please call if the change is after 2:45 pm to ensure there is enough time to reach your child.

Riding the school bus is a privilege, not a right. The school district's general student behavior rules are in effect for all students on school buses, including nonpublic and charter school students. Consequences for school bus/bus stop misconduct will be imposed by the school district's Contracted Transportation Manager under adopted administrative discipline procedures. In addition, all school bus/bus stop misconduct will be reported to the Principal. Serious misconduct may be reported to local law enforcement.

The school district school bus safety rules are to be posted on every bus. If these rules are broken, the school district's discipline procedures are to be followed. In most circumstances, consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the school district's Contracted Transportation Manager and Principal.

Rules on the Bus

a. Immediately follow the directions of the driver.
b. Sit in your seat facing forward.
c. Talk quietly and use appropriate language.
d. Keep all parts of your body inside the bus.
e. Keep your arms, legs, and belongings to yourself.
f. No fighting, harassment, intimidation, or horseplay.
g. Do not throw any object.
h. No eating, drinking, or use of alcohol, tobacco, or drugs.
i. Do not bring any weapons or dangerous objects on the school bus.
j. Do not damage the school bus.

Consequences

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

Class I offenses:
-Spitting
-Excessive Noise
-Horseplay/mischief/distracting behavior
-Eating/Drinking/Littering on the bus
-Leaving Seat/Standing without permission from driver

Class II Offenses:
-Hanging out of window
-Throwing/shooting of any objects
-Bullying and/or physical aggression against any person
-Profanity/threats directed at driver/para
-Vandalism to bus (restitution will be made)
-Holding onto/or attempting to hold onto any portion

-Use of liquid containers in any form
-Profanity, Verbal Abuse, Harassment,
-Obscene gestures, or possession of unacceptable material
-False Identification/Refusal to identify oneself
-Riding unassigned bus
-Opening window past the safety line
-Riding or attempting to ride any bus during a bus suspension
-Disobedient to the driver/para
-Inappropriate Cell Phone Use
-Other offenses as reported by driver, bus manager, or principal

of the exterior of the bus or any "Danger Zone" infringement
-Lighting of matches, lighters, or any flammable object or substance
-Unauthorized entering or leaving bus through exit/tampering with bus
-Possession or threat of weapons/flammables
-Possession/use of laser pens or pointers
-Any offense committed on any bus outside of regular transportation to and from school (activity, field trip, shuttle) will carry a minimum penalty of a Class II first offense.
-Other offenses as reported by driver, bus manager, or principal

Consequence Summary (Bus Driver has the authority to assign seats at any time)

Class I:

1st offense
Warning

2nd offense:
1-2 day suspension from riding the bus

3rd offense:
3-5 day minimum suspension from riding the bus
Parent/ Driver/ Principal Meeting-Optional

4th offense:
6-10 day minimum suspension from riding the bus
Parent/Driver/Principal Meeting Required before riding resumes

5th offense: Loss of bus service

Class II:

1st offense:
3 day suspension from riding the bus

2nd offense:
4-6 day minimum suspension from riding the bus
Parent/Driver/Principal Meeting – Optional

3rd offense:
10 day minimum suspension from riding the bus
Parent/Driver/Principal Meeting Required before riding resumes

4th offense:
Loss of bus service

The bus and bus stop are extensions of the school day. The bus driver has the authority to assign seats. The harassment policy, the weapons policy, and bullying policy of District #2167 will be strictly enforced on the school bus.
According to Minnesota Statute 123.801, "Transportation by a school bus is a privilege, not a right, for an eligible student. A student's eligibility to ride a school bus may be revoked for a violation of school bus safety or conduct policies, or for violation of any other law governing student conduct on a school bus, pursuant to a written school district discipline policy."

Visitors to the Building

Parents and visitors coming into the building need to stop at the Elementary office to sign in and state their reason for the visitation. A visitor's pass must be visibly seen while in the building. Students wanting to bring a visitor into the building during the school day will need prior approval from the classroom teacher and administration. If any disciplinary concerns arise during a student visitation the visitor will be requested to leave immediately. Full-day visitations from students who are not enrolled at Lakeview are discouraged.

What to Bring to School

A school supply list for each grade level is available at the school, in local stores, and on the school website.

Money & toys create learning distractions. Please do not allow your child to bring toys to play with or carry money on them. Toys will be confiscated and returned to the child to take home at the end of the day. Special toys may be brought for show and tell but will remain in the child's locker or on the teacher's desk until the end of the day following show & tell. The school is not responsible for lost or stolen articles or cash. When you need to send money for field trips or lunch please place it in an envelope with the child's name, grade, and teacher's name on it. If at all possible send a check unless otherwise indicated.

Pets

Please contact the school principal and classroom teacher for authorization at least 3 days in advance. Teachers will need to send home permission slips. Students are not to bring animals to school without authorization as there is a risk of allergic reactions, student injury, and issues of cleanliness. If Pets are brought, there will be a common space indoors/outdoors to meet and see the animal. Lakeview recognizes the benefit of educating children on animal care and the types of animals.

Withdrawal From School

In the event that a student will be permanently withdrawing from the Lakeview Elementary School, a parent should contact the principal either by phone, in person, or in writing. Parents need to sign a release of records at the new school. Upon receipt of signed release, **the cumulative records will then be forwarded to the new school once we get that request. Until we get that request, student will still be enrolled in our school and are subject to attendance policies**.

APPENDIX A - POLICIES

1. Data Practices
2. Grievance Procedure for Non-Discrimination Policy
3. Hazing Prohibition
4. Non-Discrimination
5. Policy Prohibiting Harassment and Violence
   A. Religious, Racial or Sexual Harassment & Violence Report Form
6. Pupil Fair Dismissal Act of 1974
7. Section 504 of the Rehabilitation Act of 1973
8. Student's Person, Lockers, Desks, Personal Possessions – Search Of…
9. Violence Prevention and Weapons Policy
10. Bullying Policy
11. Student Discipline

DATA PRACTICES

Minn. Stat. 13.32 subd. 5a. has been amended to require that school districts release the names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiters within 60 days of a request unless parents and students refuse this release. The Lakeview School District will give parents and students notice of the right to refuse to release information to military recruiters. The notice will be provided in writing to inform parents and students of this right. Directory Information: "Public information shall include names and pictures of students participating in or attending extra-curricular activities, school events, and High School League activities and events."

GRIEVANCE PROCEDURE FOR NON-DISCRIMINATION POLICY

A. Any person who has a complaint alleging that the school district is not complying with this policy or alleging any actions prohibited by this policy shall present the complaint in writing along with the reasons for such complaint to the Superintendent of Schools. The grievance must be filed within 7 calendar days of the alleged discriminatory act/conduct or it is waived.

B. The person designated to handle complaints shall investigate the complaint and determine whether the school district is in fact in violation of state or federal law prohibiting discrimination. A decision shall be made by the designated official and such decision shall be communicated to the complainant within 15 calendar days of the initial reception of the complaint.

C. If the designated official finds that the complaint is justified, he/she shall initiate action to rectify the complaint.

D. If the complainant is not satisfied with the findings of the designated official, an appeal may be made to the Board of Education. The appeal must be requested in a written communication to the Superintendent of Schools no later than 15 days after receipt of the written decision.

E. A hearing before the Board of Education shall occur no later than 30 days after receipt of a written request for such hearing. The complainant may testify. The designated official will present the findings of the investigation called for in step F. The Board shall reach a decision and notify the complainant of its findings no later than 15 days after the hearing.

F. If the complainant is not satisfied with the decision of the Board, appeal may be made to one of the following offices:
1) Commissioner of Human Rights, 2) Director of the Office for Civil Rights, or 3) Equal Employment Opportunity Commission (EEOC)

HAZING PROHIBITION

I. PURPOSE: The purpose of this policy is to maintain a safe learning environment for students free from hazing. Hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times.

II. GENERAL STATEMENT OF POLICY

A. No student, teacher, administrator, volunteer, contractor or other employee of the school district shall plan, direct, encourage, aid or engage in hazing.

B. No teacher, administrator, volunteer, contractor or other employee of the school shall permit, condone, or tolerate hazing.

C. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.

D. This policy applies to behavior that occurs on or off school property and during and after school hours.

E. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.

F. The school district will act to investigate all complaints of hazing 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

A. "Hazing" means committing an act against a student, or coercing a student into committing an act that creates substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to:

1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, or placing a harmful substance on the body.
2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame or humiliation that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.

B. "Student organization" means a group, club, or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

IV. REPORTING PROCEDURES

A. Any person who believes he or she has been the victim of hazing or any person with knowledge or belief of conduct which may constitute hazing should report the alleged acts immediately to an appropriate school district official designated by this policy.

B. The building principal is the person responsible for receiving reports of hazing at the building level. Any person may report hazing directly to a school district human rights officer or to the superintendent.

C. Teachers, administrators, volunteers, contractors and other employees of the school district shall be particularly alert to possible situations, circumstances or events which might include hazing. Any such person who receives a report of, observes or has other knowledge or belief of conduct which may constitute hazing shall inform the building principal immediately.

D. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades, or work assignments.

V. SCHOOL DISTRICT ACTION

A. Upon receipt of a complaint or report of hazing, the school district shall undertake or authorize an investigation by school district officials or a third party designated by the school district.

B. The school district may take immediate steps, at its discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of hazing.

A. Upon completion of the investigation, 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 deter violations and to appropriately discipline prohibited behavior. 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, school district policies and regulations.

VI. REPRISAL

The school district will discipline or take appropriate action against any pupil, teacher, administrator, volunteer, contractor or other employee of the school district who retaliates against any person who makes a good faith report of alleged hazing or against any person who testifies, assists, or participates in an investigation, or against any person who testifies, assists or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

VII. DISSEMINATION OF POLICY

This policy shall appear in each school's student handbook and in each school's Building and Staff handbooks.

Legal References: Minn. Stat. 127.465(Hazing Policy)
Minn. Stat. 127.26 to 127.39(Pupil Fair Dismissal Act)

Cross References: MSBA/MASA Model Policy 403(Discipline, Suspension and Dismissal of School District Employees)
MSBA/MASA Model Policy 413(Harassment and Violence)
MSBA/MASA Model Policy 506(Student Discipline)
MSBA/MASA Model Policy 525(Violence Prevention, Applicable to Students and Staff)

NON-DISCRIMINATION POLICY

It is the policy of Lakeview Schools, Cottonwood, Minnesota 56229, not to discriminate on the basis of race, color, national origin, creed, religion, sex, marital status, age, or disability, in its educational programs, activities, or employment policies as required by Title IX of the 1972 Education Amendments and the provisions of Title VI and VII of the Civil Rights Act of 1964. Inquiries regarding compliance with this policy may be directed to the Superintendent of Schools Cottonwood, MN 56229, (507) 423-5164.

LAKEVIEW I.S.D. 2167 SCHOOL BOARD POLICY PROHIBITING HARASSMENT AND VIOLENCE

I. General Statement of Policy

A. It is the policy of Independent School District #2167 to maintain a learning and working environment that is free from religious, racial or sexual

harassment and violence. The School District prohibits any form of religious, racial or sexual harassment and violence.

B. It shall be a violation of this policy for any pupil, teacher, administrator or other school personnel of the School District to harass a pupil, teacher, administrator or other school personnel through conduct or communication of sexual nature or regarding religion and race as defined by this policy. (For purposes of this policy, school personnel includes school board members, school employees, agents, volunteers, contractors or persons subject to the supervision and control of the District.)

C. It shall be a violation of this policy for any pupil, teacher, administrator or other school personnel of the school District to inflict, threaten to inflict, or attempt to inflict religious, racial or sexual violence upon any pupil, teacher, administrator or other school personnel.

D. The School District will act to investigate all complaints, either formal or informal, verbal or written, of religious, racial or sexual harassment or violence, and to discipline or take appropriate action against any pupil, teacher, administrator or other school personnel who is found to have violated this policy.

II. Religious, Racial and Sexual Harassment and Violence Defined

A. Sexual Harassment: Definition: Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when: (1) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education; or (2) 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 (3) that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile or offensive employment or educational environment.

Sexual harassment may include but is not limited to:

1. Unwelcome verbal harassment or abuse;
2. Unwelcome pressure for sexual activity;
3. Unwelcome, sexually motivated or inappropriate patting, pinching or physical contact, other than necessary restraint of pupil(s) by teachers, administrators or other school personnel to avoid physical harm to persons or property;
4. Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
5. 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;
6. Unwelcome behavior or words directed at an individual because of gender.

B. Racial Harassment; Definition. Racial harassment consists of physical or verbal conduct relating to an individual's race 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. Religious Harassment; Definition. Religious harassment consists of physical or verbal conduct which is related to an individual's religion 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.

D. Sexual Violence; Definition. Sexual violence is a physical act of aggression or force or the threat thereof which 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, include the primary genital area, groin, inner thigh, buttocks or breast, as well as the clothing covering these areas. Sexual violence may include, but is not limited to: (1) touching, patting, grabbing or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex; (2) coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts; (3) coercing, forcing or attempting to coerce or force sexual intercourse or a sexual act on another, or (4) threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

E. Racial Violence; Definition. Racial violence is a physical act of aggression or assault upon another because of, or in a manner reasonable related to, race.

F. Religious; Definition. Religious violence is a physical act of aggression or assault upon another because of, or in a manner reasonable related to, religion.

G. Assault; Definition. Assault is: (1) An act done with intent to cause fear in anther 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.

III. Reporting Procedures

Any person who believes he or she has been the victim of religious, racial or sexual harassment or violence by a pupil, teacher, administrator or other school personnel of the School District, or any person with knowledge or belief of conduct which may constitute religious, racial harassment.

IV. Investigation

By authority of the School District, the Human Rights Officer, upon receipt of a report or complaint alleging religious, racial or sexual harassment or violence, shall immediately undertake or authorize an investigation. The investigation may be conducted by School District officials or by a third party designated by the School District.

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 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.

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.

In addition, the school District may take immediate steps, at its discretion, to protect the complainant, pupils, teachers, administrators or other school personnel pending completion of an investigation of alleged religious, racial or sexual harassment or violence.

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.

V. School District Action

A. Upon receipt of a report, 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. School District action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law and School District policies.

B. The result of the school district's investigation of each complaint filed under these procedures will be reported in writing to the complainant by the school district in accordance with state and federal law regarding data or records privacy.

VI. Reprisal

The School District will discipline or take appropriate action against any pupil, teacher, administrator or other school personnel who retaliates against any person who makes a good faith report of alleged religious, racial or sexual harassment or violence or any person who testifies, assists or participates in an investigation, 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 or harassment.

VII. Right to Alternative Complaint Procedures

These procedures do not deny the right of any individual to pursue other avenues of recourse may include filing charges with the Minnesota Department of Human Rights, initiating civil action or seeking redress under state criminal statues and/or federal law.

VIII. 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 Minn. Stat. 626.556 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.

IX. Dissemination of Policy and Training

A. This policy shall be conspicuously posted throughout each school building in areas accessible to pupils and staff members.

B. This policy shall be given to each school district employee and independent contractor at the time of entering into the person's employment contract.

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. This policy will be reviewed annually for compliance with state and federal law.

INDEPENDENT SCHOOL DISTRICT NO. 2167

RELIGIOUS, RACIAL OR SEXUAL HARASSMENT AND VIOLENCE

REPORT FORM

General Statement of Policy Prohibiting Religious, Racial or Sexual Harassment

Independent School District #2167 maintains a firm policy prohibiting all forms of discrimination. Religious, racial or sexual harassment or violence against students or employees is discrimination. All persons are to be treated with respect and dignity. Sexual violence, sexual advances or other forms of religious, racial or sexual harassment by any pupil, teacher, administrator or other school personnel, which create an intimidating, hostile or offensive environment, will not be tolerated under any circumstances.

Complainant_____ Home Phone_____ Work Phone_____

Home Address_____

Work Address_____

Date of Alleged Incident(s) _____

Circle as appropriate: sexual racial religious

Name of person(s) you believed harassed or was violent toward you or another person.

_____

If the alleged harassment or violence was toward another person, identify that person.

_____

Describe the incident(s) as clearly as possible, including such things as: what force, if any, was used; any verbal statements (i.e. threats, requests, demands, etc.,); what, if any, physical contact was involved; etc.

Attach additional pages if needed: _____

_____

Where and when did the incident(s) occur:

_____

_____

List any witnesses who were present:

_____

_____

This complaint is filed based on my honest belief that _____ has harassed or has been violent to me or to another person. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.

