

# Floodwood School District

~~2025-2026~~ 2026-2027

## Employee/Activities Handbook/ PBIS Manual



Floodwood School  
115 West Fourth Avenue  
P.O. Box 287  
Floodwood, MN 55736

Phone—(218) 476-2285  
Fax—(218) 476-2813

District Website  
[www.isd698.org](http://www.isd698.org)  
Board Approved ~~7/28/2025~~ \*\*\*\*

FLOODWOOD SCHOOL: Preparing all students to succeed.

## INTRODUCTION

This handbook has been prepared for the convenience of all personnel in the Floodwood Public School. The information contained in this handbook will facilitate an orderly and efficient school system. It is not intended to serve as the only source of information to staff regarding school policy. Please ask questions about items that are not understood or unfamiliar to you.

## EDUCATIONAL PHILOSOPHY

Students of Floodwood School are the priority and focus of the school. Through supporting teachers in their development and knowledge of best practices, the students' educational, social, and emotional needs will be met. Teachers growing in their learning will positively impact the students' growth in their learning.

## VISION STATEMENT

**Floodwood School:** Preparing all students to succeed.

## MISSION STATEMENT

ROAR with Pride - Prepare with Excellence

# ALL STAFF

## Tennessee Warning for Employees

In accordance with the [Minnesota Government Data Practices Act](#), we are required to inform you of your rights as they pertain to the private information we collect from you. The information we collect from you is classified by law as either public (anyone can see it), private (the public is not given access, but you are), or confidential (even you cannot see the information). As a public employee or an applicant for public employment, most of the data we maintain about you is public according to Minnesota Statutes, section 13.43, subdivisions 2 and 3.

The information we request from you may be used for one or more of the following purposes:

- To distinguish you from all other applicants or employees and identify you in our personnel files;
- To determine your eligibility for employment or promotion;
- To contact you or other significant persons in an emergency;
- To enroll you and your family members for health insurance;
- To enroll you for pension plans;
- To account for wages paid;
- To justify travel expense reimbursement;
- To account for other employer paid fringe benefits;
- To compile Equal Opportunity and Affirmative Action reports.

Information which you are asked to provide generally is not required by statute. However, it generally is to your benefit to provide it. Without the requested information, this agency may not be able to determine your eligibility for employment or promotion, compute your wages, or grant you other fringe benefits.

Federal law permits government agencies to require an individual to provide his/her social security number for the administration of any tax. Please be aware when you are asked to give your social security number on Revenue forms, this collection is mandated by section 1211 of the Tax Reform Act of 1976 and also Minnesota Statutes, section 270.66. This information will be shared with the State Department of Revenue, the Internal Revenue Services, security tax programs. In most other cases the disclosure of your social security number is voluntary. If it is required by law, we will inform you of the statute which requires collection.

The information you provide may be shared with the Floodwood School District's payroll and personnel staff; supervisory staff; St. Louis County Attorney's office; TRA; PERA; IRS; and the State Departments of Revenue, Finance, Economic Security, Employee Relations, and Labor and Industry.

Information may also be shared with other agencies authorized by law to receive specific data relating to:

1. Absent/non-supportive parents;
2. Civil/human rights complaints;
3. Worker's Compensation;
4. Unemployment Compensation;
5. Labor contracts (to the extent specified in Minnesota Statutes, chapter 179);
6. Employee assistance programs;
7. Child/vulnerable adult abuse.

If you have any questions about this notice, Human Resources staff will explain it to you. The information on this form applies to your future contacts with this agency whether the contact is in person, by mail, or by phone.

## ABSENCE FROM WORK

All staff (teachers, paraprofessionals, administrators, custodial personnel, office staff, and kitchen staff) are asked to report their intended absence using the substitute calling system at their earliest opportunity. The substitute calling system can be accessed by logging onto InstaSub. Please contact the Business Manager if you need access or support for InstaSub. All absences (including medical) require Administration approval.

## ATHLETIC EVENTS - ADMISSION

All staff will be granted free admission to athletic events and music concerts with the exception of playoff games and JAMD.

## ATTENDANCE AT CONFERENCES AND MEETINGS

Staff shall apply for attendance at meetings and conferences to the Staff Development Team. Reimbursements and stipends will not be given if prior approval is not granted. If administration is requiring the employee to attend, a two week notice minimum will be given to the employee when possible. Hours attended should be added to a requisition form and submitted to payroll. A teacher, upon approval by the Staff Development Team, may attend professional meeting(s), seminar(s), clinic(s), etc. germane to their curriculum area each school year. The following guides shall be used to determine reimbursement for expenses incurred:

1. **Overnight trips shall be allowed \$45.00 per day for meals.** An exception will be made if a luncheon or banquet with a higher cost is included as part of the program. Tips need to be listed on the bill and the maximum tip is 15%.
2. **Lodging shall be limited to a reasonable rate at the District's discretion.** Lodging will be shared, when appropriate, when more than one person is in attendance.
3. For approved functions, a personal vehicle should be used. **Mileage will be reimbursed at the current IRS rate for use of a personal car.** If more than one person attends the same function, mileage may be paid if prior approval is secured. The actual transportation method will determine the amount of reimbursement. If the trip does not originate from the school, mileage will be paid from Floodwood or the claimant's home, whichever is closer. The staff member does not need to return directly to Floodwood after the function. Mileage is paid to and from the original destination.
4. All registration fees shall be reimbursed but not expenses for college credit earned through the experience.

The above guides for reimbursement of expenses shall apply to all school personnel, board members and others traveling on school business.

Verification for actual expenses must be attached to any expense claim submitted. When a person is assigned a conference or meeting, all expenses shall be reimbursed, except actual costs for college credit when earned. **Reimbursement requests must be made within 30 days of the event. Reimbursement requests after 30 days will not be granted.**

#### **BOARD MEETINGS**

Regular school board meetings are usually held the last Monday of each month at 6:00 PM, with some exceptions. See district website for complete calendar. These meetings are public meetings, and as such, are open to all employees of the district.

#### **BREAKFASTS, LUNCHES**

Breakfasts and lunches are available for all staff through the school's food service program. The cost per breakfast is \$3.10 and lunch is \$5.50. Breakfast is served from 7:45 to 8:20 AM each day. Lunch is served from 10:55 AM until approximately 12:15 PM each day. With the exception of the ½ hour duty free noon, staff is not allowed to take time to eat during their normal duty hours. Staff members taking trays and silverware to their classroom are asked to return it to the kitchen when they are finished. Staff may choose to pre-pay for their meals or pay each time they eat. **Cash, check or credit card payment can be made in the district office. Staff accounts may only go into a \$10.00 deficit. Please contact the business office if you would like to set up payroll deductions for your lunch account.** In the event of a late start, breakfast will still be served upon arrival at school.

#### **BREAKS, LUNCH AND REST PERIODS**

Employees shall be required to notify the office if they leave the premises on their break time. Breaks should be taken in designated areas to avoid work related interruptions. Any employee who does not receive their breaks are to report the missed break to administration the day of the missed break to receive compensation for the missed break, if permitted. Compensation will not be permitted for missed breaks by choice or in workspaces where others perceive employees to be actively working.

Designated locations for breaks are the staff lounge and Educational Assistant room #345.