_____ _____

(Complainant Signature) (Date)

_____ _____

(Received By) (Date)

THE PUPIL FAIR DISMISSAL ACT OF 1974

Pupils-Suspension, Exclusion and Expulsion - Chapter 572
An act relating to education; establishing grounds and procedures for the suspension, exclusion, and expulsion of public school pupils; repealing Minnesota Statutes 1971, Section 127.071.
Be it enacted by the Legislature of the State of Minnesota;
127.26 Citation of Sections 127.26 to 127.39
Sections 127.26 to 127.39 may be cited as "The pupil fair dismissal act of 1974' 127.27 Definitions
SUBDIVISION 1. As used in sections 127.26 to 127.39, the terms defined in this section shall have the meanings assigned them.
SUBDIVISION 2. "Dismissal" means the denial of the appropriate educational program to any pupil, including exclusion, expulsion, and suspension.
SUBDIVISION 3. "District" means any school district.
SUBDIVISION 4. "Exclusion" means 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.
SUBDIVISION 5. "Expulsion" means an action taken by a school board to prohibit an enrolled pupil from further attendance for a period that shall not extend beyond the school year.
SUBDIVISION 6. "Parent" means (a) one of the pupil's parents, or (b) in the case of divorce, legal separation, or illegitimacy, the custodial parent.
SUBDIVISION 7. "Pupil" means any handicapped or non-handicapped student under 21 years of age eligible to attend a public elementary or secondary school.
SUBDIVISION 8. "School" means any school as defined in Minnesota Statues 1971, Section 120.05, SUBDIVISION 2.
SUBDIVISION 9. "School board" means the governing body of any school district.
SUBDIVISION 10. "Suspension" means an action taken by the school administration, under rules promulgated by the school board, prohibiting a pupil from attending school for a period of no more than five school days. This definition does not apply to dismissal from school for one school day or less. Each suspension action shall include a readmission plan. The readmission plan shall include where appropriate, a provision for alternative programs to be implemented upon readmission. Suspension may not be consecutively imposed against the same pupil for the same course of conduct, or incident of misconduct, except where the pupil will create an immediate and substantial danger to persons or property around him. In no event shall suspension exceed 10 cumulative school days, provided that an alternative program shall be implemented to the extent that suspension exceeds five days. The district will make a reasonable attempt to convene a meeting with the student and his parents/guardian prior to removing the student from school for the purpose of determining the student's need for assessment or other services.
127.28 Policy
No public school shall deny due process or equal protection of the law to any public school pupil involved in a dismissal proceeding may result in suspension, exclusion, or expulsion.
127.29 Grounds for Dismissal
SUBDIVISION 1. No school shall dismiss any pupil without attempting to provide alternative programs of education prior to dismissal proceedings, except where it appears that the pupil will create an immediate and substantial danger to himself or other persons or property around him. Such programs may include special tutoring, modification of the curriculum for the pupil, placement in special class or assistance from other agencies.
SUBDIVISION 2. A pupil may be dismissed on the following grounds:
a. Willful violation of any reasonable school board regulation. Such regulation must be clear and definite to provide notice to pupils that they must conform their conduct to its requirements.
b. Willful conduct which significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in class or with the ability of students to learn.
c. Willful conduct endangers surrounding persons, including school district employees, the student or other students, or the property of the school.
127.30 Suspension Procedures
SUBDIVISION 1. No suspension from school shall be imposed without an informal administrative conference with the pupil, except where it appears that the pupil will create an immediate and substantial danger to persons or property around him.
SUBDIVISION 2. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of sections 127.26 to 127.39, shall be personally served upon the pupil at or before the time the suspension is to take effect, and upon his parent or guardian by certified mail within 48 hours of the conference. In the event a pupil is suspended without an informal administrative conference on the grounds that the pupil will create an immediate and substantial danger to persons or property around him, the written notice shall be served either personally or by certified mail upon the pupil and his parent or guardian within 48 hours of the suspension. Service by certified mail is complete upon mailing.
SUBDIVISION 3. Notwithstanding the provisions of subdivisions 1 and 2, the pupil may be suspended pending the school board's decision in the expulsion or exclusion hearing; provided that an alternative program shall be implemented to the extent that suspension exceeds five days.
127.31 Exclusion and Expulsion Procedures
SUBDIVISION 1. No exclusion or expulsion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the pupil and parent or guardian. The action shall be initiated by the school board or its agent.
SUBDIVISION 2. Written notice of intent to take action shall:
a. Be served upon the pupil and his/her parent or guardian by certified mail.
b. Contain a complete statement of the facts, a list of the witnesses and a description of their testimony.

c. State the date, time and place of the hearing;
d. Be accompanied by a copy of sections 127.26 to 127.39.
e. Describe alternative educational programs accorded the pupil prior to commencement of the expulsion or exclusion proceedings; and
f. Inform the pupil and parent or guardian of the right to:
1) Have legal counsel at the hearing.
2) Examine the pupil's records before the hearing.
3) Present evidence.
4) Confront and cross-examine all witnesses.
SUBDIVISION 3. The hearing shall be scheduled within ten days of the service of the written notice unless an extension, not to exceed five days, is requested for good cause by the school board, pupil, parent or guardian.
SUBDIVISION 4. The hearing shall be at a time and place reasonably convenient to pupil, parent or guardian.
SUBDIVISION 5. The hearing shall be closed unless the pupil, parent or guardian requests an open hearing.
SUBDIVISION 6. The pupil shall have a right to a representative of his own choosing, including legal counsel. If a pupil is financially unable to retain counsel, the school board shall advise the pupil's parent or guardian of available legal assistance.
SUBDIVISION 7. The hearing shall take place before:
a. An independent hearing officer
b. A member of the school board, or
c. A committee of the school board, or
d. The full school board; as determined by the school board.
SUBDIVISION 8. The proceedings of the hearing shall be recorded and preserved, at the expense of the school district, pending ultimate disposition of the action. Testimony shall be given under oath. The hearing officer or a member of the school board shall have the power to issue subpoenas and administer oaths.
SUBDIVISION 9. At a reasonable time prior to the hearing, the pupil, parent or guardian, or his representative, shall be given access to all public school system records pertaining to the pupil, including any tests or reports upon which the proposed action may be based.
SUBDIVISION 10. The pupil, parent or guardian or his representative, shall have the right to compel the attendance of any official employee or agent of the public school system or any public employee of any other person who may have evidence upon which the proposed action may be based, and to confront and to cross-examine any witness testifying for the public school system.
SUBDIVISION 11. The pupil, parent or guardian, or his representative, shall have the right to present evidence and testimony, including expert psychology or educational testimony.
SUBDIVISION 12. The pupil cannot be compelled to testify in the dismissal proceedings.
SUBDIVISION 13. The recommendation of the hearing officer or school board member or committee shall be based solely upon substantial evidence presented at the hearing and be made to the school board within two days of the end of the hearing.
SUBDIVISION 14. The decision by the school board shall be based upon the recommendation of the hearing officer or school board member or committee and shall be rendered at a special meeting within five days after receipt of the recommendation. The decision shall be in writing and the controlling facts found upon which the decision is made shall be stated in sufficient detail to apprise the parties and the commissioner of education of the basis and reason for the decision.
127.32 Appeal
An exclusion or expulsion decision made pursuant to sections 127.26 to 127.39 may be appealed to the commissioner of education. The commissioner or his representative shall make a final decision based upon a record of evidence presented at the hearing. Such ruling shall be binding upon the parties, subject to judicial review as provided in section 127.33.
127.33 Judicial Review
The decision of the commissioner of education made pursuant to sections 127.26 to 127.39 shall be subject to direct judicial review in the district court of the county in which the school district of the part thereof is located. The scope of the judicial review shall be as provided by Minnesota Statues 1971, Section 15.0425.
127.34 Reports to Service Agency
The school board shall report any action taken pursuant to sections 127.26 to 127.39 to the appropriate public service agency, when the pupil is under the supervision of such agency.
127.35 Non application of Certain Law
The provisions of Minnesota Statutes 1971, Section 120.10, Subdivision 1, shall not apply to any pupil during a dismissal pursuant to sections 127.26 to 127.39.
127.36 Report to Commissioner of Education
The school board shall report such exclusion or expulsion within 30 days of the effective date of the action to the commissioner of education. This report shall include a statement of alternative programs of education accorded the pupil prior to the commencement of exclusion or expulsion proceedings.
127.37 Notice of Right to Be Reinstated
Whenever a pupil fails to return to school within ten days of the termination of dismissal, the pupil and his parents shall be informed by certified mail of the pupil's right to attend and to be reinstated in the public school.
127.38 Policies to be Established
The commissioner of education shall promulgate guidelines to assist each school board. Each school board shall establish uniform criteria for

dismissal and adopt policies and rules in writing to effectuate the purposes of sections 127.26 to 127.39. The policies will emphasize the prevention of dismissal action through early detection of problems. The policies shall recognize the continuing responsibility of the school for the education of the pupil during the dismissal period and help prepare him for readmission.
127.39 Application
SUBDIVISION 1 Sections 127.26 to 127.39 shall not be deemed to amend or otherwise affect or change Section 363.03, Subdivision 5, Clause (2)
SUBDIVISION 2. Sections 127.26 to 127.39 shall apply only to those portions of the school program for which credit is granted.
REPEALER. Minnesota Statues 1971, Section 127.017, is repealed.
Approved April 11, 1974.

Chapter 183 – Student dismissal from School; Removal from class (Act effective August 1, 2001)

This Act revises the ground for Pupil Fair Dismissal Act for which a pupil may be dismissed from school. It provides that a pupil may be dismissed for willful conduct that significantly (rather than materially and substantially) disrupts the rights of others to an education, or disrupts the ability of school personnel to perform their duties, or disrupts school sponsored extra- curricular activities. It also makes for willful conduct that endangers the pupil of other pupils, or surrounding persons, including school district employees, or property of the school a ground for dismissal.
The Act provides that if a pupil's total days of removal from school exceeds ten (10) cumulative days in a school year, the school district must make reasonable attempts to convene a meeting with the pupil and the pupil's parent or guardian prior to subsequently removing the pupil from school. The purpose of this meeting is to attempt to determine the pupil's need for assessment or other services.
The Act amends the law related to grounds for removal of a pupil from class. It provides that the required policy on removal from class must include a procedure for notifying and meeting with a student's parent or guardian to discuss the problem that is causing the student to be removed from class after the student has been removed from class more that ten (10) times in one school year. It also amends the grounds for removal from class to include willful conduct that significantly (rather than materially and substantially) disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn. It also makes willful conduct that endangers surrounding persons, including school district employees, the student or other students or the property of the school a ground from removal from class.

INDEPENDENT SCHOOL DISTRICT #2167
POLICY ON SECTION 504 OF THE REHABILITATION ACT OF 1973

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a handicap as anyone who:
1. Has a mental or physical impairment which substantially limits one or more major life activity (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, speaking, breathing, learning, and working).
2. Has a record of such an impairment, or;
3. Is regarded as having an impairment.

It is the policy of Independent School District #2167 not to discriminate on the basis of handicap in admission or access to, or treatment or employment in, its programs and activities.
Section 504 Coordinator.
If there are any questions concerning the District and buildings compliance with Section 504, please contact the respective administrator.
Formal Compliance with Section 504
In adopting this policy the school district states its commitment to nondiscrimination on the basis of handicap. Specific actions in implementing the policy include:
1. Public notice of the policy.
2. Notice of the policy in student and parent handbooks.
3. Provision of parent/student rights under the policy at all decision points or in response to any concern.

Section 504 Grievance Procedures

The grievance procedures for alleging violations under Section 504 are as follows:
Step 1: The grievance must be in writing and must be signed by the person making the complaint. The grievance must be filed with the 504 Coordinator within five (5) school days. The 504 Coordinator will promptly attempt to resolve the matter among the affected parties.
If the 504 Coordinator is unable to resolve the grievance, he/she shall further investigate the matters of grievance and reply in writing to the complainant within ten (10) school days.

Step 2: If the complainant wishes to appeal the decision of the local Section 504 Coordinator, he/she may submit a signed statement of appeal to the Superintendent of Schools within five (5) school days after receipt of the Coordinator's response. The Superintendent shall meet with all parties involved, formulate a conclusion, and respond in writing to the complainant within ten (10) school days.

Step 3: If the complainant remains unsatisfied, he/she may appeal through a signed written statement to the Board of Education within five (5) school days of his/her receipt of the Superintendent's response in Step 2. In an attempt to resolve the grievance, the Board of Education shall meet with the concerned parties and their representatives within forty (40) school days of the receipt of such an appeal. A copy of the Board's disposition of the appeal shall be sent to each concerned party within ten (10) school days of this meeting.

Step 4: If at this point the grievance has not been satisfactorily settled, further appeal may be made to the office for Civil Rights:

Office of Civil Rights, Region V
U.S. Department of Education
401 South State Street
Room 700C, 054010
Chicago, IL. 60605-1202
Phone: (312) 886-3456
FTS: 8-886-3456
TDD: (312) 353-3541

Education Services

Students with handicapping conditions consistent with the definitions set forth in Section 504 of the Rehabilitation Act of 1973 will be identified, evaluated, and provided with appropriate instruction and related services. People with handicaps or who are thought to have handicaps in accordance with Section 504, their parents or their guardians shall have the right to:

1. Have the student take part in and review benefits from public education programs without discrimination because of his/her handicapping conditions;

2. Have the school district advise each person of his/her rights under federal law;

3. Receive notice with respect to identification, evaluation, or placement of the student;

4. Have the student educated in facilities and receive services comparable to those provided non-handicapped students;

5. Have the student be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district;

6. Have placement decisions made based upon a variety of information sources, and by a group of persons including persons knowledgeable about the student, the evaluation data, and placement options;

7. Have the student receive a free appropriate public education. This includes the right to be educated with non-handicapped students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow the student an equal opportunity to participate in school and school-related activities;

8. Have the student receive special education and related services if he/she is found to be eligible under the Individuals With Disabilities Education Act (IDEA, Public Law 101-476);

9. Have transportation provided to and from an alternative placement setting at no greater cost than would be incurred if the student were placed in a program operated by the district;

10. Examine all relevant records relating to decisions regarding the student's identification, evaluation, education program, and placement;

11. Obtain copies of education records at a reasonable cost unless the fee would effectively deny access to the records;

12. Receive a response from the school district to reasonable requests for explanations and interpretations of the student's records;

13. Request amendment of the student's education records if there is a reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of the student. If the school district refuses this request for amendment, it shall provide notification within a reasonable time and provide procedural rights relating to the resolution of the issue;

14. Request conciliation, mediation, or an impartial due process hearing related to decisions or actions regarding the student's identification, evaluation, education program, or placement. Parents, guardians, and the student may take part in the hearing and be represented by an attorney, at their own expense. Requests for due process hearings must be made in writing to the Superintendent; (See Section 504 Hearings below.)

15. Seek review of the results of the hearing; (See Review of Section 504 Hearings below.)

16. File a grievance under Section 504; (See Section 504 Grievance Procedures above.)

A. Section 504 Hearings

A student, parent or guardian, or the School District may request an impartial hearing with regard to actions involving the identification, evaluation, or placement of a student pursuant to Section 504. The procedures for such a hearing are as follows:

1. Request for a Section 504 hearing must be made to the Superintendent.

2. In each case for which has been requested, the Superintendent shall appoint an impartial individual to serve as the Hearing Officer.

3. The Hearing Officer shall determine the procedures for the hearing and set timelines for the same.

4. The parties have the right to representation, at their own expense, throughout the hearing process.

4. The Hearing Officer shall issue a written decision and submit the same to both parties.

A. Procedure for Review of Section 504 Hearings

Either party to a Section 504 hearing may seek review of the Hearing Officer's decision. The procedure for such review is as follows:

1. Notice of appeal must be made within thirty (30) days following receipt of the Hearing Officer's decision.

2. Notice must be given in writing to the other party. In the case of the School District, the written notice shall be directed to the Superintendent of Schools.

3. The School Board shall, upon recommendation of the Superintendent, appoint an impartial individual or individuals to serve as the Review Officer or Review Panel.

4. The Review Officer/Review panel shall determine the procedure for review and set timelines for the same.

5. The parties have the right to representation, at their own expense, throughout the review process.

6. The Review Officer/Review Panel shall issue a written decision and submit the same to both parties.

STUDENT'S PERSON, LOCKERS, DESKS, PERSONAL POSSESSIONS – SEARCH OF...

I. PURPOSE

The purpose of this policy is to provide for a safe and healthful educational environment by enforcing the school district's policies against contraband.

II. GENERAL STATEMENT OF POLICY

A. Lockers and Personal Possessions within a Locker. Pursuant to Minnesota statutes, school lockers are the property of the school district. At no time does the school district relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school authorities for any reason, at any time, without notice, without consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school authorities must provide notice of the search to students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.

B. Desks. Schools desks are property of the school district. At no time does the school district relinquish its exclusive control of desks provided for the convenience of students. Inspection of the interior of desks may be conducted by school authorities for any reason, at any time, without notice, without student consent, and without a search warrant.

C. Personal Possessions and Student's Person.

The personal possessions of students and/or student's person may be searched when school authorities have a reasonable suspicion that the search will uncover a violation of law or school rules. The search will be reasonable in its scope and intrusiveness.

It shall be a violation of this policy for student(s) to use lockers and desks for unauthorized purposes or to store contraband. It shall be a violation for student(s) to carry contraband on their person or in their personal possession.

III. DEFINITIONS

A. "Contraband" means any unauthorized item possession of which is prohibited by school district policy and/or law. It includes but is not limited to weapons and "look-alikes". Alcoholic beverages, controlled substances and "look-alikes", overdue books and other materials belonging to the school district, and stolen property.

B." Personal possessions" includes but is not limited to purses, backpacks, book bags, packages, and clothing.

C." Reasonable suspicion" means that a school official has reason or grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law. Reasonable suspicion may be based on a student's suspicious behavior, a student's age and past history or record of conduct, both in and out of the school context, or other reliable sources of information.

D." Reasonable scope" means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g. to prevent violence, serious and immediate risk of harm or destruction of evidence), and the age of the student.

IV. PROCEDURES

A. School officials may inspect the interiors of lockers and desks for any reason at any time, without notice, without student consent, and without a search warrant.

B. School officials may inspect the personal possessions of student's and/or a student's person based on a reasonable suspicion that the search will uncover a violation of law or school rules. A search of personal possessions of a student and/or a student's person will be reasonable in its scope and intrusiveness.

C. As soon as practicable after a search of personal possessions within a locker pursuant to this policy, the school authorities must provide notice of the search to students whose possessions were searched unless disclosure would impede an ongoing investigation by police or school officials.

D. Whenever feasible, a search of a person shall be conducted in private by a school official of the same sex.

E. A school official conducting any other search may determine when it is appropriate to have a second official present as an observer.

E. A copy of this policy will be printed in the student handbook or disseminated in any other way which school officials deem appropriate. The school district shall provide a copy of this policy to a student when the student is given us of a locker.

V. DIRECTIVES AND GUIDELINES

School administration may establish reasonable directives and guidelines which address specific needs of the school district, such as use of tape in locker, standards of cleanliness and care, posting pin-ups and posters which may constitute sexual harassment, etc.

VI. SEIZURE OF CONTRABAND

If search yields contraband, school officials will seize the item, and where appropriate, turn it over to legal authorities of ultimate disposition.