#### **BUILDING PERMITS**

The use of the building after school will be reserved for organized groups under supervision. All building permits are issued through the community education office and all activities, practices, meetings, etc., must be scheduled. These reservations should be made well in advance to avoid scheduling conflicts. The use of the building for activities of outside groups requires a fee based on the room or facilities required by the group. Facility Use Requests can be filled out on the district website at [p;https://www.isd698.org/page/facility-use-request](https://www.isd698.org/page/facility-use-request).

#### **BUS REQUESTS FOR SPECIAL TRIPS**

Field trips and special trips will be allowed for the current school year, unless they were not budgeted for or the class does not have the funding to pay for the trip. Transportation request forms can be found in the district office and must be approved by administration.

#### **CALENDAR OF EVENTS/ OFFICIAL SCHOOL CALENDAR**

The official district calendar is maintained by the Administrative Assistant. Events, such as games, concerts, prom, dances, Snow Week, Homecoming Week, etc. must go through the Activities Director, and get final approval from Administration. All school events need approval to receive official School District recognition of the event.

No date is official unless it has been put on the calendar and approved by the school board.

#### **WEDNESDAY NIGHT ACTIVITIES**

No extra curricular activities are to be scheduled after 6:00 PM on Wednesdays unless a special clearance is obtained from the Superintendent, Principal, or Activities Director.

#### **CONFIDENTIALITY/DATA PRIVACY**

Confidentiality and data privacy are very important within the scope of school district operations. All employees must be aware of the importance of state and federal statutes that govern and regulate data that are used within the operations of the Floodwood School District. This includes but is not limited to data and communications regarding students, parents/guardians, law enforcement personnel, social service agencies, in regular and special education settings are all subject to these rules and regulations. Violations of this provision may result in disciplinary action by the School District. Questions regarding this topic should be forwarded to the Administration for clarification if necessary.

#### **COMMUNICATION**

Communication is a key to success. Here are some of the expectations for communication:

##### **Email:**

Set up your email account to have an automatic signature with your name, title, and work hours. Set up a "vacation responder" if you are out so anyone who emails you will be automatically notified of your absence.

Check your email often; at a minimum first thing in the morning, midafternoon, and about 2:15 in case there is something urgent regarding a student(s).

Make sure to respond to emails within 24 hours or a reasonable amount of time. If you don't have an answer for a question, at least respond that you are checking into it and give them an expected response time.

**Calendars:**

There is a shared district Google calendar. Please keep it updated with your class events such as trips where you'll be taking students out of the building or for events that you are an advisor for (plays, pep rallies, class meetings, etc.) to help all be informed. This will help the AD in sport event planning, the custodians and cook, Office Staff with the daily announcements, and accidental overlapping of events. If you are not able to see the district calendar or have any questions, please make sure to ask.

**Phone:**

Set up your voicemail for all of the various responses (busy signal, after hours, no answer, etc.)

Check for messages often; at a minimum of first thing in the morning, midafternoon, and about 2:15 in case there is something urgent regarding a student(s). Make sure to respond to phone calls within a reasonable amount of time, meaning the same day or first thing the next day. If it is something you don't have an answer to and there will be a delay, make sure to call back or have administration call back to give them an expected response time.

**Conversations with students and the public:**

It is crucial to be professional when communicating with students, the public, and fellow staff members. Talking to students about being unhappy with another staff member or with your employment is an example of unprofessionalism and is grounds for dismissal. We are a team. If you have a problem, talk to the individual directly or pull in administration to help resolve the issue. Direct communication often resolves misunderstandings.

**Facebook, Twitter, Website, etc.: (see "Social Media" section for more information)**

We have an established website and Facebook account for the district. Do not create another school district account without administrative approval. You may create a teacher account however make sure it is professional.

Please make sure that your personal Facebook account is professional and/or that the privacy is such that Floodwood students cannot view it. "Friending" students on your personal account is not recommended.

**Positive Promotions:**

We are all responsible for promoting the Floodwood School District. If you have things you would like to celebrate or highlight, you are encouraged to share on Thrillshare to the district website, Facebook account and Instagram.

**DAILY ANNOUNCEMENTS/BULLETIN**

Daily announcements will be made at the beginning of each day shortly after the beginning of the first hour. The daily bulletin will be posted to the district website. All notices to be announced and/or printed in the daily bulletin MUST be submitted via email to the office by 8:00 AM in writing at [office@isd698.org](mailto:office@isd698.org). Please email exactly what you would like announced and added to the bulletin.

**EMERGENCY SCHOOL CLOSING INFORMATION**

The Floodwood School District will utilize the Campus Alert Notification System for the current school year. This source of information shall be considered the primary and most direct/accurate source of communication from the school District for school closing information. It is the employee's responsibility to maintain accurate contact information to ensure that you are contacted via this system. In addition to the Campus System the school District will continue to use regular regional media sources for emergency school announcements. Please see below for that information.

When winter conditions require the closing of school, Floodwood School will follow the following procedures:

**MORNING CLOSING OR DELAY**

A school closing or delay announcement will be made prior to 6:00 AM. Announcements will be carried on local television stations as well as radio stations:

TV Stations: KBJR Channel 6, KDLH Channel 3, WDIO Channel 10, WIRT Channel 13, KQDS FOX 21

Radio Stations: WEBC 560AM, KKCB 105.1FM, WNMT 650AM, WTBX 93.9FM, KOZY 1320AM, KMFY 96.9FM, USA 99.9FM

The school district website [www.isd698.org](http://www.isd698.org) may also be used to obtain information. The district will also utilize Facebook as a means of communication to all staff, students, and community members.

Year-round full time salaried employees unable to work, or leave early, on an emergency closing day will take either vacation, personal, comp time or leave without pay for that day or portion of.

**EMERGENCY/CRISIS/EXPOSURE TO BLOODBORNE PATHOGENS, ETC.**

Please refer to the district crisis manual for all emergency information such as lockdowns, threats, fire, medical emergencies, accidents, evacuations, etc. Each classroom is required to have a red crisis manual easily available for a substitute in case of a teacher absence. A crisis manual will also be kept in the mailroom for non-teaching staff to review. The bus garage and custodian area also need to have a manual available for all staff in those areas. All staff need to be familiar with the procedures laid out in the manual for the different emergencies.

**EQUIPMENT**

The equipment in the building was purchased with the intent to assist in your task of educating students. It was not intended as your personal equipment for your personal use. Please help extend the longevity of the equipment by keeping things clean, protecting it from abuse by others, and using it for its intended purpose. Please do not take district equipment home for your own use or loan it out to non-staff. All equipment loaned out must be checked out through the office.

**ESST (Earned Sick and Sick Time) ACCESS PLAN**

**For up to date ESST information, please contact the district business office. Floodwood School District will follow current state laws and statutes.**

**EXEMPT/NON-EXEMPT**

**Exempt positions:** Teachers, Superintendent, Principal, Business Manager

**Non Exempt Positions:** Administrative Assistant, Secretary/AP, Nurse, Facilities Manager, Custodians, Educational Assistants, Food Service Manager, Cafeteria Assistant, Library/Tech Specialist, Grounds Assistant, Snow Removal

**FITNESS CENTER**

The Fitness Center is available to staff for free. Staff access cards will work on the fitness center door. Access may be limited at times for maintenance to hall floors or

equipment. Staff may not bring guests to use the fitness center without purchase and use of Buddy passes. Buddy passes can be purchased in the office.

## **KEYS**

Keys are issued to each teacher for their own classroom and other areas that are essential for their daily use. Keys and access cards to exterior doors are issued with administrative approval. Please do not loan your keys to anyone; they will remain your responsibility. **STAFF DOES NOT HAVE AUTHORIZATION TO DUPLICATE SCHOOL KEYS.** All authorization to issue school keys comes from Administration.

A. It shall be the responsibility of the Administrative Assistant and Activities Director to issue and record the distribution of all school district keys.

B. Grand master keys shall be issued to the following personnel on a continual basis:

1. Teachers, Educational Assistants, Support Staff, Administration - All will have a Grand master key to be able to access any space needed in the case of an emergency. Areas marked "Authorized Personnel Only" should not be entered. Keys should only be utilized to enter areas for your position within the building, unless in the case of an emergency.
2. Maintenance - All regularly scheduled Custodians with vendor copies available to vendors working in the building.
3. Floodwood Police Department and Floodwood Fire Department.

With Administration's approval keys can be issued, upon request, to the following personnel on a conditional basis:

1. Coaches (Varsity Coaches may keep keys year round if returning to position the following year. All other coaches must return keys/access card at the end of their season.)
2. Community Education Personnel
3. Person with a signed building permit.

C. Staff must report a lost key to administration immediately. A fine equaling the cost, incurred by the school district, for rekeying the area may be assessed any individual who loses a key assigned to them. To replace a lost or broken access card is \$10.

D. Under no conditions are keys to be loaned to a student or to a person not employed or assigned by the school district.

E. Any person in the building, when a custodian is not on duty, is responsible to secure the building. (Check all outside doors.)

F. The use of a school key may be revoked if this procedure is not followed.

## **LONG-TERM ABSENCES OF SUPERVISORY PERSONNEL**

In the event of a long-term absence (more than 20 days) by any supervisory personnel, the board shall determine whether or not a substitute will be hired to assume the duties of that person. The board, at its discretion, may delegate the supervisory duties to other supervisory personnel. Working hours of non-supervisory personnel may be adjusted to best suit the needs of the district.

In the event a substitute is hired, the terms of compensation and working conditions shall be negotiable with the school board.

## **MN PAID LEAVE**

Effective January 1, 2026, Minnesota Paid Leave will provide partial wage replacement and job protections to eligible employees, as prescribed in Minnesota Statutes, chapter 268B. When this program is implemented, employees shall follow the process prescribed by the State of Minnesota to request leave. Upon implementation, as prescribed by statute, the School District will begin deducting the employee portion of the premiums from wages and submitting the wage deductions to a third-party administrator pursuant to Minnesota Statutes, Chapter 268B. The default employee portion is fifty percent (50%) of the premium costs. Any subsequent changes in premium will be split with the employer paying fifty percent (50%) and the employee paying fifty percent (50%). Employees may not use available leave to supplement the partial wage replacement benefits received from the Minnesota Paid Leave program. Total compensation received may not exceed the employee's regular wages.

## **PARKING**

There is assigned parking for all staff during school hours. Please see the parking map in the staff lounge. Please adhere to posted signage regarding the bus loading area on the north side of the school.

## **PERFORMANCE REVIEWS**

Performance reviews will be completed after 90 days for new staff and at least annually for all others. Performance Review or Performance Improvement plan created when needed throughout the year. Teacher Development and Evaluations Plan will be used in place of Performance reviews for Education MN teacher contract employees.

## **PERSONAL VEHICLE USE**

If an employee will be using their personal vehicle for work related travel, they must submit current vehicle insurance and valid drivers license to the district office to maintain on file to claim mileage for travel. District own vehicles may be available for travel as an alternative.

## **PERSONNEL FILE**

All evaluations and personnel files of the School District relating to an individual staff member shall be available for inspection by the individual staff member. All requests to inspect evaluations or files will be completed within a reasonable amount of time. Personnel files will be available during the regular school business hours (8:00 AM to 3:30 PM) and must be viewed in the office. Staff members shall have the right to reproduce, at the staff member's expense, any of the contents of their personnel files. The School District reserves the right to destroy personnel files as permitted by law and notification to employees will be provided when this occurs.

## **POLICY MANUAL**

Copies of the Floodwood School Policy Manual are available, for employee review, on the district website.

## **PROFESSIONAL DEVELOPMENT**

All professional development must be approved by the Staff Development Team. Attendees of professional development will be responsible for writing a summary of what they learned and how it will improve their instruction or performance of their job. They may also be required to present what they learned to the School Board or to their colleagues. Teachers will be paid \$150 for a 7.5 hour day or \$75 for half day for professional development suggested by the Staff

Development Team or Administration that falls on a day that is not contractual.

- Educational Assistants professional development days will be established on the annual calendar distributed in May for the upcoming school year.
- **PURCHASE ORDERS / PURCHASING**

All orders for materials or equipment must be processed through the office.

#### PROCEDURE:

Prepare a purchase requisition using the online system through SMART eR. The link and instructions can be found on the school website under "Staff." Complete ALL necessary order information and use the comment section to describe what the order is for. If a vendor name is not on the list, please contact the business office. Supporting documents for the requisition should be labeled with your name and submitted to the Business Manager.

Administration will approve and submit the requisition to the business office for final approval. Once the approval is secured, the School Secretary will prepare and place the purchase order.

Purchases will be made locally whenever possible as is consistent with good business practices and in the best interest of the school district as a whole. All employees are to secure a signed purchase order prior to making any purchases from local merchants.

**The district has no obligation to pay for items that you may purchase without prior approval and without a purchase order.** The individual who does make a purchase without prior approval shall be required to personally pay for those goods.

#### **RESTRICTIVE PROCEDURES**

The Floodwood School District promotes the use of positive approaches for behavioral interventions for all students. When restrictive procedures are employed in an emergency situation with any student, the School District will adhere to the standards and requirements of Minnesota Statutes 125A.094 and 125A.0942 with respect to Restrictive Procedures for Children with Disabilities.

##### A. Definitions

The following terms have the meanings given them.