VII. VIOLATION OF POLICY

A student found to have violated this policy and/or the directives and guidelines implementing it shall be subject to discipline in accordance with the school district's Student Discipline Policy, which may include exclusion, or expulsion, and the student may, when appropriate, be referred to legal authorities.

Legal references;
U.S. Const., amend. IV
Minn. Const., art. I, #10
New Jersey v. T.L.O., 469 U.S. 325, 105 S. Ct. 733, 83 L.Ed.2d 720('85)
Minn. Stat. #127.47(school locker policy)

INDEPENDENT SCHOOL DISTRICT #2167 VIOLENCE PREVENTION AND WEAPONS POLICY

501 SCHOOL WEAPONS POLICY

I. PURPOSE

The purpose of this policy is to assure a safe school environment for students, staff and the public.

II. GENERAL STATEMENT OF POLICY

No student or nonstudent, including adults and visitors, shall possess, use or distribute a weapon when in a school location except as provided in this policy. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, volunteer, or member of the public who violates this policy.

III. DEFINITIONS

A. "Weapon"

1. A "weapon" means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any firearm, whether loaded or unloaded; air guns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; numchucks; throwing stars; explosives; fireworks; mace and other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.

2. No person shall possess, use or distribute any object, device or instrument having the appearance of a weapon and such objects, devices or instruments shall be treated as weapons including, but not limited to, weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.

3. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.), to inflict bodily harm and/or intimidate and such use will be treated as the possession and use of a weapon.

B. "School Location" includes any school building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the school district.

C. "Possession" means having a weapon on one's person or in an area subject to one's control in a school location.

IV. EXCEPTIONS

A. A student who finds a weapon on the way to school or in a school location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the principal's office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the principal's office, a student shall not be considered to possess a weapon if he or she immediately turns the weapon over to an administrator, teacher or head coach or immediately notifies an administrator, teacher or head coach of the weapon's location.

B. It shall not be a violation of this policy if a non-student falls within one of the following categories:

1. Licensed peace officers, military personnel, or students participating in military training, who are on duty performing official duties;

2. Persons authorized to carry a pistol under Minn. Stat., Section 624.714, while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle;

3. Persons who keep or store in a motor vehicle pistols in accordance with Minn. Stat., Sections 624.714 or 624.715, or other firearms in accordance with Section 97B.045;

a. Section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Section 624.715 defines an exception to the pistol permit requirements for "antique firearms which are carried or possessed as curiosities or for their historical significance or value."

b. Section 97B.045 generally provides that a firearm may not be transported in a motor vehicle unless it is (1) unloaded and in a gun case without any portion of the firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in compliance with Sections 624.714 and 624.715.

4. Firearm safety or marksmanship courses or activities conducted on school property;

5. Possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;

6. A gun or knife show held on school property;
7. Possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center; or

8. Persons who are on unimproved property owned or leased by a child care center, school or school district unless the person knows that a student is currently present on the land for a school-related activity.

F. Policy Application to Instructional Equipment/Tools
While the school district takes a firm "Zero Tolerance" position on the possession, use or distribution of weapons by students, and a similar position with regard to non-students, such a position is not meant to interfere with instruction or the use of appropriate equipment and tools by students or non-students. Such equipment and tools, when properly possessed, used and stored, shall not be considered in violation of the rule against the possession, use or distribution of weapons. However, when authorized instructional and work equipment and tools are used in a potentially dangerous or threatening manner, such possession and use will be treated as the possession and use of a weapon.

E. Firearms in School Parking Lots and Parking Facilities
A school district may not prohibit the lawful carry or possession of firearms in a school parking lot or parking facility. For purposes of this policy, the "lawful" carry or possession of a firearm in a school parking lot or parking facility is specifically limited to non-student permit-holders authorized under Minn. Stat., Section 624.714, to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle. Any possession or carry of a firearm beyond the immediate vicinity of a permit-holder's vehicle shall constitute a violation of this policy.

V. CONSEQUENCES FOR STUDENT WEAPON POSSESSION / USE / DISTRIBUTION
A. The school district and the school takes a position of "Zero Tolerance" in regard to the possession, use or distribution of weapons by students. Consequently, the minimum consequence for students possessing, using or distributing weapons shall include:

1. Immediate out-of-school suspension;

2. Confiscation of the weapon;

3. Immediate notification of police;

4. Parent or guardian notification; and

5. Recommendation to the superintendent of dismissal for a period of time not to exceed one year.

B. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The school board may modify this requirement on a case-by-case basis.

C. Administrative Discretion
While the school district and the school takes a "Zero Tolerance" position on the possession, use or distribution of weapons by students, the superintendent may use discretion in determining whether, under the circumstances, a course of action other than the minimum consequences specified above is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.

VI. CONSEQUENCES FOR WEAPON POSSESSION/USE/DISTRIBUTION BY NONSTUDENTS
A. Employees
1. An employee who violates the terms of this policy is subject to disciplinary action, including non-renewal, suspension, or discharge as deemed appropriate by the school board.

2. Sanctions against employees, including non-renewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.

3. When an employee violates the weapons policy, law enforcement may be notified, as appropriate.

B. Other Non-students
1. Any member of the public who violates this policy shall be informed of the policy and asked to leave the school location. Depending on the circumstances, the person may be barred from future entry to school locations. In addition, if the person is a student in another school district, that school district may be contacted concerning the policy violation.

2. If appropriate, law enforcement will be notified of the policy violation by the member of the public and may be asked to provide an escort to remove the member of the public from the school location.

INDEPENDENT SCHOOL DISTRICT #2167 BULLYING POLICY 514

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 students' ability to learn and teachers' 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, it is the school district's intent to prevent bullying and to take action to investigate, respond, remediate, and discipline 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, and other similar disruptive 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 district property or at school-related functions. 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 that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees. The misuse of technology including, but not limited to, teasing, intimidating, defaming, threatening, or terrorizing another student, teacher, administrator, volunteer, contractor, or other employee of the school district by sending or posting e-mail messages, instant messages, text messages, digital pictures or images, or Web site postings, including blogs, also may constitute an act of bullying regardless of whether such acts are 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 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, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline for that act in accordance with school district's policies and procedures. The school district may take into account the following factors:

1. The developmental and maturity levels of the parties involved;

2. The levels of harm, surrounding circumstances, and nature of the behavior;

3. Past incidences or past or continuing patterns of behavior;

4. The relationship between the parties involved; and

5. The context in which the alleged incidents occurred.

Consequences for students who commit prohibited acts of bullying may range from positive behavioral interventions up to and including suspension and/or expulsion. 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 and/or termination of services and/or contracts.

G. The school district will act to investigate all complaints of bullying 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 any written or verbal expression, physical act or gesture, or pattern thereof, by a student that is intended to cause or is perceived as causing distress to one or more students and which substantially interferes with another student's or students' educational benefits, opportunities, or performance. Bullying includes, but is not limited to; conduct by a student against another student that a reasonable person under the circumstances knows or should know has the effect of:

1. Harming a student or a group of students;

2. Damaging a student's property or a group of students' property;

3. Placing a student in reasonable fear of harm to his or her person or property; ~~or~~

4. Creating a hostile educational environment for a student or a group of students; or
5. Intimidating a student or a group of students.

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

C. "On school district property or at school-related functions" 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.

IV. REPORTING PROCEDURE

A. Any person who believes he or she has been the victim of bullying or any person with knowledge or belief of conduct that may constitute bullying shall report the alleged acts immediately to an appropriate school district official designated by this policy. A student may report bullying anonymously. However, the school district's ability to take action against an alleged perpetrator based solely on an anonymous report may be limited.

B. The school district encourages the reporting party or complainant to use the report form available from the principal of each building or available from the school district office, but oral reports shall be considered complaints as well.

C. The building principal or the principal's designee or the building supervisor is the person responsible for receiving reports of bullying at the building level. Any person may report bullying directly to a school district human rights officer or the superintendent.

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 receives a report of, observes, or has other knowledge or belief of conduct that may constitute bullying shall inform the building principal immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying in a timely manner may be subject to disciplinary action.

E. Reports of bullying are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.

F. Submission of a good faith complaint or report of bullying will not affect the complainant's or reporter's future employment, grades, or 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. Upon receipt of a complaint or report of bullying, the school district shall undertake or authorize an investigation by school district officials or a third party designated by the school district.

B. The school district may take immediate steps, at its discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of bullying, consistent with applicable law.

C. Upon completion of the investigation, 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 the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; school district policies; and regulations.

D. 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 involved in a bullying incident and the remedial action taken, to the extent permitted by law, based on a confirmed report.

VI. 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 retaliates against any person who makes a good faith report of alleged bullying or against any person who testifies, assists, or participates in an investigation, or against any person who testifies, assists, or participates in a proceeding or hearing relating to such bullying. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment.

VII. TRAINING AND EDUCATION

A. The school district annually will provide information and any applicable training to school district staff regarding this policy.

B. 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.

C. 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 victim, and to make resources or referrals to resources available to victims of bullying.

D. 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, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.

VIII. NOTICE

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.

Lakeview Independent School District 2167

PHYSICIAN'S ORDER FOR GIVING MEDICATIONS IN SCHOOLS

Name of Student _____ Birth Date _____

Parent or Guardian's Name _____

TO BE FILLED IN BY PHYSICIAN or PARENT IF 'OVER-THE-COUNTER' MEDICATION

Name of Medication: _____

Dosage and Route of Administration: _____

Time of Administration: _____

Purpose of Medications and why it is needed during school hours: _____

_____

Possible side effects: _____

Termination Date for Administration: _____

Physician's Signature: _____

(for prescription medications only)

Date: _____

Telephone Number: _____

TO BE FILLED OUT BY PARENT/GUARDIAN

□ I request medication to be given at school as prescribed by our physician.

□ I request medication to be given at school for over-the-counter use.

_____ _____

Date Signature of Parent/Guardian

Note: Medication must be brought to school in a container labeled by a physician or pharmacist. The Label must include the name of the pharmacy, the patient's name, name of prescribing physician, and directions for use.

Adopted: 11-20-06 **Lakeview Policy 413**
Orig. 2006
Revised: 7-15-24 Rev. 2024

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, chapter 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

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.

[NOTE: In 2023, the Minnesota legislature amended the definition of "sexual orientation" in the Minnesota Human Rights Act as reflected in subpart 6 below. A charter school board may choose whether to retain the phrase "including gender identity or expression" in light of the legislative amendment.]

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 having legal status or custody with:

a. the minor's parent or parents or the minor's legal guardian or guardians; or

b. the designee of the parent or parents or guardian or guardians with the written permission of the parent or parents or guardian or guardians. Familial status also means residing with and caring for one or more individuals who lack the ability to meet essential requirements for physical health, safety, or self-care because the individual or individuals are unable to receive and evaluate information or make or communicate decisions. 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.

[NOTE: The 2024 Minnesota legislature revised the definition of "familial status"].

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 to whom someone is, or is perceived of as being, emotionally, physically, or sexually attracted to based on sex or gender identity. A person may be attracted to men, women, both, neither, or to people who are genderqueer, androgynous, or have other gender identities.

[NOTE: The 2023 Minnesota legislature redefined 'sexual orientation' in the Minnesota Human Rights Act.]

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
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 complainant.
D. In Each School Building. The building principal (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 the Superintendent 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.
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.

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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.
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.
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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
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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.
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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, self-discipline, 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: Lakeview School District Policy 102 (Equal Educational Opportunity)
Lakeview School District Policy 401 (Equal Employment Opportunity)
Lakeview School District Policy 402 (Disability Nondiscrimination Policy)
Lakeview School District Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
Lakeview School District Policy 406 (Public and Private Personnel Data)
Lakeview School District Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
Lakeview School District Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
Lakeview School District Policy 506 (Student Discipline)
Lakeview School District Policy 514 (Bullying Prohibition Policy)
Lakeview School District Policy 515 (Protection and Privacy of Pupil Records)
Lakeview School District Policy 521 (Student Disability Nondiscrimination)
Lakeview School District Policy 522 (Title IX Sex Nondiscrimination,
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Grievance Procedures and Process)
Lakeview School District Policy 524 (Internet Acceptable Use and Safety Policy)
Lakeview School District Policy 525 (Violence Prevention)
Lakeview School District Policy 526 (Hazing Prohibition)
Lakeview School District Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

Lakeview School District Policy 506

Revised 2014
Revised 2019
Revised: 8-19-19

506 STUDENT DISCIPLINE

[Note: School districts are required by statute to have a policy addressing these issues.]

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

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

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

III. AREAS OF RESPONSIBILITY

A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.

B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.

C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.

F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the behavior of their children.

G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.

H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

IV. STUDENT RIGHTS

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

V. STUDENT RESPONSIBILITIES

All students have the responsibility:

A. For their behavior and for knowing and obeying all school rules, regulations, policies and procedures;

B. To attend school daily, except when excused, and to be on time to all classes and other school functions;

C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;

D. To make necessary arrangements for making up work when absent from school;

E. To assist the school staff in maintaining a safe school for all students;

F. To be aware of all school rules, regulations, policies and procedures, including those in this policy, and to conduct themselves in accord with them;

G. To assume that until a rule or policy is waived, altered or repealed, it is in full force and effect;

H. To be aware of and comply with federal, state and local laws;

I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;

J. To respect and maintain the school's property and the property of others;

K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;

L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;

M. To conduct themselves in an appropriate physical or verbal manner; and

N. To recognize and respect the rights of others.

VI. CODE OF STUDENT CONDUCT AND DISCIPLINARY ACTIONS

DESTRUCTION OF SCHOOL/PERSONAL PROPERTY OR THEFT OF SCHOOL/PERSONAL PROPERTY
If a student is found destroying of stealing any school or personal property at Lakeview School, that person must make financial remuneration and work restitution. The administration will determine if more disciplinary actions are necessary. Students will be held financially responsible for lost or damaged textbooks and equipment.

DISCIPLINE & BEHAVIOR EXPECTATIONS
Lakeview students are expected to treat people, property, and themselves with respect. Students and staff are encouraged to help those engaging in inappropriate behavior by identifying the disrespectful action(s) to the attention of the student acting inappropriately. If the student does not respond in an appropriate manner, the incident should be reported. Respectful behavior is necessary to maintain a productive learning environment. Expectations and consequences have been set forth governing the conduct of students while under school supervision have been instituted with the goal of providing a positive, safe, and caring learning environment. All Lakeview students and staff are expected to help promote this environment.

DISCIPLINARY CONSEQUENCES
A. Disciplinary consequences may include but is not limited to:

Meeting with the teacher, counselor, or Principal
Detention
Loss of school privileges
Parental conference with school staff
Out of School Detention

Modified school programs
Removal from class
Out of School Suspension
Exclusion and Expulsion

Behavior Intervention Plans (BIP): Students, parents, staff, and administration will meet to set up a BIP after three offenses of any level, or one offense of level 4-5.

B. Six levels of disciplinary action have been recommended by Lakeview staff, students and parents:

Level 1
1st offenseWritten warning
2nd offense Detention
3rd offense In School Suspension

Level 2
1st offenseDetention
2nd offense In School Suspension
3rd offense Out of school suspension
(3 days)

Level 3
1st offenseIn School Suspension
2nd offense Out of school suspension
(3 days)
3rd offense Out of School Suspension
(5 days)

Level 4
1st offenseOut of school suspension
(3 days)
2nd offense Out of school Suspension
(5 days)
3rd offense Expulsion

Level 5
1st offenseOut of School Suspension
(5 days)
2nd offense Expulsion

Level 6
1st offenseExpulsion

If a student fails to complete assigned after school detention, out of school detention may be assigned for the following day.

C. The behaviors in each Category are as follows:

Level 1
Inappropriate language
Horse Play
Dress Code Violations
Tardy Unexcused
Disruption to classroom
Loitering
Leaving a Mess
Leaving class without permission
Hats/Headgear/Hoods +
Public Displays of Affection
Illegal Parking
Removable Graffiti~

Level 2
Inappropriate language towards student
Verbal/Written/Electronic Abuse

Cell Phone +
Leaving building without permission
Insubordination
Possession of Lighters +
Trespassing
Unauthorized entry in or use of property
Unauthorized locations in/on school grounds
Causing property damage
Causing minor injury
Dishonesty intended to mislead staff
Forging of signatures

Bullying/Cyberbullying at school or on school device

Level 3
Disrespect towards teacher/staff
Inappropriate language towards staff
Inappropriate language directed towards a legally protected class
Threats toward student
Physical threat toward student
Causing accidental harm
Possession of flammable material+
Careless/Exhibition/Reckless driving on school grounds**
Harassment of students or staff**
Fighting
Self defense
Possession of Ammo+
Petty theft ($20 or less)
Skipping Detention

Level 4
Threats toward teacher/staff
Theft** (Greater than $20)
Vandalism**
Alcohol/drug use**
Vaping/ tobacco use +**
Possession of tobacco**
Possession of alcohol**
False fire alarm**
Hazing
Use of flammables**
Use of fireworks**
Weapons – class I ++

Level 5
Possession of drugs**
Burglary**
Assault

Level 6
Weapons - class II +++
Terroristic threat**
Sexual violence**
Selling drugs/alcohol**
Arson**
Aggravated assault**
Bomb threats**
Explosives, possession, use of**
Stealing by force**

^every 3 tardies = Detention, after 9 tardies students get a Behavior Intervention Plan

*referral to anger management,
alcohol abuse as needed

**referral to law enforcement

+ Confiscation

_____restitution made

++Class I weapons – sharp objects with blades less than 2.5 inches or other objects unlikely to cause life-threatening injuries.

+++Class II weapons – loaded guns, guns accompanied by ammunition, sharp objects with blades longer than 2.5 inches, or other weapons likely to cause life-threatening injuries

! PDA is defined as an act or gesture of a romantic nature; such actions include, but are not limited to kissing, touching, petting, groping, licking, nuzzling, cuddling, crossing hands into each other's pockets, hugging, etc.

D. All behavior notices will be logged electronically through the school's information system, SchoolView. Parents should check this source for information under the "Behavior" button regularly.