1. "**Emergency**" means a situation where immediate intervention is needed to protect a child or other individual from physical injury. Emergency does not mean circumstances such as: a child who does not respond to a task or request and instead places his or her head on a desk or hides under a desk or table; a child who does not respond to a staff person's request unless failing to respond would result in physical injury to the child or other individual; or an emergency incident has already occurred and no threat of physical injury currently exists. Minn. Stat. 125A.0941 (b)
2. "**Physical holding**" means physical intervention intended to hold a child immobile or limit a child's movement and where body contact is the only source of physical restraint, and where immobilization is used to effectively gain control of a child in order to protect a child or other individual from physical injury. Minn. Stat. 125A.0941(c). The term "physical holding" does not mean physical contact that:
  - (a) Helps a child respond or complete a task;
  - (b) Assists a child without restricting the child's movement
  - (c) Is needed to administer an authorized health-related service or procedure; or
  - (d) Is needed to physically escort a child when the child does not resist or the child's resistance is minimal.
3. "**Positive behavioral interventions and supports**" means interventions and strategies to improve the school environment and teach children the skills to behave appropriately. Minn. Stat. 125A.0941(d)
4. "**Restrictive procedures**" means the use of physical holding or seclusion in an emergency. Restrictive procedures must not be used to punish or otherwise discipline a child. Minn. Stat. 125A.0941(f)
5. "**Seclusion**" means confining a child in a room from which egress is barred. Egress may be barred by an adult locking or closing the door in the room or preventing the child from leaving the room. Minn. Stat. 125A.0941(g) (Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.)
6. "**CPI Team Control Position**" is a physical hold that is used to manage students who have become dangerous to themselves or others. Two staff hold the individual and additional members assess the student for signs of distress and take other safety measures as necessary.
7. "**CPI Children's Control Position**" is a physical hold that is designed to be used with a student that is a head size or smaller than the adult. Additional members need to be present to assist the adult, monitor safety of the student and take other safety precautions as necessary.
8. "**CPI Transport Position**" is a physical hold that is an upright position that is used when the student is calm and needs to be moved to a safer place. Two staff assist with this position, one on either side of the student, with additional staff as needed.
9. "**CPI Interim Control Position**" is a physical hold that is a temporary, upright position that allows staff to maintain control of both of the individual's arms for a short period of time. One staff is needed for this position; however, additional staff are necessary to monitor the student and assist with any other safety precautions.
10. "**Outcome of A Personal Safety Technique**" is a physical hold used when a student engages in a grab with peers/staff and the adult needs to immobilize a part of the student's body to minimize damage to the student, peers and/or school staff.

##### B. Personnel Development Activities

Personnel development activities will be provided to District staff and contracted personnel who have routine contact with students and who may use restrictive procedures in the following areas:

1. Positive behavioral interventions;
2. Communicative intent of behaviors;
3. Relationship building;
4. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior;
5. De-escalation methods;
6. Standards for using restrictive procedures;
7. Obtaining emergency medical assistance;
8. Physiological and psychological impact of physical holding and seclusion;
9. Monitoring and responding to a child's physical signs of distress when physical holding is being used;
10. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used;
11. District policies and procedures for timely reporting and documenting each incident involving use of a restricted procedure; and
12. Schoolwide programs on positive behavior strategies. Minn. Stat. 125A.0942, Subd. 5(a)(11) and (12)

##### C. Staff Training Requirements

Staff who design and use behavioral interventions will complete training in the use of positive approaches as well as restrictive procedures. Training records will identify the content of training, attendees, and training dates.

#### D. Restrictive Procedures and Prohibited Procedures

Restrictive procedures that may be used in emergency situations include seclusion and physical holding.

**Prohibited** procedures include the following:

Corporal Punishment which include conduct involving:

1. Hitting or spanking a person with or without an object; or
2. Unreasonable physical force that causes bodily harm or substantial emotional harm;
3. Requiring the student to assume and maintain a specified physical position, activity, or posture that induces physical pain;
4. Presenting an intense sound, light or other sensory stimuli using smell, taste, substance, or pray as punishment;
5. Denying or restricting the student's access to equipment and devices such as wheelchairs, hearing aids or communication boards that facilitate the student's functioning except when temporarily removing the equipment or device, in which case the equipment or device shall be returned to the student as soon as possible; Interacting with a student in a manner that constitutes sexual abuse, neglect, or physical abuse under section 626.556;
6. Totally or partially restricting a student's senses as punishment;
7. Withholding regularly scheduled meals or water;
8. Denying the student access to bathroom facilities;
9. Physical holding that restricts or impairs a student's ability to breathe; or
10. Use of tasers or threatened use of tasers.

#### E. Documentation Procedures

The use of restrictive procedures in emergency situations will be documented-using Appendix A and B and submitted to the Special Education Director and building Administration. The District will monitor and review the use of restrictive procedures, including conducting post-use debriefings and convening an oversight committee.

The use of restrictive procedures in behavioral intervention plans will be documented in the learner's file. Reviews will be conducted in accordance with the plan. In the case of a student with a disability, due process and documentation requirements will be followed. Record retention will be in accordance with administrative policies on student records.

#### F. Emergency Situations – Use of Restrictive Procedures

The Floodwood School District shall make reasonable efforts to notify the parent/guardian on the same day by phone when restrictive procedures are used in an emergency. If the school is unable to provide same-day notice, notice will be sent by written or electronic means or as otherwise indicated by the parent.

District administration will receive written notification when restrictive procedures are used in emergency situations. Records will be reviewed quarterly.

### PROTOCOL FOR USING PHYSICAL HOLDING

Physical holding should only be used in an emergency. Notify parents the same day a restrictive intervention is used. Provide written or electronic notice within two days if unable to notify parents the same day. Staff must directly monitor the student to ensure that the student is safe. End the intervention when the threat of harm ends and staff determine if the student can safely return to his/her routine activities, education setting, intervention, and/or site determined by the team, Positive Behavior Intervention and Support Plan (PBISP) and/or administrator.

Complete the **Critical Incident Form for Restrictive Procedures** (Appendix A-1 page) (see administration for a copy). Document the date, type of intervention, starting and ending time, and the location of the incident. If a physical hold is used, document the type of hold used. These following physical holds are the only ones adopted by the Floodwood School District #698: CPI Children's Control Position, CPI Team Control Position, CPI Transport Position, and CPI Interim Transport Position. Summarize the student's behavioral and physical status during the intervention. Record names of staff present and involved in the intervention. Record the removal of shoes, belt and contents of pockets. Provide an explanation if scheduled meals are delayed. Record the date and time of parent notification as well as who made the contact, and a brief summary of parent comments. Record if law enforcement was contacted regarding the incident, who called, and the outcome of the call.

Complete the **Critical Incident Form for Restrictive Procedures – Staff Debrief** (Appendix B-2 pages) (see administration for a copy). Document the attendees, date and time of debriefing. Note the person who is facilitating the debriefing and if the student is on an IEP and/or has a PBISP. Completely describe the incident, answering all the questions included on the form. Describe specific actions that both helped the situation and did not help the situation. Describe the procedure used to return the child to his/her routine activities. Note if the behavior is likely to occur again. Note if the PBISP was followed, and if not, what circumstances prevented it. Describe the action plan to assist the prevention of future incidents. Note if restrictive procedures have been used on two separate school days within the last 30 calendar days. If yes, note if an IEP meeting has been scheduled within 10 calendar days.

Provide a copy of the Critical Incident Forms (Appendix A and B) (see Administration for a copy) to the Special Education Director and the building Administration. and also place a copy in the student's special education file. The Director of Special Education, building Administrator, Special Education Coordinator, School Psychologist and as appropriate, ASD Consultant, special education teacher, school mental health provider, will serve as the district oversight committee and will review all restrictive procedures quarterly.

If a restrictive intervention is used on two separate school days within 30 calendar days or when a pattern of behavior emerges, the district must hold a team meeting within 10 calendar days after the use of restrictive procedures. In the case of a nondisabled student, the team should develop an intervention plan. In the case of a student with a disability, the district must hold an IEP or 504 team meeting, conduct or review a functional behavioral analysis (FBA), review data, consider developing additional procedures, and modify the IEP, PBISP, or 504 plan. The district may use restrictive procedures in emergencies until the team meets, provided the emergency measures are deemed necessary by the district to protect the individual pupil or others from harm.

Before incorporating physical holding into the IEP or PBISP, the IEP team should ensure that an FBA has been completed. The team should use the FBA information along with the present levels of performance, needs, goals, and objectives to develop a PBISP.

- (a) Include positive behavior supports, de-escalation procedures, instruction in appropriate behavior, and other preventative measures in the PBISP.
- (b) Document which restrictive procedure is being included and why it is the least restrictive effective intervention. The PBISP must identify the frequency and severity of target behaviors for which the regulated intervention is being considered; and anticipated criteria for returning the pupil to the routine activities and regular education environment if the intervention is used.
- (c) Document that the physical health and psychological assessments determined that seclusion is not contraindicated because of psychological or physical health reasons. The licensed school nurse can conduct the physical health assessment or review and the mental health facilitator can conduct the psychological assessment or review, restrictive procedure is used.
- (d) Document how the parent wants to be notified when a restrictive procedure is used.

Schools that intend to use restrictive procedures are required to maintain and make publicly accessible a restrictive procedures plan for children.

Restrictive procedures may be used only in response to behavior that constitutes an emergency, even if written into a child's individual education plan (IEP) or positive behavior intervention support plan (PBISP).

Standards for Physical Holding or Seclusion may NOT be used to discipline a non-compliant child. Minn. Stat. 125A.0492 Subd. 3(a)(2)

I. The Floodwood School District intends to use the following:

A. Physical holding restrictive procedure; with

B. these types of physical holdings:

- (a) CPI Children's Control Position
- (b) CPI Team Control Position
- (c) CPI Transport Position
- (d) CPI Interim Control Position

C. Floodwood School District has a policy of not using seclusion. The district has no seclusion rooms.

II. The Floodwood School District will implement a range of positive behavior strategies and provide links to mental health services in the following manner:

A. Positive behavioral interventions and supports

B. The Floodwood School District will train staff on positive behavior intervention supports (PBIS). Teachers will learn the foundational concepts and framework of PBIS and have a better understanding of what PBIS is and why it is important. Additionally, staff will be trained in effective office discipline procedures (SWIS System) and using data in a proactive manner. Floodwood School is a PBIS cohort.

C. The Floodwood School District provides the following links to mental health services:

1. St. Louis County Health and Human Services
2. Range Mental Health Center

III. The Floodwood School District will monitor and review the use of restrictive procedures in the following manner:

A. Documentation:

1. Each time physical holding is used, the staff person who implements or oversees the physical holding shall document, as soon as possible, but not to exceed more than 24 hours after the incident concludes, the following information:

- (a) A description of the incident that led to the physical holding or seclusion;
- (b) Why a less restrictive measure failed or was determined by staff to be inappropriate or impractical;
- (c) The time the physical holding or seclusion began and the time the child was released; and
- (d) A brief record of the child's behavioral and physical status.

2. Attached, as Appendix A (see Administration for a copy) is the Floodwood School District form used to document the use of physical holding.

B. Post-use Debriefings, consistent with documentation requirements:

1. Each time physical holding is used, the staff person who implemented or oversaw the physical holding shall conduct a post-use debriefing with staff involved and an administrator as soon as possible but not to exceed 24 hours, after the incident concludes.
2. The post-use debriefing will review the following requirements to ensure the physical holding was used appropriately:
  - (a) Whether the physical hold was used only in an emergency.
  - (b) Whether the physical hold was the least intrusive intervention that effectively responds to the emergency.
  - (c) Whether the physical holding was used to discipline a noncompliant child.
  - (d) Whether the physical holding ended when the threat of harm ended and the staff determined the child could safely return to the classroom or an alternative activity.
  - (e) Whether the staff directly observed the child while physical holding was being used.
  - (f) Whether the documentation was completed correctly.
  - (g) Whether parents were correctly notified.
  - (h) Whether an IEP team meeting needs to be scheduled. If yes, has it been scheduled?
  - (i) Whether the appropriate staff used the physical holding.
  - (j) Whether the staff that used the physical holding was appropriately trained.
3. If the post-use debriefing determines the physical holding was not used appropriately, the Floodwood School District will ensure immediate corrective action is taken, such as reviewing appropriate use of the procedure, appropriate application of the procedure and/or appropriate training of necessary staff.

C. Oversight committee:

1. The Floodwood School District publicly identifies the following oversight committee members:
  - (a) Special Education Director
  - (b) School Psychologist
  - (c) General Education Administrator
  - (d) Special Education Coordinator
2. The Floodwood School District oversight committee meets quarterly.
3. The Floodwood School District oversight committee will review the following:
  - (a) The use of restrictive procedures based on patterns or problems indicated by similarities in the time of day, day of week, duration of the use of the restrictive procedure, the individuals involved, or other factors;
  - (b) The number of times a restrictive procedure is used school wide and for individual children;
  - (c) The number and types of injuries, if any, resulting from the use of restrictive procedures;
  - (d) Whether restrictive procedures are used in non emergency situations;

- (e) The need for additional staff training; and
- (f) Proposed actions to minimize the use of restrictive procedures

IV. The Floodwood School District staff who use restrictive procedures, including educational assistants, receive training in the following skills and knowledge areas:

- A. Positive behavioral interventions
  - 1. CPI training entitled Nonviolent Crisis Intervention
  - 2. Functional Behavior Assessment (FBA)/Positive Behavior Intervention Plans (BIP) in-service training
  - 3. Documentation available upon request
- B. Communicative intent of behaviors
  - 1. CPI training entitled Nonviolent Crisis Intervention
  - 2. Functional Behavior Assessment (FBA)/Positive Behavior Intervention Plans (BIP) in-service training
  - 3. Documentation available upon request
- C. Relationship building
  - 1. CPI training entitled Nonviolent Crisis Intervention
  - 2. Functional Behavior Assessment (FBA)/Positive Behavior Intervention Plans (BIP) in-service training
  - 3. Documentation available upon request
- D. Alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior
  - 1. CPI training entitled Nonviolent Crisis Intervention
  - 2. Documentation available upon request
- E. De-Escalation methods
  - 1. CPI training entitled Nonviolent Crisis Intervention
  - 2. Functional Behavior Assessment (FBA)/Positive Behavior Intervention Plans (BIP) in-service training
  - 3. Documentation available upon request
- F. Standards for using restrictive procedures only in an emergency
  - 1. CPI training entitled Nonviolent Crisis Intervention
  - 2. Documentation available upon request
- G. Obtaining emergency medical assistance
  - 1. CPI training entitled Nonviolent Crisis Intervention
  - 2. Documentation available upon request
- H. The physiological and psychological impact of physical holding
  - 1. CPI training entitled Nonviolent Crisis Intervention
  - 2. Documentation available upon request
- I. Monitoring and responding to a child's physical signs of distress when physical holding is being used
  - 1. CPI training entitled Nonviolent Crisis Intervention
  - 2. Documentation available upon request
- J. Recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used
  - 1. CPI training entitled Nonviolent Crisis Intervention
  - 2. Documentation available upon request
- K. District policies and procedures for timely reporting and documenting each incident involving use of a restrictive procedure
  - 1. Floodwood School District #698 Restrictive Procedures Policies and Procedures, Critical Incident Forms Appendix A and B (see administration for a copy)
  - 2. Documentation available upon request
- L. School wide programs on positive behavior strategies
  - 1. Informational handout on the strategies being implemented in each of the buildings in the district
  - 2. Documentation available upon request

II. Floodwood School District is committed to using positive behavior intervention and supports.  
Positive behavioral interventions and supports:

Positive behavioral interventions and supports mean interventions and strategies to improve the school environment and teach children the skills to behave appropriately to keep children safe.