E. The principal has discretion to adjust consequences depending on the results of the investigation.

F. Unforeseen, inappropriate behaviors that arise will be placed in the appropriate level by the principal.

G. Disciplinary action will be reported to the athletic director, coaches, and advisors. Repeated violations may result in suspension of participation.

H. The fact that a student is in an extra curricular activity or is scheduled to work does not excuse him or her from staying after school.

VII. REMOVAL OF STUDENTS FROM CLASS

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

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

1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn;

2. Willful conduct that endangers surrounding persons, including school district employees, the student or other students, or the property of the school;

3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or

4. Other conduct, which in the discretion of the teacher or administration, requires removal of the student from class.

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

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

[Note: The following Sections C. - K. must be developed and inserted by each school district based upon individual district practices, procedures and preferences.]

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

1. In the event a student needs to be removed from class, the teacher will first direct the student to report to the office. The office staff will be notified via phone that the student is on his or her way to the office. If no phone contact is made, an e-mail will be sent to office staff and administration, notifying that the student will be in the office area. If the student is non- compliant in this

request, administration will be called to assist in removing the student from the classroom. Failure to comply with administration may result in other actions including, but not limited to, continued monitoring and additional consequences for insubordination, the CASH Team, removal of the rest of the students, and/or law enforcement.

2. Before removing a student from the classroom setting, teachers will evaluate the educational environment to determine the best course of action, not only for the individual student, but for the classroom as a whole. The removed student will still have the opportunity to work on schoolwork and responsibility to complete that schoolwork.

3. The removal of a student from the classroom setting will be recorded in the online behavior system.

D. Responsibility for and Custody of a Student Removed From Class.

1. A student will go to the office area when removed from a class.

2. Students will walk to the office area.

3. This walk to the office area may occur independently; however, in other cases, a teacher escort or administrative escort may be provided. In rare cases, the CASH Team will assist in this transportation.

4. When removed, the student will share the events leading up to the removal from class; after sharing this information, the student may be allowed time to regather his or her composure. Additionally, the student is still responsible for school work. Time in the office may be used for that purpose.

5. When a student is removed from a classroom, the administrator or his or her designee has control and responsibility for the student.

E. Procedures for Return of a Student to a Class From Which the Student Was Removed.

1. During the time spent in the office, the student will be interviewed by administration or an administrative designee. This conference will include an evaluation of the student's ability to reenter a classroom setting. If a student is unable to reenter the classroom setting, administration or the administrative designee will provide a quiet study area for the student and continue to monitor the student's progress towards classroom reentry.

F. Procedures for Notification.

1. In the event of a classroom removal, information will be recorded in the online behavior management system.

G. Disabled Students; Special Provisions.

1. If a disabled student were to be removed from the classroom setting, the student's case manager would be consulted immediately regarding the situation and be called in for interview, intervention, and consultation.

2. During that work, the consulting team will determine a need for an IEP review, Behavior Plan creation or revision, or other appropriate action.

H. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.

1. Anyone who suspects chemical abuse by students while on school premises should immediately report to a school administrator. School administration or their designee will contact the student's parents/guardians.

2. Law Enforcement may be notified if chemical use is suspected or confirmed by school administration. A secured building may be necessary to provide law enforcement the proper time and space to perform required duties.

I. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct.

1. As part of the student interview process, administration or the administrative designee will assist the student in formulating scenario actions alternative to what had happened.

2. Additional conversations between the student and teacher may occur, facilitated by the administrator or administrative designee.

3. A plan of future action may be developed collaboratively with the student and administrator or administrative designee.

J. Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior.

1. Teachers are encouraged to maintain open communication with parents from the start of the school year regarding academic progress as well as behavior in the classroom.

2. Teachers and administrators will keep records of student behaviors in the online system.

3. Parents are encouraged to monitor academic progress and behavior notes on a regular basis through the parent portal online system.

VIII. DISMISSAL

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

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

The school district shall not dismiss any student without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

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

1. Willful violation of any reasonable school board regulation, including those found in this policy;

2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or

3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

C. Suspension Procedures

1. "Suspension" means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less, except as may be provided in federal law for a student with a disability.

2. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the pupil's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.

3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.

4. In the case of a student with a disability, the student's individual education plan team shall meet immediately but not more than ten (10) school days after the date on which the decision to remove the student from the student's current education placement is made. The individual education plan team must review all relevant information in the student's file to determine if the conduct in question was (i) caused by, or had a direct and substantial relationship to, the child's disability, or (ii) the direct result of the school's failure to implement the individual education plan.

The requirements of the individual education plan team meeting apply when: (1) the parent requests a meeting; (2) the student is removed from the student's current placement for five (5) or more consecutive days; or (3) the student's total days of removal from the student's placement during the school year exceed ten (10) cumulative days in a school year. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. A separate administrative conference shall be conducted for each period of suspension.

5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the pupil to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.

6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.

7. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:

a. strongly encourage a parent or guardian of the student to attend school with the student for one day;

b. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and

c. petition the juvenile court that the student is in need of services under Minn. Stat. Ch. 260C.

8. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)

9. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.

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

11. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

D. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.

2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.

3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.

4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.

5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE).

6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent or guardian.

7. All hearings shall be held at a time and place reasonably convenient to the student, parent or guardian and shall be closed, unless the student, parent or guardian requests an open hearing.

8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.

9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.

10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.

11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.

12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.

13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.

14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.

15. The student cannot be compelled to testify in the dismissal proceedings.

16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.

17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of Education (Commissioner) of the basis and reason for the decision.

18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minn. Stat. § 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.

19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.

20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.

21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

IX. ADMISSION OR READMISSION PLAN

A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student's behavior, including completing a character education program consistent with Minn. Stat. § 120B.232, Subd. 1, and require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

X. NOTIFICATION OF POLICY VIOLATIONS

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

XI. STUDENT DISCIPLINE RECORDS

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

XII. DISABLED STUDENTS

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

Where a student is dismissed for five (5) or more consecutive days, or has accumulated more than ten (10) days of dismissal over the course of the school year, the school district will convene a meeting to determine whether the student's educational program is appropriate and to review all relevant information in order to determine whether the behavior subject to discipline is a manifestation of the student's disability. Such a meeting must be held within ten (10) school days of the school district's

decision to remove the student from his or her current educational placement and must be held before commencing an expulsion or exclusion of the student. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior. If the student was placed in a 45-day interim alternative educational setting pending the manifestation determination, the student will be returned to the placement from which the student was removed unless the student and school district agree to a change of placement as part of the modification of the behavioral intervention plan.

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

XIII. OPEN ENROLLED STUDENTS

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

XIV. DISTRIBUTION OF POLICY

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

XV. REVIEW OF POLICY

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.26 (School Preassessment Teams)
Minn. Stat. § 121A.27 (School and Community Advisory Team)
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)
Minn. Stat. § 121A.582 (Reasonable Force)
Minn. Stat. §§ 121A.60-121A.61 (Removal From Class)
Minn. Stat. § 123A.05 (Area Learning Center Organization)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 (Enrollment in Nonresident District)
Minn. Stat. Ch.125A (Students With Disabilities)
Minn. Stat. Ch. 260A (Truancy)
Minn. Stat. Ch. 260C (Juvenile Court Act)
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 et seq. (Rehabilitation Act of 1973, § 504)
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

Cross References: Lakeview School District Policy 413 (Harassment and Violence)
Lakeview School District Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)
Lakeview School District Policy 501 (School Weapons)
Lakeview School District Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
Lakeview School District Policy 503 (Student Attendance)
Lakeview School District Policy 505 (Distribution of Nonschool-Sponsored
Materials on School Premises by Students and Employees)
Lakeview School District Policy 514 (Bullying Prohibition Policy)
Lakeview School District Policy 524 (Internet Acceptable Use and Safety Policy)
Lakeview School District Policy 525 (Violence Prevention)

Lakeview School District Policy 526 (Hazing Prohibition)
Lakeview School District Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)
Lakeview School District Policy 610 (Field Trips)
Lakeview School District Policy 709 (Student Transportation Safety Policy)

Adopted: 10-20-08 **Lakeview School District Policy 419**
Revised: 7-15-24 **Orig. 1995**
Rev. 2024

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.

B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.

C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.

D. The school district will not solicit or accept any contributions or gifts of money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, tobacco-related devices, or electronic delivery devices. The school district will not promote or allow promotion of tobacco products or electronic delivery devices on school property or at school-sponsored events.

III. DEFINITIONS

A. “Electronic delivery device” means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of aerosol or vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any

component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.

B. “Heated tobacco product” means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.

C. “Tobacco” means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.

D. “Tobacco-related devices” means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.

E. “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.

F. “Vaping” means using an activated electronic delivery device or heated tobacco product.

IV. EXCEPTIONS

A. A violation of this policy does not occur when an Indian adult lights tobacco on school district property as a part of a traditional Indian spiritual or cultural ceremony. An American Indian student may carry a medicine pouch containing loose tobacco intended as observance of traditional spiritual or cultural practices. An Indian is a person who is a member of an Indian tribe as defined under Minnesota law.

B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off- campus events sponsored by the school district.

C. An American Indian student or staff member may use tobacco, sage, sweetgrass, and cedar to conduct individual or group smudging in a public school. The process for conducting smudging is determined by the building or site administrator. Smudging must be conducted under the direct supervision of an appropriate staff member, as determined by the building or site administrator. 419-3

V. VAPING PREVENTION INSTRUCTION

A. The school district must provide vaping prevention instruction at least once to students in grades 6 through 8.

B. The school district may use instructional materials based upon the Minnesota Department of Health’s school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the school district’s locally developed health standards.

VI. ENFORCEMENT

A. All individuals on school premises shall adhere to this policy.

B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.

C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.

D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.

E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.

F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.

G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

VII. DISSEMINATION OF POLICY

A. This policy shall appear in the student handbook.

B. The school district will develop a method of discussing this policy with students and employees.

Legal References: Minn. Stat. § 120B.238 (Vaping Awareness and Prevention)

Minn. Stat. § 121A.08 (Smudging Permitted)

Minn. Stat. §§ 144.411-144.417 (Minnesota Clean Indoor Air Act)

Minn. Stat. § 609.685 (Sale of Tobacco to Persons Under Age 21)

2007 Minn. Laws Ch. 82 (Freedom to Breathe Act of 2007)

Cross References: Lakeview School District Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)

Lakeview School District Policy 506 (Student Discipline) 419-4

Adopted: 1-5-09

Lakeview School District Policy 505

Revised:

505 DISTRIBUTION OF NONSCHOOL-SPONSORED MATERIALS ON SCHOOL PREMISES BY STUDENTS AND EMPLOYEES

I. PURPOSE The purpose of this policy is to protect the exercise of students' and employees' free speech rights, taking into consideration the educational objectives and responsibilities of the school district. II. GENERAL STATEMENT OF POLICY A. The school district recognizes that students and employees have the right to express themselves on school property. This protection includes the right to distribute, at a reasonable time and place and in a reasonable manner, nonschoolsponsored material. B. To protect First Amendment rights, while at the same time preserving the integrity of the educational objectives and responsibilities of the school district, the school board adopts the following regulations and procedures regarding distribution of nonschool-sponsored material on school property and at school activities. III. DEFINITIONS A. "Distribute" or "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, or placing material in internal staff or student mailboxes. B. "Nonschool-sponsored material" or "unofficial material" includes all materials or objects intended for distribution, except school newspapers, employee newsletters, literary magazines, yearbooks and other publications funded and/or sponsored or authorized by the school. Examples of nonschool-sponsored materials include but are not limited to leaflets, brochures, buttons, badges, flyers, petitions, posters, and underground newspapers whether written by students or employees or others, and tangible objects. C. "Obscene to minors" means: 1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested; 505-2 2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and 3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors. D. "Minor" means any person under the age of eighteen (18). E. "Material and substantial disruption" of a normal school activity means: 1. Where the normal school activity is an educational program of the district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program. 2. Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student

rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity. In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question. F. "School activities" means any activity sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods. G. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower that individual in the esteem of the community. IV. GUIDELINES A. Students and employees of the school district have the right to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, nonschool-sponsored material. 505-3 B. Requests for distribution of nonschool-sponsored material will be reviewed by the administration on a case-by-case basis. However, distribution of the materials listed below is always prohibited. Material is prohibited that: 1. is obscene to minors; 2. is libelous or slanderous; 3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended; 4. advertises or promotes any product or service not permitted to minors by law; 5. advocates violence or other illegal conduct; 6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious or ethnic origin); 7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations. C. Distribution by students and employees of nonschool-sponsored materials on school district property are subject to reasonable time, place, and manner restrictions set forth below. In making decisions regarding the time, place, and manner of distribution, the administration will consider factors including, but not limited to, the following: 1. whether the material is educationally related; 2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities; 3. whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways; 4. the quantity or size of materials to be distributed; 5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources; 505-4 6. whether distribution would require that nonschool persons be present on the school grounds; 7. whether the materials are a solicitation for goods or services not requested by the recipients. V. TIME, PLACE, AND MANNER OF DISTRIBUTION A. No nonschool-sponsored material shall be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity. B. Distribution of nonschool-sponsored material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school, and school parking lots. Distribution shall not impede entrance to or exit from school premises in any way. C. No one shall coerce a student or staff member to accept any publication. D. The time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy. VI. PROCEDURES A. Any student or employee wishing to distribute (as defined in this policy) nonschool- sponsored material must first submit for approval a copy of the material to the princiapl at least 24 hours in advance of desired distribution time, together with the following information: 1. Name and phone number of the person submitting the request and, if a student, the room number of his or her first-period class. 2. Date(s) and time(s) of day intended for distribution. 3. Location where material will be distributed. 4. If intended for students, the grade(s) of students to whom the distribution is intended. B. Within one school day, the principal will review the request and render a decision. In the event that permission to distribute the material is denied or limited, the person submitting the request should be informed in writing of the reasons for the denial or limitation. C. If the person submitting the request does not receive a response within one school day, the person shall contact the office to verify that the lack of response was not due to an inability to locate the person. 505-5 D. If the person is dissatisfied with the decision of the principal, the person may submit a written request for appeal to the superintendent. If the person does not receive a response within three (3) school days (not counting Saturdays, Sundays and holidays) of submitting the appeal, the person shall contact the office of the Superintendent to verify that the lack of response is not due to an inability to locate the person. E. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted. VII. DISCIPLINARY ACTION A. Distribution by any student of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place and manner of distribution as described above will be halted and disciplinary action will be taken in accordance with the school district's Student Discipline Policy. B. Distribution by any employee of nonschool-sponsored material prohibited herein or in violation of the provisions of time, place and manner of distribution as described above will be halted and appropriate disciplinary action will be taken, in accordance with any individual contract, collective bargaining agreement, school district policies and procedures, and/or governing statute. C. Any other party violating this policy will be requested to leave the school property immediately and, if necessary, the police will be called. VIII. IMPLEMENTATION The school district administration may develop any additional guidelines and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy. [Note: School districts are encouraged to consider additional guidelines which reflect varied local practices relating to this subject matter, including addressing the subject of consistency and uniformity for approving or disapproving practices under this policy.] Legal References: U. S. Const., amend. I Hazelwood School District v. Kuhlmeier, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988) Bethel Sch. Dist. No. 403 v. Fraser, 478 U.S. 675, 106 S.Ct. 3159, 92 L.Ed.2d 549 (1986) Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969) Bystrom v. Fridley High School, 822 F.2d 747 (8th Cir. 1987) 505-6