The Floodwood School District will never use the following prohibited procedures on a child:

- A. Engaging in conduct prohibited under section 121A.58 (corporal punishment)
- B. Requiring a child to assume and maintain a specified physical position, activity or posture that induces physical pain;
- C. Totally or partially restricting a child's senses as punishment;
- D. Presenting an intense sound, light, or other sensory stimuli using smell, taste, substance, or spray as punishment;
- E. Denying or restricting a child's access to equipment and devices such as walkers, wheelchairs, hearing aids, and communication boards that facilitate the child's functioning, except when temporarily removing the equipment or device is needed to prevent injury to the child or others, in which case the equipment or device shall be returned to the child as soon as possible;
- F. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under section 626.556 (reporting of maltreatment of minors);
- G. Withholding regularly scheduled meals or water;
- H. Denying access to bathroom facilities; and
- I. Physical holding that restricts or impairs a child's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso.

**SAFETY**

Floodwood School shall take all practical steps to safeguard employees and students from accidents and to maintain an effective safety program. All district employees are responsible to help maintain a safe environment.

The Floodwood School has a Facilities Committee that meets periodically with Safety as an item of discussion. Safety concerns should be brought to the attention of Administration to be reviewed at the committee meeting.

### **SECURITY SYSTEM**

The building has a security system that can monitor the activities of any and all persons in the building. Please be aware of this, as the actions on tape may be your own. It is not our intent to monitor the activities of all persons; only those who are causing problems.

### **SOCIAL MEDIA**

This policy provides guidance for employee use of social media, which should be broadly understood for purposes of this policy to include Facebook, twitter, blogs, message boards, chat rooms, electronic newsletters, online forums, Facebook and any other social networking sites, and other sites and services that permit users to share information with others in a contemporaneous manner.

The following principles apply to professional use of social media on behalf of Floodwood School as well as personal use of social media when referencing Floodwood School:

- Employees need to know and adhere to the district's Code of Conduct and other district policies when using social media in reference to Floodwood School.
- Employees should be aware of the effect their actions may have on their image, as well as the Floodwood School's image. The information that employees post or publish may be public information for a long time.
- Employees should be aware that Floodwood School may observe content and information made available by employees through social media. Employees should use their best judgment in posting material that is neither inappropriate nor harmful to Floodwood School, its employees, or students.
- Although not an exclusive list, some specific examples of prohibited social media conduct include posting commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment.
- Employees are not to publish, post or release any information that is considered confidential or not public. If there are questions about what is considered confidential, employees should check with the administration.
- Social media networks, blogs and other types of online content sometimes generate press and media attention or legal questions. Employees should refer these inquiries to administration.
- If employees encounter a situation while using social media that threatens to become antagonistic, employees should disengage from the dialogue in a polite manner and seek the advice of administration.
- Employees should get appropriate permission before you refer to or post images of current or former employees, members, vendors or suppliers. Additionally, employees should get appropriate permission to use a third party's copyrights, copyrighted material, trademarks, service marks or other intellectual property.
- Social media use shouldn't interfere with employee's responsibilities at Floodwood School. Personal use of social media on District time could result in disciplinary action.
- Subject to applicable law, after-hours online activity that violates the district's Code of Conduct or any other district policy may subject an employee to disciplinary action or termination.
- If employees publish content after-hours that involves work or subjects associated with Floodwood School, a disclaimer should be used, such as this: "The postings on this site are my own and may not represent Floodwood School's positions, strategies or opinions."
- It is highly recommended that employees keep school related social media accounts separate from personal accounts.

### **SOLICITATION IN THE SCHOOL**

Any solicitation in the school of faculty or students requires administrative approval in advance.

### **STAFF DRESS**

Staff should wear attire that is clean and appropriate.

\*\*Staff and students of Floodwood School District will wear face covering when in the building, if it is voted into place by the Floodwood School Board to keep students and staff safe. That may include a face mask. Face masks and shields will be provided, along with instructions on proper use and cleaning.

### **STAFF INJURY**

Any staff member injured while on duty should contact the office immediately. Be sure to complete an Accident Report Form; they are in the office. This report must be filled out within 24 hours of suffering the injury and turned in to the office.

### **STUDENT ACCIDENT REPORTING**

Recent trends in legal cases make it a virtual necessity that all student injuries and accidents be promptly reported. Fill out an accident report and turn it in to Administration on the day the injury occurred.

### **TECHNOLOGY USE**

The technology equipment is intended for the purpose of educating students and assisting the staff to that end. It is not intended for your personal pleasure. We expect that each employee will abide by the policies established by the school board related to personal use of school equipment as outlined in the Technology Plan. Remember that this equipment is owned by the District and can be monitored by the personnel of the District at any time. The use of this equipment and its contents are not protected by data privacy. Staff will be required to sign an Appropriate Use Policy Agreement form at the beginning of each school year.

### **TELEPHONE USE**

Each classroom and instructional space has a telephone for your use as an employee of the district. Please limit the use of telephones for personal use as we have only limited lines into the building. Personal faxes sent or received on the school fax machine will be charged at a \$.50 per page rate. The telephones also have voice mail capabilities so you can receive messages when you are not available to answer calls. Remember that the use of voice mail and telephones can be monitored by District personnel and is not protected by the same level of privacy as is the US Mail.

Students will be called from class to answer phone calls only in the case of an emergency. If staff members allow students to use the telephone in their rooms, they are to monitor the calls.

## **TIME OFF - FRONT LOAD PROCEDURES**

All employee time off (Personal time, sick time, vacation time) will be front loaded and available at the start of each contract year. In the event an employee ends their employment mid year, time off will be prorated based on hours worked. If more time off has been utilized than earned, the employee will be responsible for repayment of time off from their last paycheck.

## **TIMECARDS**

All non exempt employees are required to track hours worked ~~by clocking in and out, utilizing the timecard system, that is located in the office work room.~~ Non exempt staff will submit a biweekly timecard utilizing the punch clock system to the business office to calculate payroll. If a punch is missed, employees need to contact administration to confirm time of arrival or departure and allow a manual entry of hours on a timecard. Employees are prohibited from punching other employees in or out. If a punch is missed, employees need to contact administration to confirm time of arrival or departure and allow a manual entry of hours on a timecard.

## **TOBACCO FREE**

We are a Tobacco Free school. There is to be no use or possession of tobacco products in any part of the building or on school grounds at any time. This includes the e-cigarette and tobacco or nicotine pouches.

## **VOLUNTEERS**

Often coaches/advisors use volunteers in their program. Any volunteers that work with students must have a background check **prior to** working with students. The school district will pay for these background checks for volunteers. In order to monitor the number of volunteers and who is volunteering, all volunteers **must** be approved by the Administration for school activities or the Community Education Director for Community Education activities. The responsibility falls on the coaches/advisors to ensure this approval has been granted from the respective school administrator.

## **CERTIFIED STAFF**

### **ARRIVAL AND DEPARTURE OF FACULTY/WORKDAY**

The basic school day for teachers shall be from 8:00 a.m. to 3:30 p.m or 7:45 to 3:15, but may be asked to adjust if a meeting is needed.

In the event of after school programs such as parent-teacher conferences, open houses, winter concert, academic ceremony if held in the evening or other programs and activities which all teachers are required to attend, teachers will receive compensatory time equal to the amount of time they are in actual participation in the program. The compensatory time will be granted to all teachers in a block of time. Parent Teacher Conference time will be given in a "Conference Comp Day" on the district calendar.

### **AUDIOVISUAL AND MULTIMEDIA**

When films/VCR tapes/DVDs/CD ROMs/streaming are used in the classroom, they should be used for an educational experience. If you have not viewed the films/tapes before, please preview them. If the content is questionable, it is recommended that the teacher send a parent permission slip home prior to showing the film/DVD/tape/streamed content.

### **CELL PHONES/PERSONAL DEVICES**

Staff who need to use their cell phone for personal business during work hours are expected to do this during their prep time, break time, or lunch break. While teaching/supervising students it is expected that staff cell phones are out of sight.

Cell phone expectations for students are as follows:

Attendance for 7th-12th grade students will be taken based on phones in the assigned pocket in each classroom. If a student fails to place their phone in the classroom pocket, they will be marked absent unexcused.. Students will be able to check messages on their phones during lunch and passing time. Parents are encouraged to message students through the office if they need to contact their student immediately. Otherwise, students can check messages between classes. If there are questions or concerns regarding the cellphone expectation, please contact administration.

### **Consequences for hearing/seeing personal tech devices in the classroom:**

- 1st offense: Phone will be taken to the office for remainder of the school day
- 2nd Offense: A parent/guardian will be called to come in and pick up the phone
- 3rd offense: the student will not be allowed to bring the cell phone or device into the building for a period of time as determined by the principal.

Failure to give up a phone to a staff member will result in further disciplinary measures. This policy could become more restrictive at any time if the administration and Floodwood board of education deem it necessary for the successful conducting of the educational process.

Staff are expected to hold students accountable. If cell phone use is allowed in the classroom a meeting with administration may occur.

### **CLASS ACTIVITIES**

All class or organizational activities must be supervised by the advisor(s). Class advisors are responsible for class meetings, class activities and class funds. Meetings, practice, planning, etc., of all activities must take place during the noon hour or after school unless other arrangements are made with Administration. Post activities on the district Google calendar and hall TV to help keep all informed.

Students are not to be excused from curricular classes for extra-curricular activities except in rare instances and then only with clearance from Administration.

No school activities, practices, or meetings are to be scheduled after 6:00 PM on Wednesday evenings.

### **EVALUATIONS**

Each faculty member will be evaluated once a year. New staff will be formally evaluated three times a year.

## **FACULTY MEETINGS**

There will be Faculty meetings as needed either at 7:45 am or 3:05 pm when school is in session. All teachers are to be present at these meetings unless excused by the administration. If excused, it is the teacher's responsibility to find out what information was covered.

## **FIELD TRIP RULES** (to also include athletic trips other than normal athletic event trips – example: overnight playoff competitions)

Field trips provide additional learning experiences for students beyond the confines of the classroom. To make a field trip meaningful, the responsibilities of planning, preparation and follow-up are to be assumed by the individual teacher/coach.

Field trips will be limited to those trips that have administrative approval. The "end of year" elementary field trips will remain in effect; this includes the sixth grade trip to the Capitol. Any other trips other than the elementary level "traditional end of year trips" will not be allowed unless approved by the school Administration. \*Any trips that would be approved other than those stated here would require that they be completely funded by some means other than School District general funds.

All field trips must comply with the following:

- All field trips shall have **prior** approval with a trip itinerary on file **prior** to formal approval. (The itinerary shall include departure and return times and all scheduled activities for the trip – usually included on district van or bus request.)
- Post all trips on the district Google calendar to help keep all informed.
- All students shall have parent permission slips on file prior to the event. Slips sent home should specify where the group will be going, the date of the trip, and the return time.
- **NO STUDENT WILL BE ALLOWED TO GO WITHOUT PARENT PERMISSION.** Parent permission forms are available on the district website
- All students shall have teacher/administrative approval to attend.
- Students shall not be allowed to separate into "groups" without supervision except as part of planned activities.

## **OVERNIGHT FIELD TRIPS**

In addition to the above rules, the following shall apply if the trip includes any overnight stays:

- When timelines allow, overnight field trips shall have permission from the school board.
- Overnight field trips shall have chaperones approved by the administration. (See background checks also.)
- In the event both boys and girls are on an overnight trip, both male and female chaperones shall accompany the students.
- Chaperones shall conduct room checks and/or attendance checks on a regular basis.

## **FUNDRAISERS**

All employees intending to hold a fundraiser must obtain approval from Administration prior to scheduling any fundraisers. No fundraising project will be allowed unless it receives this approval. Participation in a non-approved activity shall be considered a violation of school district policy. Any activity that involves soliciting from local merchants must have prior approval from Administration.

Sale of merchandise by school groups in competition with local merchants shall be kept at a minimum. Each group, organization, sports activity, and class will be allowed a limited number of fundraisers per year.

## **GRADUATION**

Students must have met all graduation requirements in order to participate in the graduation ceremony. In special circumstances, Administration may allow a student to participate in the ceremony even if all graduation requirements have not been met; however a diploma will not be issued until all graduation requirements are met.

## **HALL PASSES**

Students should have a pass if they are in the hallway during class time. Classrooms should have a general hall pass for students to use **one at a time**.

## **HOUSEKEEPING**

Each teacher is responsible for the daily condition of their room. The District has a big investment in the equipment, furnishings, and technology in each room. Please take care of the items in your rooms and in the rest of the building. All repairs, special cleaning requirements due to spills, etc., should be reported immediately to allow the custodial staff to maintain a clean, healthy environment. Please refrain from bringing your own personal furniture, equipment, etc., into the building. The district can be held liable for injuries due to equipment that does not meet various codes established for school buildings. Upholstered furniture increases fire risk as well as transmission of illness and lice. Moving large furniture is an increased safety and injury risk for custodial staff during summer cleaning. If there is a need for equipment and furniture in your classroom, bring this need to the attention of Administration. Keep free of clutter; if you haven't used something in the past year, please discard it.

Housekeeping needs should be shared between the teacher and the custodial staff. It should not be expected that custodians clean up classroom litter. A few minutes at the close of each day should be used to have students pick up waste paper, pencils, or objects which may be on the floor. We do not have enough custodians to clean every space in the building without students' and teachers' assistance.

At the end of the day, make sure that windows are shut and the door is locked. Instructors in rooms with tables and chairs should see that the chairs are put on the top of the tables at the end of the day. Classroom garbages should be bagged up and placed in larger garbage cans in the hallways.