Adopted: 2-17-09

Lakeview School District Policy 520

Orig. 1995
Rev. 2003

520 STUDENT SURVEYS

I. PURPOSE Occasionally the school district utilizes surveys to obtain student opinions and information about students. The purpose of this policy is to establish the parameters of information that may be sought in student surveys. II. GENERAL STATEMENT OF POLICY Student surveys may be conducted as determined necessary by the school district. Surveys, analyses and evaluations conducted as part of any program funded through the U.S. Department of Education must comply with 20 U.S.C. § 1232h. III. STUDENT SURVEYS IN GENERAL A. Student surveys will be conducted anonymously and in an indiscernible fashion. No mechanism will be used for identifying the participating student in any way. No attempt will be made in any way to identify a student survey participant. There will be no requirement that the student return the survey, and no record of the student's returning a survey will be maintained. B. The superintendent may choose not to approve any survey that seeks probing personal and/or sensitive information that could result in identifying the survey participant, or is discriminatory in nature based on age, race, color, sex, disability, religion, or national origin. C. Surveys containing questions pertaining to the student's or the student's parent(s) or guardian(s) personal beliefs or practices in sex, family life, morality and religion will not be administered to any student unless the parent or guardian of the student is notified in writing that such survey is to be administered and the parent or guardian of the student gives written permission for the student to participate or the opportunity to opt out of the survey depending upon how the survey is funded. Any and all documents containing the written permission of a parent for a student to participate in a survey will be

maintained by the school district in a file separate from the survey responses. D. Although the survey is conducted anonymously, potential exists for personally identifiable information to be provided in response thereto. To the extent that personally identifiable information of a student is contained in his or her 520-2 responses to a survey, the school district will take appropriate steps to ensure the data is protected in accordance with Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act), 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act) and 34 C.F.R. Part 99. IV. STUDENT SURVEYS CONDUCTED AS PART OF DEPARTMENT OF EDUCATION PROGRAM A. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by the parents or guardians of the students. B. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent, to submit to a survey that reveals information concerning: 1. political affiliations or beliefs of the student or the student's parent; 2. mental and psychological problems of the student or the student's family; 3. sex behavior or attitudes; 4. illegal, antisocial, self-incriminating, or demeaning behavior; 5. critical appraisals of other individuals with whom respondents have close family relationships; 6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; 7. religious practices, affiliations, or beliefs of the student or the student's parent; or 8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program). C. A school district that receives funds under any program funded by the U.S. Department of Education shall develop local policies consistent with Sections IV.A. and IV.B., above, concerning student privacy, parental access to information, and administration of certain physical examinations to minors. 520-3 1. The following policies are to be adopted in consultation with parents: a. The right of a parent to inspect, on request, a survey, including an evaluation, created by a third party before the survey is administered or distributed by a school to a student, including procedures for granting a parent's request for reasonable access to such survey within a reasonable period of time after the request is received. "Parent" means a legal guardian or other person acting in loco parentis (in place of a parent), such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child. b. Arrangements to protect student privacy in the event of the administration or distribution of a survey, including an evaluation, to a student which contains one or more of the items listed in Section IV.B., above, including the right of a parent of a student to inspect, on request, any such survey. c. The right of a parent of a student to inspect, on request, any instructional material used as part of the educational curriculum for the student and procedures for granting a request by a parent for such access within a reasonable period of time after the request is received. "Instructional material" means instructional content that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (i.e., materials accessible through the Internet). The term does not include academic tests or academic assessments. d. The administration of physical examinations or screenings that the school district may administer to a student. This provision does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. § 1400, et seq.). e. The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing the information to others for that purpose), including arrangements to protect student privacy that are provided by the school district in the event of such collection, disclosure, or use. 520-4 (1) "Personal information" means individually identifiable information including a student or parent's first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; or a Social Security identification number. (2) This provision does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as: (a) college or other postsecondary education recruitment or military; (b) book clubs, magazines, and programs providing access to low cost literary products; (c) curriculum and instructional materials used by elementary and secondary schools; (d) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students, or to generate other statistically useful data for the purpose of securing such tests and assessments and the subsequent analysis and public release of the aggregate data from such tests and assessments; (e) the sale by students of products or services to raise funds for school-related or education-related activities; and (f) student recognition programs. (3) The right of a parent to inspect, on request, any instrument used in the collection of information, as described in Section IV.C.1., Subparagraph e., above, before the instrument is administered or distributed to a student and procedures for granting a request by a parent for reasonable access to such an instrument within a reasonable period of time after the request is received. 2. The policies adopted under Section IV.C., Subparagraph 1., above, shall provide for reasonable notice of the adoption or continued use of such 520-5 policies directly to parents of students enrolled in or served by the school district. a. The notice will be provided at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in a policy. b. The notice will provide parents with an opportunity to opt out of participation in the following activities: (1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose. (2) The administration of any third-party survey (nonDepartment of Education funded) containing one or more of the items contained in Section IV.B., above. (3) Any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or other students. "Invasive physical examination" means any medical examination that involves the exposure of private body parts, or act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening. c. The notice will advise students of the specific or approximate dates during the school year when the activities in Section IV.C.2., Subparagraph b., above, are scheduled, or expected to be scheduled. d. The notice provisions shall not be construed to preempt applicable provisions of state law that require parental notification and do not apply to any physical examination or screening that is permitted or required by applicable state law, including physical examinations or screenings that are permitted without parental notification. D. The school district shall give parents and students notice of their rights under this section. 520-6
Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act) 20 U.S.C. 1232g (Family Educational Rights and Privacy Act) 20 U.S.C. 1232h (Protection of Pupil Rights) 34 C.F.R. Part 99 (Family Educational Rights and Privacy Act Regulations) Gonzaga University v. Doe, 536 U.S. 273, 122 S.Ct. 2268, 153 L.Ed. 2d 309 (2002) Cross References: Lakeview School District Policy 515 (Protection and Privacy of Pupil Records) Lakeview School District Policy 521 (Student Disability Nondiscrimination) Lakeview School District Policy 522 (Student Sex Nondiscrimination)

Lakeview School District Policy 526
Orig. 1997
Adopted: 2-17-09
Revised: 3-16-15
Rev. 2015

526 HAZING PROHIBITION

I. PURPOSE The purpose of this policy is to maintain a safe learning environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times. II. GENERAL STATEMENT OF POLICY A. No student, teacher, administrator, volunteer, contractor or other employee of the school district shall plan, direct, encourage, aid or engage in hazing. B. No teacher, administrator, volunteer, contractor or other employee of the school district shall permit, condone or tolerate hazing. C. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy. D. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited. E. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited. F. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, or tolerates hazing 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, tolerate, or are a party to prohibited acts of hazing may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. Consequences of employees who permit, condone, or tolerate hazing or engage in an act of reprisal or intentional false reporting of hazing may result in disciplinary action up to and including termination or discharge. Consequences for other individuals engaging prohibited acts of hazing may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts. G. This policy applies to hazing that occurs during and after school hours, on or off 526-2 school premises or property, at school functions or activities, or on school transportation. H. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act. I. The school district will act to investigate all complaints of hazing 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 A. "Hazing" means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to: 1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking or placing a harmful substance on the body. 2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student. 3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student. 4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school. 5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations. B. "Immediately" means as soon as possible but in no event longer than 24 hours. C. "On school premises or school district property, or 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 526-3 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 hazing at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. D. "Remedial response" means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing. E. "Student" means a student enrolled in a public school or a charter school. F. "Student organization" means a group, club or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition. IV. REPORTING PROCEDURES A. Any person who believes he or she has been the target or victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report hazing 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 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. The building principal is the person responsible for receiving reports of hazing at the building level. Any adult school district personnel who receives a report of hazing prohibited by this policy shall inform the building principal immediately. Any person may report hazing directly to a school district human rights officer or to the superintendent. If the complaint involves the building principal, 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 principal 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. C. A teacher, administrator, volunteer, contractor, and other school employees shall be particularly alert to possible situations, circumstances or events which might include hazing. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct which may constitute hazing shall make reasonable efforts to address and resolve the hazing and shall inform the building principal immediately. School district personnel who fail to inform the building 526-4 principal of conduct that may constitute hazing or who fail to make reasonable efforts to address and resolve the hazing in a timely manner may be subject to disciplinary action. D. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment. E. Reports of hazing 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 principal, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of hazing and the record of any resulting investigation. F. 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. V. SCHOOL DISTRICT ACTION A. Within three (3) days of the receipt of a complaint or report of hazing, the school district shall undertake or authorize an investigation by school district officials or a third party designated by the school district. B. The building principal or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students, or others pending completion of an investigation of alleged hazing prohibited by this policy. C. The alleged perpetrator of the hazing 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 hazing 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 the requirements of applicable collective bargaining agreements, applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; and applicable school district policies and 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 or victims of hazing and the parent(s) or guardian(s) of alleged 526-5 perpetrators of hazing who have been involved in a reported and confirmed hazing incident of the remedial or disciplinary action taken, to the extent permitted by law. F. In order to prevent or to respond to hazing 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) 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 hazing. 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 hazing, who provides information about hazing, who testifies, assists, or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such hazing. 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. VII. DISSEMINATION OF POLICY A. This policy shall appear in each school's student handbook and in each school's Building and Staff handbooks. B. The school district will develop a method of discussing this policy with students and employees. Legal References: 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 MN Schools Act) Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act) Minn. Stat. § 121A.69 (Hazing Policy) Cross References: Lakeview School District Policy 403 (Discipline, Suspension, and Dismissal of School District Employees) Lakeview School District Policy 413 (Harassment and Violence) Lakeview School District Policy 506 (Student Discipline) Lakeview School District Policy 525 (Violence Prevention [Applicable to Students and Staff])

DEPARTMENT OF EDUCATION

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 > Programs and Initiatives > 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 lose one opportunity to receive a qualifying score that could potentially save him/her time and money by not having to take remedial, non-credit courses at a Minnesota State college or university. My student will not receive an individual score and will be counted as "not proficient" for the purpose of school and district accountability. My school and I may lose valuable information about how well my student is progressing academically. In addition, refusing to participate in statewide assessments may impact the school, district, and state's efforts to equitably distribute resources and support student learning.

Parent/Guardian Name (print) _____

Parent/Guardian Signature _____

To be completed by school or district staff only. Student ID or MARSS Number _____

Posted May 2018

Orig. 2009

Revised: 7-17-23 *Rev. 2023*

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:

1. on the school premises, at the school functions or activities, on the school transportation;

2. by the use of electronic technology and communications on the school premises, during the school functions or activities, on the school transportation, or on the school computers, networks, forums, and mailing lists; or

3. by use of electronic technology and communications off the school premises to the extent such use substantially and materially disrupts student learning or the school environment.

B. A school-aged child who voluntarily participates in a public school activity, such as a cocurricular or extracurricular activity, is subject to the policy provisions applicable to the public school students participating in the activity.

C. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources. This policy also applies to sexual exploitation.

D. Malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, religion, sexual harassment, and sexual orientation and gender identity as defined in Minnesota Statutes, chapter 363A is prohibited. This prohibition applies to students, independent contractors, teachers, administrators, and other school personnel.

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

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

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

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

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

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

1. The developmental ages and maturity levels of the parties involved;

2. The levels of harm, surrounding circumstances, and nature of the behavior;

3. Past incidences or past or continuing patterns of behavior;

4. The relationship between the parties involved; and

5. The context in which the alleged incidents occurred.

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

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

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

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

III. DEFINITIONS

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

A. "Bullying" means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:

1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or

2. materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

The term "bullying" specifically includes cyberbullying, malicious and sadistic conduct, and sexual exploitation.

B. "Cyberbullying" means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.

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

D. "Intimidating, threatening, abusive, or harming conduct" means, but is not limited to, conduct that does the following:

1. Causes physical harm to a student or a student's property or causes a student to be in reasonable fear of harm to person or property;

2. Under Minnesota common law, violates a student's reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or

3. Is directed at any student or students, including those based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

E. "Malicious and sadistic conduct" means creating a hostile learning environment by acting with the intent to cause harm by intentionally injuring another without just cause or reason or engaging in extreme or excessive cruelty or delighting in cruelty.

F. "On school premises, on school district property, at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.

G. "Prohibited conduct" means bullying, cyberbullying, malicious and sadistic conduct, sexual exploitation, or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about prohibited conduct.

H. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.

I. "Student" means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.

C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

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

D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.

E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.

F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.

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

V. SCHOOL DISTRICT ACTION

A. Within three days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker or a third party designated by the school district.

B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.

C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy (See MSBA/MASA Model Policy 506) and other applicable school district policies; and applicable regulations.

E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.

F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the school district shall, when determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in bullying or other prohibited conduct.

VI. RETALIATION OR REPRISAL

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

prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

VII. TRAINING AND EDUCATION

A. The school district shall discuss this policy with school personnel and volunteers and provide appropriate training to school district personnel regarding this policy. The school district shall establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.

B. The school district shall require ongoing professional development, consistent with Minnesota Statutes section 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:

1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;

2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;

3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;

4. The incidence and nature of cyberbullying; and

5. Internet safety and cyberbullying.

C. The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.

D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.

E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

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

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

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

2. Partner with parents and other community members to develop and implement prevention and intervention programs;

3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;

4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;

5. Teach students to advocate for themselves and others;

6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and

7. Foster student collaborations that, in turn, foster a safe and supportive school climate.

F. The school district may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.

G. The school district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (See MSBA/MASA Model Policy 515) in the student handbook.

VIII. NOTICE

A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.

B. This policy must be conspicuously posted throughout each school building, in the administrative offices of the school district, and in the office of each school.

C. This policy must be distributed to each school district or school employee and independent contractor at the time of hiring or contracting.

D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See MSBA/MASA Model Policy 506) distributed to parents at the beginning of each school year.

E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school district's or a school's website.

F. Each school must develop a process for discussing this policy with students, parents of students, independent contractors, and school employees.

G. The school district shall provide an electronic copy of its most recently amended policy to the Minnesota Commissioner of Education.

IX. POLICY REVIEW

To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minnesota Statutes, sections 121A.031 and 121A.0312 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)

Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definitions)

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

Minn. Stat. § 121A.03 (Model Policy)

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

Minn. Stat. § 121A.0312 (Malicious and Sadistic Conduct)

Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)

Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)

Minn. Stat. § 121A.69 (Hazing Policy)

Minn. Stat. Ch. 124E (Charter Schools)

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

20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)

34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)

Cross References: Lakeview School District Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)

Lakeview School District Policy 413 (Harassment and Violence)

Lakeview School District Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)

Lakeview School District Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)

Lakeview School District Policy 423 (Employee-Student Relationships)

Lakeview School District Policy 501 (School Weapons Policy)

Lakeview School District Policy 506 (Student Discipline)

Lakeview School District Policy 507 (Corporal Punishment)

Lakeview School District Policy 515 (Protection and Privacy of Pupil Records)

Lakeview School District Policy 521 (Student Disability Nondiscrimination)

Lakeview School District Policy 522 (Title IX Sex Nondiscrimination Policy)

Lakeview School District Policy 524 (Internet Acceptable Use and Safety Policy)

Lakeview School District Policy 525 (Violence Prevention)

Lakeview School District Policy 526 (Hazing Prohibition)

Lakeview School District Policy 529 (Staff Notification of Violent Behavior by Students)

Lakeview School District Policy 709 (Student Transportation Safety Policy)

Lakeview School District Policy 711 (Video Recording on School Buses)

Lakeview School District Policy 712 (Video Surveillance Other Than on Buses)

Adopted: 2-17-09 Lakeview School District Policy 515

Orig. 2009

Revised: 7-17-24 Rev. 2024

515 PROTECTION AND PRIVACY OF PUPIL RECORDS

I. PURPOSE

The school district recognizes its responsibility in regard to the collection, maintenance, and dissemination of pupil records and the protection of the privacy rights of students as provided in federal law and state statutes.

II. GENERAL STATEMENT OF POLICY

The following procedures and policies regarding the protection and privacy of parents and students are adopted by the school district, pursuant to the requirements of 20 United States Code, section 1232g, et seq., (Family Educational Rights and Privacy Act (FERPA)) 34 Code of Federal Regulations part 99 and consistent with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13, and Minnesota Rules, parts 1205.0100-1205.2000.

III. DEFINITIONS

A. Authorized Representative

"Authorized representative" means any entity or individual designated by the school district, state, or an agency headed by an official of the Comptroller of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or state and local educational authorities to conduct, with respect to federal or state supported education programs, any audit or evaluation or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

B. Biometric Record

"Biometric record," as referred to in "Personally Identifiable," means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting).

C. Dates of Attendance

"Dates of attendance," as referred to in "Directory Information," means the period of time during which a student attends or attended a school or schools in the school district, including attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student's attendance at a school or schools in the school district.

D. Directory Information

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1. Under federal law, "directory information," means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; dates of attendance; grade level; enrollment status (i.e., full-time or part-time); participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended. It also includes the name, address, and telephone number of the student's parent(s). Directory information does not include:

a. a student's social security number;

b. a student's identification number (ID), user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems if the identifier may be used to access education records without use of one or more factors that authenticate the student's identity such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user;

c. a student ID or other unique personal identifier that is displayed on a student ID badge if the identifier can be used to gain access to educational records when used in conjunction with one or more factors that authenticate the student's identity, such as a PIN, password, or other factor known or possessed only by the student;

d. personally identifiable data which references religion, race, color, social position, or nationality; or

e. data collected from nonpublic school students, other than those who receive shared time educational services, unless the student's parent or guardian gives written consent.

2. Under Minnesota law, a school district may not designate a student's home address, telephone number, email address, or other personal contact information as "directory information."

Minnesota law prohibits schools from designating student contact information as "directory information" despite the FERPA definition. Minnesota schools should comply with Minnesota law and should not include student contact information in their definition of "directory information."

E. Education Records

1. What constitutes "education records." Education records means those records that are: (1) directly related to a student; and (2) maintained by the school district or by a party acting for the school district.

2. What does not constitute education records. The term "education records" does not include:

a. Records of instructional personnel that are:

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(1) kept in the sole possession of the maker of the record;

(2) used only as a personal memory aid;

(3) not accessible or revealed to any other individual except a temporary substitute teacher; and

(4) destroyed at the end of the school year.

b. Records of a law enforcement unit of the school district, provided education records maintained by the school district are not disclosed to the unit, and the law enforcement records are:

(1) maintained separately from education records;

(2) maintained solely for law enforcement purposes; and

(3) disclosed only to law enforcement officials of the same jurisdiction.

c. Records relating to an individual, including a student, who is employed by the school district which:

(1) are made and maintained in the normal course of business;

(2) relate exclusively to the individual in that individual's capacity as an employee; and

(3) are not available for use for any other purpose.

However, records relating to an individual in attendance at the school district who is employed as a result of his or her status as a student are education records.

d. Records relating to an eligible student, or a student attending an institution of post-secondary education, that are:

(1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;

(2) made, maintained, or used only in connection with the provision of treatment to the student; and

(3) disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the school district.

e. Records created or received by the school district after an individual is no longer a student at the school district and that are not directly related to the individual's attendance as a student.

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f. Grades on peer-related papers before the papers are collected and recorded by a teacher.

F. Education Support Services Data

"Education support services data" means data on individuals collected, created, maintained, used, or disseminated relating to programs administered by a government entity or entity under contract with a government entity designed to eliminate disparities and advance equities in educational achievement for youth by coordinating services available to participants, regardless of the youth's involvement with other government services. Education support services data does not include welfare data under Minnesota Statutes, section 13.46.

Unless otherwise provided by law, all education support services data are private data on individuals and must not be disclosed except according to Minnesota Statutes, section 13.05 or a court order.

G. Eligible Student

"Eligible student" means a student who has attained eighteen (18) years of age or is attending an institution of post-secondary education.

H. Juvenile Justice System

"Juvenile justice system" includes criminal justice agencies and the judiciary when involved in juvenile justice activities.

I. Legitimate Educational Interest

"Legitimate educational interest" includes an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, student health and welfare, and the ability to respond to a request for education data. It includes a person's need to know in order to:

1. Perform an administrative task required in the school or employee's contract or position description approved by the school board;

2. Perform a supervisory or instructional task directly related to the student's education;

3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid; or

4. Perform a task directly related to responding to a request for data.

J. Parent

"Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent of the student in the absence of a parent or guardian. The school district may presume the parent has the authority to exercise the rights provided herein, unless it has been provided with evidence that there is a state law or court order governing such matters as marriage dissolution, separation or child custody, or a legally binding instrument which provides to the contrary.

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K. Personally Identifiable

"Personally identifiable" means that the data or information includes, but is not limited to: (a) a student's name; (b) the name of the student's parent or other family member; (c) the address of the student or student's family; (d) a personal identifier such as the student's social security number or student number or biometric record; (e) other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name; (f) other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or (g) information requested by a person who the school district reasonably believes knows the identity of the student to whom the education record relates.

L. Record

"Record" means any information or data recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.

M. Responsible Authority

"Responsible authority" means [designate title and actual name of individual].

N. Student

"Student" includes any individual who is or has been in attendance, enrolled, or registered at the school district and regarding whom the school district maintains education records. Student also includes applicants for enrollment or registration at the school district and individuals who receive shared time educational services from the school district.

O. School Official

"School official" includes: (a) a person duly elected to the school board; (b) a person employed by the school board in an administrative, supervisory, instructional, or other professional position; (c) a person employed by the school board as a temporary substitute in a professional position for the period of his or her performance as a substitute; and (d) a person employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, a public information officer or data practices compliance official, an attorney, or an auditor for the period of his or her performance as an employee or contractor.

P. Summary Data

"Summary data" means statistical records and reports derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify the individual is ascertainable.

Q. Other Terms and Phrases

All other terms and phrases shall be defined in accordance with applicable state and federal law or ordinary customary usage.

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IV. GENERAL CLASSIFICATION

State law provides that all data collected, created, received, or maintained by a school district are public unless classified by state or federal law as not public or private or confidential. State law classifies all data on individuals maintained by a school district which relates to a student as private data on individuals. This data may not be disclosed to parties other than the parent or eligible student without consent, except pursuant to a valid court order, certain state statutes authorizing access, and the provisions of FERPA and the regulations promulgated thereunder.

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

Parents and eligible students have the following rights under this policy:

1. The right to inspect and review the student's education records;

2. The right to request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that such consent is not required for disclosure pursuant to this policy, state or federal law, or the regulations promulgated thereunder;

4. The right to refuse release of names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions;

5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the federal law and the regulations promulgated thereunder;

6. The right to be informed about rights under the federal law; and

7. The right to obtain a copy of this policy at the location set forth in Section XXI. of this policy.

B. Eligible Students

All rights and protections given to parents under this policy transfer to the student when he or she reaches eighteen (18) years of age or enrolls in an institution of post-secondary education. The student then becomes an "eligible student." However, the parents of an eligible student who is also a "dependent student" are entitled to gain access to the education records of such student without first obtaining the consent of the student. In addition, parents of an eligible student may be given access to education records in connection with a health or safety emergency if the disclosure meets the conditions of any provision set forth in 34 Code of Federal Regulations section 99.31(a).

C. Students with a Disability

The school district shall follow 34 Code of Federal Regulations sections 300.610-300.617 with regard to the privacy, notice, access, recordkeeping, and accuracy of information related to students with a disability.

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VI. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure

1. The school district shall obtain a signed and dated written informed consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the student, except as provided herein.

2. The written consent required by this subdivision must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:

a. a specification of the records to be disclosed;

b. the purpose or purposes of the disclosure;

c. the party or class of parties to whom the disclosure may be made;

d. the consequences of giving informed consent; and

e. if appropriate, a termination date for the consent.

3. When a disclosure is made under this subdivision:

a. if the parent or eligible student so requests, the school district shall provide him or her with a copy of the records disclosed; and

b. if the parent of a student who is not an eligible student so requests, the school district shall provide the student with a copy of the records disclosed.

4. A signed and dated written consent may include a record and signature in electronic form that:

a. identifies and authenticates a particular person as the source of the electronic consent; and

b. indicates such person's approval of the information contained in the electronic consent.

5. If the responsible authority seeks an individual's informed consent to the release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:

a. in plain language;

b. dated;

c. specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject;

d. specific as to the nature of the information the subject is authorizing to

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be disclosed;

e. specific as to the persons or agencies to whom the subject is authorizing information to be disclosed;

f. specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and

g. specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for: (i) life insurance or noncancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under Minnesota Statutes, chapter 256B or Minnesota Care under Minnesota Statutes, chapter 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a school district that are subject to third party reimbursement.

6. Eligible Student Consent

Whenever a student has attained eighteen (18) years of age or is attending an institution of post-secondary education, the rights accorded to and the consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student, except as provided in Section V. of this policy.

B. Prior Consent for Disclosure Not Required

The school district may disclose personally identifiable information from the education records of a student without the written consent of the parent of the student or the eligible student unless otherwise provided herein, if the disclosure is:

1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;

2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:

a. performs an institutional service or function for which the school district would otherwise use employees;

b. is under the direct control of the school district with respect to the use and maintenance of education records; and

c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made;

3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous

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weapon, and with proper annual notice (see Section XIX.), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act, 20 United States Code section 7917, [insert the following if the school district has a policy regarding Staff Notification of Violent Behavior by Students] and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minnesota Statutes, section 260B.171, unless the data are required to be destroyed under Minnesota Statutes, section 120A.22, subdivision 7(c) or section 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records that have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with Section XV. of this policy;

4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;

5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:

a. determine eligibility for the aid;

b. determine the amount of the aid;

c. determine conditions for the aid; or

d. enforce the terms and conditions of the aid.

"Financial aid" for purposes of this provision means a payment of funds provided to an individual or a payment in kind of tangible or intangible property to the individual that is conditioned on the individual's attendance at an educational agency or institution;

6. To state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state statute adopted:

a. before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve the student whose records are released; or

b. after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the school district shall disclose the following information to the juvenile justice system under this paragraph: a student's full name, home address, telephone number, and date of birth; a student's school schedule, attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers;

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7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school

district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. For purposes of this provision, the term, "organizations," includes, but is not limited to, federal, state, and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years;

8. To accrediting organizations in order to carry out their accrediting functions;

9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes;

10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the school district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 United States Code section 2332b(g)(5)(B), an act of domestic or international terrorism as defined in 18 United States Code, section § 2331, or a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of the proceeding. If the school district initiates legal action against a parent or student, it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as a plaintiff. Also, if a parent or eligible student initiates a legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself;

11. To appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the

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health, including the mental health, or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health or safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;

12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;

13. Information the school district has designated as "directory information" pursuant to Section VII. of this policy;

14. To military recruiting officers and post-secondary educational institutions pursuant to Section XI. of this policy;

15. To the parent of a student who is not an eligible student or to the student himself or herself;

16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;

17. To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;

18. To the juvenile justice system, on written request that certifies that the information will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student:

a. the following information about a student must be disclosed: a student's full name, home address, telephone number, date of birth; a student's school schedule, daily attendance record, and photographs, if any; and any parents' names, home addresses, and telephone numbers;

b. the existence of the following information about a student, not the actual data or other information contained in the student's education record, may be disclosed provided that a request for access must be submitted on the statutory form and it must contain an explanation of why access to the information is necessary to serve the student: (1) use of a

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controlled substance, alcohol, or tobacco; (2) assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act; (3) possession or use of weapons or look-alike weapons; (4) theft; or (5) vandalism or other damage to property. Prior to releasing this information, the principal or chief administrative officer of a school who receives such a request must, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information. If the student's parent or guardian notifies the school official of an objection to the disclosure within ten (10) days of receiving certified notice, the school official must not disclose the information and instead must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the school official must respond to the request for information.

The written requests of the juvenile justice system member(s), as well as a record of any release, must be maintained in the student's file;

19. To the principal where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition order received by a superintendent under Minnesota Statutes, section 260B.171, subdivision 3. The principal must notify the counselor immediately and must place the disposition order in the student's permanent education record. The principal also must notify immediately any teacher or administrator who directly supervises or reports on the behavior or progress of the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other school district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student, outline the offense, and describe any conditions of probation about which the school must provide information if this information is provided in the disposition order. Disposition order information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information may not be further disseminated by the counselor, teacher, administrator, staff member, substitute, or volunteer except as necessary to serve the student, to protect students and staff, or as otherwise required by law, and only to the student or the student's parent or guardian;

20. To the principal where the student attends if it is information from a peace officer's record of children received by a superintendent under Minnesota Statutes, section 260B.171, subdivision 5. The principal must place the information in the student's education record. The principal also must notify immediately any teacher, counselor, or administrator directly supervising the student whom the principal believes needs the information to work with the student in an

appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability.

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Such notices from the principal must identify the student and describe the alleged offense if this information is provided in the peace officer's notice. Peace officer's record information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information must not be further disseminated by the counselor, teacher administrator, staff member, substitute, or volunteer except to communicate with the student or the student's parent or guardian as necessary to serve the student, to protect students and staff, or as otherwise required by law.

The principal must delete the peace officer's record from the student's education record, destroy the data, and make reasonable efforts to notify any teacher, counselor, staff member, administrator, substitute, or volunteer who received information from the peace officer's record if the county attorney determines not to proceed with a petition or directs the student into a diversion or mediation program or if a juvenile court makes a decision on a petition and the county attorney or juvenile court notifies the superintendent of such action;

21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that: (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements; or

22. To an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in 25 United States Code section 5304), who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records.

23. When requested, educational agencies or institutions may share personal student contact information and directory information for students served in special education with postsecondary transition planning and services under Minnesota Statutes, section 125A.08, paragraph (b), clause (1), whether public or private, with the Minnesota Department of Employment and Economic Development, as required for coordination of services to students with disabilities under Minnesota Statutes, sections 125A.08, paragraph (b), clause (1); 125A.023; and 125A.027.

[NOTE: The 2024 Minnesota legislature enacted this provision.]

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C. Nonpublic School Students

The school district may disclose personally identifiable information from the education records of a nonpublic school student, other than a student who receives shared time educational services, without the written consent of the parent of the student or the eligible student unless otherwise provided herein, if the disclosure is:

1. Pursuant to a valid court order;

2. Pursuant to a statute specifically authorizing access to the private data; or

3. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiological investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted.

VII. RELEASE OF DIRECTORY INFORMATION

A. Educational Data

1. Educational data designated as directory information is public data on individuals to the extent required under federal law. Directory information must be designated pursuant to the provisions of:

a. Minnesota Statutes, section 13.32, subdivision 5; and

b. 20 United States Code, section 1232g, and 34 Code of Federal Regulations, section 99.37, which were in effect on January 3, 2012.

2. The school district may not designate a student's home address, telephone number, email address, or other personal contact information as directory information under this section.

3. When requested, the school district must share personal contact information and directory information, whether public or private, with the Minnesota Department of Education, as required for federal reporting purposes.

[Note: This section became effective on the day following final enactment (May 19, 2023). Beginning on the effective date, a student's personal contact information subject to this section must be treated as private educational data under Minnesota Statutes, section 13.32, regardless of whether that contact information was previously designated as directory information under Minnesota Statutes, section 13.32, subdivision 5].

B. Former Students

Unless a former student validly opted out of the release of directory information while the student was in attendance and has not rescinded the opt out request at any time, the school district may disclose directory information from the education records generated by it regarding the former student without meeting the requirements of Paragraph C. of this section. In addition, under an explicit exclusion from the definition of an "education record," the school district may release records that only contain

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information about an individual obtained after he or she is no longer a student at the school district and that are not directly related to the individual's attendance as a student (e.g., a student's activities as an alumnus of the school district).

C. Present Students and Parents

The school district may disclose directory information from the education records of a student and information regarding parents without prior written consent of the parent of the student or eligible student, except as provided herein.

1. When conducting the directory information designation and notice process required by federal law, the school district shall give parents and students notice of the right to refuse to let the district designate specified data about the student as directory information.

2. The school district shall give annual notice by any means that are reasonably likely to inform the parents and eligible students of:

a. the types of personally identifiable information regarding students and/or parents that the school district has designated as directory information;

b. the parent's or eligible student's right to refuse to let the school district designate any or all of those types of information about the student and/or the parent as directory information; and

c. the period of time in which a parent or eligible student has to notify the school district in writing that he or she does not want any or all of those types of information about the student and/or the parent designated as directory information.

[Note: Federal law allows a school district to specify that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. If the school district chooses to impose these limitations, it is advisable to add a new paragraph VII.C.1.d. that specifies that disclosures of directory information will be limited to specific parties and/or for specific purposes and identify those parties and/or purposes. To the extent a school district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the school district are advised. This is an important policy decision for the local school board which must balance not only the privacy interests of the student against public disclosure, but also the additional administrative requirements such restrictions will place on the school district.]

2. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the school district in writing that any or all of the information so designated should not be disclosed without the parent's or eligible student's prior written consent, except as provided in Section VI. of this policy.

3. A parent or eligible student may not opt out of the directory information disclosures to:

a. prevent the school district from disclosing or requiring the student to disclose the student's name, ID, or school district e-mail address in a

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class in which the student is enrolled; or

b. prevent the school district from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that may be designated as directory information and that has been properly designated by the school district as directory information.

4. The school district shall not disclose or confirm directory information without meeting the written consent requirements contained in Section VI.A. of this policy if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.

D. Procedure for Obtaining Nondisclosure of Directory Information

The parent's or eligible student's written notice shall be directed to the responsible authority and shall include the following:

1. Name of the student and/or parent, as appropriate;

2. Home address;

3. School presently attended by student;

4. Parent's legal relationship to student, if applicable; and

5. Specific categories of directory information to be made not public without the parent's or eligible student's prior written consent, which shall only be applicable for that school year.

E. Duration

The designation of any information as directory information about a student or parents will remain in effect for the remainder of the school year unless the parent or eligible student provides the written notifications provided herein.

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

For the purposes herein, education records are records which are classified as private data on individuals by state law and which are accessible only to the student who is the subject of the data and the student's parent if the student is not an eligible student. The school district may not disclose private records or their contents except as summary data, or except as provided in Section VI. of this policy, without the prior written consent of the parent or the eligible student. The school district will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other party to whom personally identifiable information from education records is disclosed.

B. Private Records Not Accessible to Parent

In certain cases, state law intends, and clearly provides, that certain information contained in the education records of the school district pertaining to a student be accessible to the student alone, and to the parent only under special circumstances, if

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at all.

1. The responsible authority may deny access to private data by a parent when a minor student who is the subject of that data requests that the responsible authority deny such access. The minor student's request must be submitted in writing setting forth the reasons for denying access to the parent and must be signed by the minor. Upon receipt of such request the responsible authority shall determine if honoring the request to deny the parent access would be in the best interest of the minor data subject. In making this determination the responsible authority shall consider the following factors:

a. whether the minor is of sufficient age and maturity to be able to explain the reasons for and understand the consequences of the request to deny access;

b. whether the personal situation of the minor is such that denying parental access may protect the minor data subject from physical or emotional harm;

c. whether there are grounds for believing that the minor data subject's reasons for precluding parental access are reasonably accurate;

d. whether the data in question is of such a nature that disclosure of it to the parent may lead to physical or emotional harm to the minor data subject; and

e. whether the data concerns medical, dental or other health services provided pursuant to Minnesota Statutes, sections 144.341-144.347, in which case the data may be released only if the failure to inform the parent would seriously jeopardize the health of the minor.

C. Private Records Not Accessible to Student

Students shall not be entitled to access to private data concerning financial records and statements of the student's parent or any information contained therein.

D. Military-Connected Youth Identifier

When a school district updates its enrollment forms in the ordinary course of business, the school district must include a box on the enrollment form to allow students to self-identify as a military-connected youth. For purposes of this section, a "military-connected youth" means having an immediate family member, including a parent or sibling, who is currently in the armed forces either as a reservist or on active duty or has recently retired from the armed forces. Data collected under this provision is private data on individuals, but summary data may be published by the Department of Education.

IX. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential Records

Confidential records are those records and data contained therein which are made not public by state or federal law, and which are inaccessible to the student and the student's parents or to an eligible student.

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B. Reports Under the Maltreatment of Minors Reporting Act

Pursuant to Minnesota Statutes, chapter 260E , written copies of reports pertaining to a neglected and/or physically and/or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies. In respect to other parties, such data shall be confidential and will not be made available to the parent or the subject individual by the school district. The subject individual, however, may obtain a copy of the report from either the local welfare agency, county sheriff, or the local police department subject to the provisions of Minnesota Statutes, chapter 260E.

Regardless of whether a written report is made under Minnesota Statutes, chapter 260E, 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 occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.

C. Investigative Data

Data collected by the school district as part of an active investigation undertaken for the purpose of the commencement or defense of pending civil legal action, or are retained in anticipation of a pending civil legal action are classified as protected nonpublic data in the case of data not on individuals, and confidential data in the case of data on individuals.

1. The school district may make any data classified as protected non-public or confidential pursuant to this subdivision accessible to any person, agency, or the public if the school district determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.

2. A complainant has access to a statement he or she provided to the school district.

3. Parents or eligible students may have access to investigative data of which the student is the subject, but only to the extent the data is not inextricably intertwined with data about other school district students, school district employees, and/or attorney data as defined in Minnesota Statutes, section 13.393.

4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of this provision, a civil investigation becomes inactive upon the occurrence of any of the following events:

a. a decision by the school district, or by the chief attorney for the school district, not to pursue the civil legal action. However, such investigation may subsequently become active if the school district or its attorney decides to renew the civil legal action;

b. the expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action; or

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c. the exhaustion or expiration of rights of appeal by either party to the civil legal action.

5. A "pending civil legal action" for purposes of this subdivision is defined as including, but not limited to, judicial, administrative, or arbitration proceedings.

D. Chemical Abuse Records

To the extent the school district maintains records of the identity, diagnosis, prognosis, or treatment of any student which are maintained in connection with the performance of any drug abuse prevention function conducted, regulated, or directly or indirectly assisted by any department or agency of the United States, such records are classified as confidential and shall be disclosed only for the purposes and under the circumstances expressly authorized by law.

X. DISCLOSURE OF SCHOOL RECORDS PRIOR TO EXCLUSION OR EXPULSION HEARING

At a reasonable time prior to any exclusion or expulsion hearing, the student and the student's parent or guardian or representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the action proposed by the school district may be based, pursuant to the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, section 121A.40, et seq.

XI. DISCLOSURE OF DATA TO MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS

A. The school district will release the names, addresses, electronic mail address (which shall be the electronic mail addresses provided by the school district, if available, that may be released to military recruiting officers only), and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data pursuant to Paragraph C. below.

B. Data released to military recruiting officers under this provision:

1. may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military;

2. cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces; and

3. copying fees shall not be imposed.

C. A parent or eligible student has the right to refuse the release of the name, address, electronic mail addresses (which shall be the electronic mail addresses provided by the school, if available, that may be released to military recruiting officers only) or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the responsible authority [designate title of individual, i.e., building principal] in writing by [date] each year. The written request must include the following information:

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1. Name of student and parent, as appropriate;

2. Home address;

3. Student's grade level;

4. School presently attended by student;

5. Parent's legal relationship to student, if applicable;

6. Specific category or categories of information which are not to be released to military recruiting officers and post-secondary educational institutions; and

7. Specific category or categories of information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.

D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.

E. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, home phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

XII. LIMITS ON REDISCLOSURE

A. Redisclosure

Consistent with the requirements herein, the school district may only disclose personally identifiable information from the education records of a student on the condition that the party to whom the information is to be disclosed will not disclose the information to any other party without the prior written consent of the parent of the student or the eligible student, except that the officers, employees, and agents of any party receiving personally identifiable information under this section may use the information, but only for the purposes for which the disclosure was made.

B. Redisclosure Not Prohibited

1. Subdivision A. of this section does not prevent the school district from disclosing personally identifiable information under Section VI. of this policy with the understanding that the party receiving the information may make further disclosures of the information on behalf of the school district provided:

a. The disclosures meet the requirements of Section VI. of this policy; and

b. The school district has complied with the record-keeping requirements

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of Section XIII. of this policy.

2. Subdivision A. of this section does not apply to disclosures made pursuant to court orders or lawfully issued subpoenas or litigation, to disclosures of directory information, to disclosures to a parent or student or to parents of dependent students, or to disclosures concerning sex offenders and other individuals required to register under 42 United States Code section 14071. However, the school district must provide the notification required in Section XII.D. of this policy if a redisclosure is made based upon a court order or lawfully issued subpoena.

[Note: 42 United States Code section§ 14071 was repealed. School districts should retain this statutory reference, however, as it remains a reference in FERPA and the Minnesota Government Data Practices Act and still may apply to individuals required to register prior to the repeal of this law.]

C. Classification of Disclosed Data

The information disclosed shall retain the same classification in the hands of the party receiving it as it had in the hands of the school district.

D. Notification

The school district shall inform the party to whom a disclosure is made of the requirements set forth in this section, except for disclosures made pursuant to court orders or lawfully issued subpoenas, disclosure of directory information under Section VII. of this policy, disclosures to a parent or student, or disclosures to parents of a dependent student. In the event that the Family Policy Compliance Office determines that a state or local educational authority, a federal agency headed by an official listed in 34 Code of Federal Regulations section 99.31(a)(3), or an authorized representative of a state or local educational authority or a federal agency headed by an official listed in section 99.31(a)(3), or a third party outside of the school district improperly redisclosures personally identifiable information from education records or fails to provide notification required under this section of this policy, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.

XIII. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

The responsible authority shall be responsible for the maintenance and security of student records.

B. Record Security

The principal of each school subject to the supervision and control of the responsible authority shall be the records manager of the school, and shall have the duty of maintaining and securing the privacy and/or confidentiality of student records.

C. Plan for Securing Student Records

The building principal shall submit to the responsible authority a written plan for securing students records by September 1 of each school year. The written plan shall contain

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the following information:

1. A description of records maintained;

2. Titles and addresses of person(s) responsible for the security of student records;

3. Location of student records, by category, in the buildings;

4. Means of securing student records; and

5. Procedures for access and disclosure.

D. Review of Written Plan for Securing Student Records

The responsible authority shall review the plans submitted pursuant to Paragraph C. of this section for compliance with the law, this policy, and the various administrative policies of the school district. The responsible authority shall then promulgate a chart incorporating the provisions of Paragraph C. which shall be attached to and become a part of this policy.

E. Record Keeping

1. The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record, with the education records of the student, that indicates:

a. the parties who have requested or received personally identifiable information from the education records of the student;

b. the legitimate interests these parties had in requesting or obtaining the information; and

c. the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.

2. In the event the school district discloses personally identifiable information from an education record of a student pursuant to Section XII.B. of this policy, the record of disclosure required under this section shall also include:

a. the names of the additional parties to which the receiving party may disclose the information on behalf of the school district;

b. the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information; and

c. a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 Code of Federal Regulations section 99.32 and to whom the school district disclosed information from an education record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed

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upon a request from a parent or eligible student to review the record of requests for disclosure.

3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B.1. of this policy, to requests for disclosures of directory information under Section VII. of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 United States Code section 2332b(g)(5)(B) or an act of domestic or international terrorism.

[Note: While Section XIII.E.1. does not apply to requests for or disclosures of directory information under Section VII. of this policy, to the extent the school district chooses to limit the disclosure of directory information to specific parties, for specific purposes, or both, it is advisable that records be kept to identify the party to whom the disclosure was made and/or purpose for the disclosure.]

4. The record of requests of disclosures may be inspected by:

a. the parent of the student or the eligible student;

b. the school official or his or her assistants who are responsible for the custody of the records; and

c. the parties authorized by law to audit the record-keeping procedures of the school district.

5. The school district shall record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:

a. the articulable and significant threat to the health or safety of a student or other individual that formed the basis for the disclosure; and

b. the parties to whom the school district disclosed the information.

6. The record of requests and disclosures shall be maintained with the education records of the student as long as the school district maintains the student's education records.

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

A. Parent of a Student, an Eligible Student or the Parent of an Eligible Student Who is Also a Dependent Student

The school district shall permit the parent of a student, an eligible student, or the parent of an eligible student who is also a dependent student who is or has been in attendance in the school district to inspect or review the education records of the student, except

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those records which are made confidential by state or federal law or as otherwise provided in Section VIII. of this policy.

B. Response to Request for Access

The school district shall respond to any request pursuant to Subdivision A. of this section immediately, if possible, or within ten (10) days of the date of the request, excluding Saturdays, Sundays, and legal holidays.

C. Right to Inspect and Review

The right to inspect and review education records under Subdivision A. of this section includes:

1. The right to a response from the school district to reasonable requests for explanations and interpretations of records; and

2. If circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the education records, the school district shall provide the parent or eligible student with a copy of the records requested or make other arrangements for the parent or eligible student to inspect and review the requested records.

3. Nothing in this policy shall be construed as limiting the frequency of inspection of the education records of a student with a disability by the student's parent or guardian or by the student upon the student reaching the age of majority.

D. Form of Request

Parents or eligible students shall submit to the school district a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect.

E. Collection of Student Records

If a student's education records are maintained in more than one location, the responsible authority may collect copies of the records or the records themselves from the various locations so they may be inspected at one site. However, if the parent or eligible student wishes to inspect these records where they are maintained, the school district shall attempt to accommodate those wishes. The parent or eligible student shall be notified of the time and place where the records may be inspected.

F. Records Containing Information on More Than One Student

If the education records of a student contain information on more than one student, the parent or eligible student may inspect and review or be informed of only the specific information which pertains to that student.

G. Authority to Inspect or Review

The school district may presume that either parent of the student has authority to inspect or review the education records of a student unless the school district has been provided with evidence that there is a legally binding instrument or a state law or court order governing such matters as marriage dissolution, separation, or custody which provides to the contrary.

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H. Fees for Copies of Records

1. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the school district shall consider the following:

a. the cost of materials, including paper, used to provide the copies;

b. the cost of the labor required to prepare the copies;

c. any schedule of standard copying charges established by the school district in its normal course of operations;

d. any special costs necessary to produce such copies from machine-based record-keeping systems, including but not limited to computers and microfilm systems; and

e. mailing costs.

2. If 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and, instead, the charge shall be no more than 25 cents for each page copied.

3. The cost of providing copies shall be borne by the parent or eligible student.

4. The responsible authority, however, may not impose a fee for a copy of an education record made for a parent or eligible student if doing so would effectively prevent or, in the case of a student with a disability, impair the parent or eligible student from exercising their right to inspect or review the student's education records.

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

The parent of a student or an eligible student who believes that information contained in the education records of the student is inaccurate, misleading, or violates the privacy rights of the student may request that the school district amend those records.

1. The request shall be in writing, shall identify the item the requestor believes to be inaccurate, misleading, or in violation of the privacy or other rights of the student, shall state the reason for this belief, and shall specify the correction the requestor wishes the school district to make. The request shall be signed and dated by the requestor.

2. The school district shall decide whether to amend the education records of the student in accordance with the request within thirty (30) days after receiving the request.

3. If the school district decides to refuse to amend the education records of the student in accordance with the request, it shall inform the parent of the student or the eligible student of the refusal and advise the parent or eligible student of the right to a hearing under Subdivision B. of this section.

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B. Right to a Hearing

If the school district refuses to amend the education records of a student, the school district, on request, shall provide an opportunity for a hearing in order to challenge the content of the student's education records to ensure that information in the education records of the student is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. A hearing shall be conducted in accordance with Subdivision C. of this section.

1. If, as a result of the hearing, the school district decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing.

2. If, as a result of the hearing, the school district decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school district, or both.

3. Any statement placed in the education records of the student under Subdivision B. of this section shall:

a. be maintained by the school district as part of the education records of the student so long as the record or contested portion thereof is maintained by the school district; and

b. if the education records of the student or the contested portion thereof is disclosed by the school district to any party, the explanation shall also be disclosed to that party.

C. Conduct of Hearing

1. The hearing shall be held within a reasonable period of time after the school district has received the request, and the parent of the student or the eligible student shall be given notice of the date, place, and time reasonably in advance of the hearing.

2. The hearing may be conducted by any individual, including an official of the school district who does not have a direct interest in the outcome of the hearing. The school board attorney shall be in attendance to present the school board's position and advise the designated hearing officer on legal and evidentiary matters.

3. The parent of the student or eligible student shall be afforded a full and fair opportunity for hearing to present evidence relative to the issues raised under Subdivisions A. and B. of this section and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.

4. The school district shall make a decision in writing within a reasonable period of time after the conclusion of the hearing. The decision shall be based solely on evidence presented at the hearing and shall include a summary of evidence and reasons for the decision.

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D. Appeal

The final decision of the designated hearing officer may be appealed in accordance with the applicable provisions of Minnesota Statutes, chapter 14 relating to contested cases.

XVI. PROBLEMS ACCESSING DATA

A. The data practices compliance official is the designated employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.

B. Data practices compliance official means [designate title and actual name of individual].

C. Any request by an individual with a disability for reasonable modifications of the school district's policies or procedures for purposes of accessing records shall be made to the data practices compliance official.

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

A. Where to File Complaints

Complaints regarding alleged violations of rights accorded parents and eligible students by FERPA, and the rules promulgated thereunder, shall be submitted in writing to the U.S. Department of Education, Student Privacy Policy Office, 400 Maryland Avenue S.W., Washington, D.C. 20202-8520.

B. Content of Complaint

A complaint filed pursuant to this section must contain specific allegations of fact giving reasonable cause to believe that a violation of FERPA and the rules promulgated thereunder has occurred.

XVIII. WAIVER

A parent or eligible student may waive any of his or her rights provided herein pursuant to FERPA. A waiver shall not be valid unless in writing and signed by the parent or eligible student. The school district may not require such a waiver.

XIX. ANNUAL NOTIFICATION OF RIGHTS

A. Contents of Notice

The school district shall give parents of students currently in attendance and eligible students currently in attendance annual notice by such means as are reasonably likely to inform the parents and eligible students of the following:

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;

2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;

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3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosure without consent;

4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA and the rules promulgated thereunder;

5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the school district has determined to have legitimate educational interests; and

6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal Every Student Succeeds Act and, if applicable, a student's history of violent behavior.

B. Notification to Parents of Students Having a Primary Home Language Other Than English

The school district shall provide for the need to effectively notify parents of students identified as having a primary or home language other than English.

C. Notification to Parents or Eligible Students Who are Disabled

The school district shall provide for the need to effectively notify parents or eligible students identified as disabled.

XX. DESTRUCTION AND RETENTION OF RECORDS

Destruction and retention of records by the school district shall be controlled by state and federal law.

XXI. COPIES OF POLICY

Copies of this policy may be obtained by parents and eligible students at the superintendent's office.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)

Minn. Stat. § 13.32, Subd. 5 (Directory Information)

Minn. Stat. § 13.393 (Attorneys)

Minn. Stat. Ch. 14 (Administrative Procedures Act)

Minn. Stat. § 120A.22 (Compulsory Instruction)

Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)

Minn. Stat. § 121A.75 (Receipt of Records; Sharing)

Minn. Stat. § 127A.852 (Military-Connected Youth Identifier)

Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)

Minn. Stat. Ch. 256B (Medical Assistance for Needy Persons)

Minn. Stat. Ch. 256L (MinnesotaCare)

Minn. Stat. § 260B.171, Subds. 3 and 5 (Disposition Order and Peace Officer Records of Children)

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

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Minn. Stat. § 363A.42 (Public Records; Accessibility)

Minn. Stat. § 480.40 (Personal Information, Dissemination)

Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)

Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)

10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)

18 U.S.C. § 2331 (Definitions)

18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)

20 U.S.C. § 1232g et seq. (Family Educational Rights and Privacy Act)

20 U.S.C. § 6301 et seq. (Every Student Succeeds Act)

20 U.S.C. § 7908 (Armed Forces Recruiting Information)

20 U.S.C. § 7917 (Transfer of School Disciplinary Records)

25 U.S.C. § 5304 (Definitions – Tribal Organization)

26 U.S.C. §§ 151 and 152 (Internal Revenue Code)

42 U.S.C. § 1711 et seq. (Child Nutrition Act)

42 U.S.C. § 1751 et seq. (Richard B. Russell National School Lunch Act)

34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)

34 C.F.R. § 300.610-300.627 (Confidentiality of Information)

42 C.F.R. § 2.1 et seq. (Confidentiality of Drug Abuse Patient Records)

Gonzaga University v. Doe, 536 U.S. 273 309 (2002)

Dept. of Admin. Advisory Op. No. 21-008 (December 8, 2021)

Cross References: Lakeview School District Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)

Lakeview School District Policy 417 (Chemical Use and Abuse)

Lakeview School District Policy 506 (Student Discipline)

Lakeview School District Policy 519 (Interviews of Students by Outside Agencies)

Lakeview School District Policy 520 (Student Surveys)

Lakeview School District Policy 711 (Video Recording on School Buses)

Lakeview School District Policy 722 (Public Data Requests)

Lakeview School District Policy 906 (Community Notification of Predatory Offenders)

MSBA School Law Bulletin "I" (School Records – Privacy – Access to Data

Adopted: 8-20-08 **Lakeview School District Policy 524**
Orig. 2008
Revised: 7-15-24 Rev. 2024

524 INTERNET, TECHNOLOGY, AND CELL PHONE 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:

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

a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;

b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;

c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;

d. information or materials that could cause damage or danger of disruption to the educational process;

e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.

2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.

3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.

4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.

5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.

6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.

a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).

b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However,

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employees may not post personal contact information or other personally identifiable information about students unless:

(1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or

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

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

c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as "Facebook," "Twitter," "Instagram," "Snapchat," "TikTok," "Reddit," and similar websites or applications.

7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person's account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.

8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.

9. Users will not use the school district system for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.

10. Users will not use the school district system to engage in bullying or cyberbullying in violation of the school district's Bullying Prohibition Policy. This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.

B. The school district has a special interest in regulating off-campus speech that materially disrupts classwork or involves substantial disorder or invasion of the rights of others. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations may include, but are not limited to, serious

or severe bullying or harassment targeting particular individuals, threats aimed at teachers or other students, failure to follow rules concerning lessons, the writing of papers, the use of computers, or participation in other online school activities, and breaches of school security devices. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.
C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.
VI. FILTER
A. With respect to any of its computers with Internet access, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:
1. Obscene;
2. Child pornography; or
3. Harmful to minors.
B. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:
1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
D. An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.

E. The school district will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.
[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.
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
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of Pupil Records Policy.
7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
8. Notification that all provisions of the acceptable use policy are subordinate to local, state, and federal laws.
XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE
A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies, and other possibly offensive media. Parents are responsible for monitoring their student's use of the school district system and of the Internet if the student is accessing the school district system from home or a remote location.
B. Parents will be notified that their students will be using school district resources/accounts to access the Internet and that the school district will provide parents the option to request alternative activities not requiring Internet access. This notification should include:
1. A copy of the user notification form provided to the student user.
2. A description of parent/guardian responsibilities.
3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.
4. A statement that the Internet Use Agreement must be signed by the user, the parent or guardian, and the supervising teacher prior to use by the student.
5. A statement that the school district's acceptable use policy is available for parental review.
XIII. NOTIFICATION REGARDING TECHNOLOGY PROVIDERS
A. "Technology provider" means a person who:
1. contracts with the school district, as part of a one-to-one program or otherwise, to provide a school-issued device for student use; and
2. creates, receives, or maintains educational data pursuant or incidental to a contract with the school district.
B. "Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
C. Within 30 days of the start of each school year, the school district must give parents and students direct and timely notice, by United States mail, e-mail, or other direct form of communication, of any curriculum, testing, or assessment technology provider contract affecting a student's educational data. The notice must:
1. identify each curriculum, testing, or assessment technology provider with access to educational data;
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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;
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3. the school district is notified or becomes aware that the device is missing or stolen;
4. the activity is necessary to respond to an imminent threat to life or safety and the access is limited to that purpose;
5. the activity is necessary to comply with federal or state law, including but not limited to Minnesota Statutes section 121A.031; or
6. the activity is necessary to participate in federal or state funding programs, including but not limited to the E-Rate program.

D. If the school district or a technology provider interacts with a school-issued device as provided in paragraph C, clause 4, it must, within 72 hours of the access, notify the student to whom the school-issued device was issued or that student's parent and provide a written description of the interaction, including which features of the device were accessed and a description of the threat. This notice is not required at any time when the notice itself would pose an imminent threat to life or safety, but must instead be given within 72 hours after that imminent threat has ceased.

XV. CELL PHONE USE

The school board directs the superintendent and school district administration to establish rules and procedures regarding student possession and use of cell phones in schools. These rules and procedures should seek to minimize the impact of cell phones on student behavior, mental health, and academic attainment. These rules and procedures may be designed for specific school buildings, grade levels, or similar criteria.

[NOTE: In 2024, the Minnesota legislature enacted a law requiring that school districts adopt a policy on students' possession and use of cell phones in school by March 15, 2025. This law does not state that school districts must incorporate specific language or provisions in the school district policy.

MSBA recognizes the common practice of setting forth cell phone rules in a student handbook or similar document. This Article directs school administration to establish cell phone rules, which the school board may require be presented to the board for approval. This approach enables administrators to craft flexible and specific rules that are specific to grade levels and buildings. The school board may choose to set forth general principles regarding cell phone use in this Article.

Under the new law, the Minnesota Elementary School Principals Association and the Minnesota Association of Secondary School Principals will collaborate to make best practices available to schools on a range of different strategies to achieve the goals stated above.]

1. Students are prohibited from using cell phones and other electronic communication devices during instructional time. Students also are prohibited from using a cell phone or other electronic communication device to engage in conduct prohibited by school district policies including, but not limited to, cheating, bullying, harassment, and malicious and sadistic conduct.

2. If the school district has a reasonable suspicion that a student has violated a school policy, rule, or law by use of a cell phone or other electronic communication device, the school district may search the device. The search of the device will be reasonably related

in scope to the circumstances justifying the search.

3. Students who use an electronic communication device during the school day and/or in violation of school district policies may be subject to disciplinary action pursuant to the school district's discipline policy. In addition, a student's cell phone or electronic communication device may be confiscated by the school district and, if applicable, provided to law enforcement. Cell phones or other electronic communication devices that are confiscated and retained by the school district will be returned in accordance with school building procedures.

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

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

XVII. IMPLEMENTATION; POLICY REVIEW

A. The school district administration may develop appropriate user notification forms, guidelines, and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms, and procedures shall be an addendum to this policy.

B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.

C. The school district Internet policies and procedures are available for review by all parents, guardians, staff, and members of the community.

D. Because of the rapid changes in the development of the Internet, the school board shall conduct an annual review of this policy.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act
Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.73 (School Cell Phone Policy)
Minn. Stat. § 124D.166 (Limit on Screen Time for Children in Preschool and Kindergarten)
Minn. Stat. § 125B.15 (Internet Access for Students)
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
15 U.S.C. § 6501 et seq. (Children's Online Privacy Protection Act)
17 U.S.C. § 101 et seq. (Copyrights)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))
47 C.F.R. § 54.520 (FCC rules implementing CIPA)
Mahanoy Area Sch. Dist. v. B.L., 594 U.S. ___ , 141 S. Ct. 2038 (2021)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969)
United States v. Amer. Library Assoc., 539 U.S. 1942003)
Sagehorn v. Indep. Sch. Dist. No. 728, 122 F.Supp.2d 842 (D. Minn. 2015)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, 894 F.Supp.2d 1128 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), aff'd on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee's Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)

Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)
Cross References: Lakeview School District Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
Lakeview School District Policy 406 (Public and Private Personnel Data)
Lakeview School District Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
Lakeview School District Policy 506 (Student Discipline)
Lakeview School District Policy 514 (Bullying Prohibition Policy)
Lakeview School District Policy 515 (Protection and Privacy of Pupil Records)

Lakeview School District Policy 519 (Interviews of Students by Outside Agencies)
Lakeview School District Policy 521 (Student Disability Nondiscrimination)
Lakeview School District Policy 522 (Title IX Sex Nondiscrimination Grievance Procedures and Process)
Lakeview School District Policy 603 (Curriculum Development)
Lakeview School District Policy 604 (Instructional Curriculum)
Lakeview School District Policy 606 (Textbooks and Instructional Materials)
Lakeview School District Policy 806 (Crisis Management Policy)
Lakeview School District Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)

Adopted: 1-5-09 Lakeview School District Policy 503
Rev. 2014
Revised: 7-15-24 Rev. 2024

503 STUDENT ATTENDANCE
ATTENDANCE POLICY
A. Philosophy
Learning is enhanced by regular attendance. The entire process of education requires continuity of instruction, classroom participation, learning experiences and study in order to reach the goal of maximum educational benefits for each individual student. The regular contact of students with one another in the classroom and their participation enhances learning and enriches study in order to reach the goal of maximum educational benefits for each individual student. The regular contact of students with one another in the classroom and their participation in developed instructional activities under the leadership of a competent teacher are vital to this purpose. This is a well-established principle of education which underlines and gives purpose to the requirements of compulsory education in Minnesota and every other state in the nation.
Absence from school can never really be made up. Success at school requires, like success at any job, promptness and dependability. Regular attendance at school is one of the most important items that will be recorded in your permanent record here at Lakeview School. It is checked by prospective employers and by schools to which you may be applying for admission. Attendance may be a deciding factor in securing a job you want, or in getting accepted at a school you want to attend.
B. Perfect Attendance
Students who attend school or school chaperoned activities (ex. field trips, school competitions, etc) from 8:15 to 3:15 every day school is in session will qualify for perfect attendance awards. Students who have excused or unexcused tardies or absences do not qualify for perfect attendance. If a student misses school for college visits, appointments, funerals, family work, or any other reasons, even if beyond the student's control he/she will not qualify for perfect attendance.
Superior Attendance
Students who miss two (2) or less days of attendance at school will qualify for superior attendance. Students who have unexcused tardies or absences will not qualify for attendance awards.
GENERAL STATEMENT OF POLICY
A. Responsibilities.
1. Student's Responsibility: It is the student's right to be in school. It is also the student's responsibility to attend all assigned classes and study halls every day school is in session and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally, it is the student's responsibility to request any missed assignments due to an absence. Students should request work at the end of the class period, before school, or after school. The teacher's priority is the students who are present, student absences or request for work should not interfere with classroom instruction.
2. Parent or Guardian's Responsibility: It is the responsibility of the student's parent or guardian to ensure the student is attending school, to inform the school 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.
3. Teacher's Responsibility: It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility to provide any student who has been absent with any missed assignments upon request at the end of the class period, before, or after school. Finally, it is the

teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.
4. Administrator's Responsibility: It is the administrator's responsibility to require students to attend all assigned
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classes and study halls. It is the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.
5. In accordance with the Minnesota Compulsory Instruction Law, Minn. Stat. § 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed the studies ordinarily required to graduate from high school, has withdrawn, or has a valid excuse for absence.
B. Definitions
1. Absence: A student is "absent" if he or she misses more than fifteen minutes of any scheduled class.
2. Unexcused Absence: An absence is unexcused unless a written note stating a valid reason is provided to the building principal/building principal's secretary within two days of returning to school. For a list of approved absences, see page 9.
3. Tardy: A student is "tardy" if he or she enters class after the period was scheduled to begin and does not have a valid excuse or pass. See, also, Section VII, C, D below.
C. Consequences for unexcused absences and tardies
Presence and participation are directly related to academic performance and are essential components of a sound education. Tardiness and unexcused absence reflect, among other things, a lack of responsibility and a lack of academic effort on a student's behalf. Learning is inevitably lost when a student fails to fully attend class. Additionally, the learning environment for all students may be disrupted. Regular attendance not only provides the foundation for achieving success as a high school student, but also for achieving success as an adult in the working world. The primary responsibility for assuring that each student fully attends classes and acquires the knowledge and skills necessary for effective citizenship rests with the individual student and his or her parent/guardian.
1. Unexcused tardies will be considered a Level I offense and be subject to the disciplinary action outlined on page 13 of this hand book. Work is expected to be turned in by the deadline established for the students in attendance.
2. Unexcused absences will be considered a Level II offense and be subject to the disciplinary action on page 13 of this hand book. Work is expected to be turned in by the deadline established for the students in attendance.
3. Extra-curricular participation may be impacted by poor attendance. Repeated attendance violations will be discussed with coaches/advisors and may result in inability to participate in activities.
4. Minnesota Compulsory Attendance Law requires that truancy be reported to law enforcement authorities. (Minn. Stat. 8120.103, subd. 5)
Subd. 19. Habitual Truant. "Habitual truant" means a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school under section 120A.22, subdivision 8. Referral to county attorney will be made if habitual.
MAKE-UP POLICY
A. Excused Absences (unexpected) Students who miss class work (including assignments, labs, and exams) as a result of an unexpected excused absence will have an opportunity to make up the work. Students will receive credit for any work they make up. Failure to make up work will result in no credit being given for that work. Make up work is due to the instructor no later than two school days after the date of the absence. If the absence covers more than three consecutive days, the make up work is due to the instructor no later than five school days after
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the student returns to class. Exceptions to this rule may be granted if a student has missed more than ten consecutive school days because of an injury or illness or other condition beyond the student's control. Exceptions must be cleared by the teacher and/or Principal.

B. Excused Absences (expected) Students who miss class work (including assignments, labs, and exams) as a result of an expected excused absence are expected to collect work prior to being gone and make appropriate arrangements with instructors for deadlines. In the case of extracurricular activities, family trips, etc. it is reasonable to expect work to be turned in prior to the absence.

C. Unexcused Absences Students who miss class work (including class assignments, labs, and exams) will be expected to complete the work and submit it by the class deadline.

ATTENDANCE RECORDS

Every classroom teacher will maintain attendance records in which all classroom absences and unexcused tardies are recorded. Teachers will submit these attendance records to the principal's office on a daily basis.

CLASSIFICATION OF ABSENCES AND TARDIES

A. Excused Absences: With the exception of students who are emancipated from their parents, all students must provide the building principal with a note which is signed by the student's parent/guardian and which states a valid reason for the absence. An emancipated student is one who does not live with and also is not economically dependent upon his or her parent, a guardian, a family member or other adult. An emancipated student must also provide the building principal with a note stating a valid reason for the absence but may sign the note himself or herself. If a student fails to provide the principal with such a note before or upon the student's return to school or within the next two school days, the absence will be counted as unexcused. An absence will be excused if the student provides a timely note which is signed by a parent/guardian and states that the absence is/was the result of one of the following conditions:

1. A parent, guardian, or other person having control of a child may apply to a school district to have the child excused from attendance for the whole or any part of the time school is in session during any school year. Application may be made to any member of the board, a truant officer, a principal, or the superintendent. A note from a physician or a licensed mental health professional stating that the child cannot attend school is a valid excuse.
2. Illness, injury, or hospitalization of the student.
3. Disability of the student. If a student suffers from a permanent or temporary disability which prevents the student from regular attendance, verification from the student's physician specifying the nature of the disability and the anticipated duration of the disabling condition will be required once per school year. For each absence, the student's parent must provide the building principal with a signed note verifying the reason for the absence.
4. Medical, dental, counseling (includes telehealth) and other professional appointments (not haircuts) which cannot be scheduled outside of school hours.
5. Family emergency, serious illness of family member, or death in the family.
6. Work at home. A student may be excused to work at home only when the student's assistance is essential to the family's welfare. No more than two class periods in the same course will be allowed as excused absences for work during a quarter unless the building principal has a conference with the parent/guardian and determines that extra days are justified.
7. Religious holidays.
8. Attendance at a course of religious instruction for up to three hours each week as provided by Minn. Stat. 120.101, subd. 9(3). Before attending such a program, the parent/guardian must obtain permission from the School Board.
9. Mandatory court appearances.
10. Family trips taken with a parent if the principal, or principal's designee, has approved the trip or visit in advance. A maximum of five days in one quarter, not to exceed a total of ten days per school year, will be excused to permit a student to travel with a parent on a family trip. Parents are strongly encouraged to schedule such trips

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during school breaks and vacations. At the building principal's discretion, an absence for a family trip which exceeds five days may be counted as excused.

11. Compliance with any provision of a disabled student's Individual Education Program Plan or Section 504 Accommodation Plan.
12. Special education assessment performed by or at the direction of School District personnel.

13. Pre-approved testing, including college testing and military testing. Approval must be sought from the building principal at least twenty-four hours prior to the absence.
14. Any pre-approved absence which, in the principal's opinion, will provide educational value to the student including state fair trips, 4-H events, etc. Approval must be obtained from the building principal at least twenty-four hours prior to the absence.
15. Participation in a school-sponsored activity. Examples include, but are not limited to, absence from class in order to participate in a school-sponsored field trip, foreign exchange program, student council, Knowledge Bowl, athletic contest, or school-sponsored music performance. The student must have been in attendance for the three class periods preceding the school-sponsored event in order for participation to be considered to be excused.
16. Work on an educational assignment or exam with another teacher in the building which spills over into another class period. In this instance, a note from the teacher rather than from the parent is required.
17. Visits to the principal's or assistant principal's office and scheduled visits to the office of the counselor or school social worker.
18. Suspensions. Absence from class as a result of an in-school or out-of-school suspension is counted as excused.
19. College visits must be approved in advance by the Guidance Counselor. Two college visits will be excused. Additional college visits will need Principal approval.
20. Active duty in any military branch of the United States.
21. that it is the wish of the parent, guardian, or other person having control of the child, that the child attend for a period or periods not exceeding in the aggregate three hours in any week, instruction conducted by a Tribal spiritual or cultural advisor, or a school for religious instruction conducted and maintained by a church, or association of churches, or any Sunday school association incorporated under the laws of this state, or any auxiliary thereof. This instruction must be conducted and maintained in a place other than a public school building, and it must not, in whole or in part, be conducted and maintained at public expense. A child may be absent from school on days that the child attends upon instruction according to this clause.
B. Unexcused Absences. Any absence which is not excused under this policy will be counted as unexcused. Oversleeping, a malfunctioning alarm clock, missing the bus, shopping, visiting friends, appointment at a tanning booth, haircuts, slow restaurant service, work, prom related activities, etc. are not a basis for an excused absence.
C. Excused Tardies. If a student is tardy to class but has a written note from a teacher, counselor, nurse, school psychologist, or school administrator, the tardy will be excused. If a student arrives to school late and has a valid excuse signed by a parent, a school administrator will provide the student with a written note excusing the tardy. An excuse signed by a parent will be deemed valid if it states that the student's tardiness was caused by one or more of the conditions, listed above, which give rise to an excused absence.
D. Unexcused Tardies. Any tardy which is not excused under this policy will be considered unexcused.
E. False Excuses. Any student who submits a false excuse or forges the signature of a parent/guardian or school personnel will be subject to disciplinary action.
F. Excessive Absences. Students who have been absent on a total of 10 days (example: missing 3rd period 10 times) will receive a letter concerning attendance. After missing a class(es) on 14 days, students will be required to
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present a physician's note; no other absences will be excused. All other absences will be unexcused and count towards habitual truancy. School activities do not count in absence total.
G. Returning to Class. Upon entering the building after being tardy or absent, students must sign in and pick up a pass or admit slip from the Secondary Office before reporting to class.
H. Leaving the Building. Students must have prior permission to leave school. That permission is granted by the Principal, his/her secretary, or the Principal's designated representative. Students are not allowed to come to the office and just "sign out". Notes from home must be brought to the Principal's office before class in the morning or a phone conversation must take place with a parent/guardian before a student is allowed to leave the building. Leaving the building without permission will result in disciplinary action.
THE APPEAL PROCESS
A. Appeal to Building Principal

Within five school days after being informed that an absence or tardy will be counted as unexcused, or within five days after receiving notice of an unexcused absence or unexcused tardies pursuant to section IV of this policy, the student or the student's parent/guardian may make a written request to the building principal, or designee, to schedule a conference to contest, or appeal, the classification of the absence or tardies. The student and the parent/guardian may examine the student's attendance record prior to attending the conference. Individuals who may attend the conference include, but are not limited to, the student, the parent/guardian, the building principal or administrative designee, and the teacher for the class in which the student was counted as having an unexcused absence or unexcused tardies. At the conference, the student and parent/guardian will have the opportunity to present any information relevant to the absences or tardies in question, including any extenuating circumstances.

The building principal or administrative designee will provide the student and parent/guardian with written notice of the appeal decision within five school days of the conference. In the event that written notice is not sent within this time period, the appeal to have the absence and/or tardies counted as excused will be deemed denied. If the principal has investigated the matter, this appeal process may be waived and appeal to the Superintendent may begin.

B. Appeal to Superintendent

A student or parent/guardian who is dissatisfied with the decision of the building principal or administrative designee may appeal the principal's decision to the Superintendent. The appeal must be made in writing within five school days of the principal's decision or, if the principal or administrative designee did not make a written decision, within ten school days of the conference with the principal or administrative designee. The written appeal to the Superintendent must state all facts upon which the appeal is based.

The Superintendent will make a final decision on whether the absence(s) and/or tardies will be counted as unexcused and, consequently, whether consequences will be enforced. The Superintendent's decision may be based upon all relevant evidence, including any written records pertaining to the student; any documents submitted by the student or the parent/guardian; discussions with the building principal or administrative designee, teachers, counselors, the parent/guardian, the student, and others. The Superintendent is not required to hold a conference with the student or the parent/guardian before issuing a decision on the appeal.

The Superintendent will make a decision in writing within five school days of receipt of the written appeal from the student or parent/guardian. In the event that the Superintendent fails to issue a written decision within this period, the appeal to have the absence(s) and/or tardies counted as excused will be deemed denied.

Legal References: Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 120A.24 (Reporting)
Minn. Stat. § 120A.26 (Enforcement and Prosecution)
Minn. Stat. § 120A.28 (School Boards and Teachers, Duties)
Minn. Stat. § 120A.30 (Attendance Officers)
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Minn. Stat. § 120A.34 (Violations; Penalties)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 260A.02 (Definitions)
Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is Continuing Truant)
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Cross References: Lakeview School District Policy 506 (Student Discipline