## **LEAVING BUILDING DURING WORK HOURS**

Teachers are allowed to leave the building during their prep hours for reasons related to class preparation. They must email or call the front office to inform them they will be out during their prep hour.

## **LOUNGE AND WORKROOM**

The staff lounge is reserved for the staff only; no students. The staff work rooms are intended as staff areas only; please do not send students to work in these rooms unless you have completely trained the student on how to use the equipment and to respect confidentiality.

**COPYING** - The use of the copy machines for instructional purposes is available for all staff members. Personal copies are \$.10 per black & white copy, and \$.25 per color copy. The school or district secretary should be asked for help should an emergency arise with the machine, such as a jam. Please treat these machines as if they were your own. Do not run construction paper or other non-copier-friendly paper through the copiers. Service calls are often required due to harsh operation of these machines.

FAXING – A fax machine is available for school business use by all staff members. To send a personal fax the cost is \$.50 per page received or sent, including the cover sheet.

#### **MANDATORY REPORTING**

All Staff are mandated to report child abuse and can be held liable for failure to do so. The report should be made as soon as possible. To make a report call the St. Louis County Initial Intervention at 218-726-2012. (See policies #414 and 415 under Mandatory Notifications for more information on mandatory reporting.)

#### **PARENT/GUARDIAN / TEACHER COMPACT**

See student handbook for a copy of compact.

#### **PERSONAL DAYS/STAFF DEVELOPMENT DAYS**

Teachers are encouraged to use their personal days/staff development days prior to the last two weeks of school. This is a critical time to the efficient running of the building. Consistency is important at this time of the school year.

#### **PREPARATIONARY PERIOD**

In the event a teacher is needed to substitute for another teacher due to substitute shortage, teachers will complete appropriate paperwork and submit to the business office within 48 hours.

#### **PROGRESS REPORTS**

The school has developed a program to inform parents of the progress that their child is making in each of his/her classes. Any student who is experiencing difficulty in a class shall be given a progress report that explains the difficulties by the teacher. Parents should be encouraged to schedule an appointment with teachers at any time to discuss their student's progress in school. The timeline, when progress reports are issued, is found in the Student Handbook, school calendar, and the district Google calendar. Teachers are required to update their gradebook for the Campus Portal system to provide parents with the academic progress of their students during the course of the school year. Grades must be updated by 8:25AM every Monday, or whatever day is the first school day of the week. If a non-passing grade (F) is given, the teachers need to explain why in the comment area; explain what the teacher has done in order to prevent the F, what assignments the student is missing, if it's the absences, tardies, poor attitude/participation and anything else that may help the parent, student, and administration understand.

#### **RECYCLING**

Every classroom should have a bin for recycling paper. Every effort to recycle paper shall be encouraged by students and adults.

#### **SAFETY DRILLS**

Please refer to your CRISIS MANUAL for additional guidance.

#### **STUDENT AWARDS**

Each year an Academic Award Ceremony is held to honor students in grades 7-12 for academic and student organizational accomplishments. The date is set each year and posted on the school calendar. Administration and advisors present the awards.

Generally the Sports Boosters sponsor an athletic banquet throughout the school year. These banquets will be advertised by the school in advance after the date has been selected.

The elementary students have an awards ceremony following track and field days.

#### **STUDENT DISCIPLINE**

Teachers must familiarize themselves with the discipline policy and other information in the student handbook. If at any time, the conduct of a student cannot be corrected by the classroom teacher, please refer to the Polar Pride matrix for further instructions. The PBIS Manual, which includes the Polar Pride matrices can be found at the end of this handbook.

#### **STUDENT ILLNESS**

Floodwood School District follows the current guidance set forth by the Minnesota Department of Health and Centers for Disease Control. Please contact the district office to obtain a copy of the most up to date guidance.

You should not send your child to school if they have:

- Fever in the past 24 hours
- Vomiting in the past 24 hours
- Diarrhea in the past 24 hours
- Skin sores that are draining fluid
- Respiratory Virus Infection Symptoms which may include but are not limited to chest discomfort, chills, cough, decrease in appetite, diarrhea, fatigue (tiredness), fever or feeling feverish, headache, muscle or body aches, new loss of taste or smell, runny or stuffy nose, sneezing, sore throat, vomiting, weakness, wheezing.

If your child becomes ill at school and the staff feel the child is too sick to benefit from school or is contagious to other children, you will be called to come and take them home from school.

Your child may return to the school setting when:

- The child has not had a fever (and is not using fever-reducing medicine) for at least 24 hours.
- Diarrhea or vomiting has resolved for at least 24 hours.
- Respiratory virus symptoms are getting better overall for at least 24 hours.
- With confirmed Strep Throat, your child must have been taking an antibiotic for at least 24 hours before returning to school.
- Uncovered skin sores are crusting, and the child is under treatment from a provider.

We encourage families to always reach out to your child's health care provider for guidance when your child is experiencing an illness. Thank you for helping us keep the school illness free and please call the school office if you have any questions or concerns. 218-476-2285 or [attendance@isd698.org](mailto:attendance@isd698.org)

~~The student handbook states: Should a student become ill while at school and unable to attend classes, they are to inform their teacher and report to the school office. Determination will be made at that time whether the student needs to go home. The parents/guardians or designated emergency contact must be contacted before a student may leave school because of illness.~~

#### ELEMENTARY

In the event of student illness the teacher should use their discretion as to which procedure to follow. The student should be sent to see the school nurse. The nurse should be alerted by a telephone call that the student is on their way. If the student needs to be escorted to the nurse's office, you may call the nurse or the office for an adult escort. On days when the nurse is not available, office staff will assist with assessing students and notifying parents/guardians as needed. If the student cannot remain in the classroom until their parent/guardian arrives, the student may be sent to the office to wait. On days when the nurse is not available, and parents/guardians are not able to pick up their ill student, the student may be sent to the office to lie down in the nurse's office. Over the counter medications will not be distributed without a completed medication administration form and medication supplied by parent/guardian. The Floodwood School district will not supply over the counter medications for students.

#### SECONDARY

The student should be sent to see the school nurse. The nurse should be alerted by a telephone call that the student is on their way and send the student with a nurse pass completed by the teacher sending them. Students will not be accepted by the nurse's office without a pass from a teacher. Students may not come to the nurse's office during passing times without a pass from a teacher. If the student needs to be escorted to the nurse's office, you may call the nurse or the office for an adult escort. On days when the nurse is not available, ill students are to be sent to the office where office personnel will care for them. Over the counter medications will not be distributed without a completed medication administration form and medication supplied by parent/guardian. The Floodwood School district will not supply over the counter medications for students.

REMINDER THAT ONLY AUTHORIZED SCHOOL PERSONNEL ARE TO ADMINISTER MEDICATIONS TO ANY STUDENT.

#### **STUDENTS LEAVING SCHOOL**

Under no circumstances will a teacher allow a student to leave school without Administration approval. Students who wish to leave school during class hours will be allowed to do so if their parent/guardian has given their approval to the office and has secured Administration's approval.

If a student needs to leave the building for a class, but without the teacher, parental/guardian permission and an excuse from the office must be secured.

On occasion a teacher may need to take students out of the building. Students are required to have prior permission from parents/guardians so parents/guardians are aware that their student will be out of the school building. Also, teachers must supervise students at all times while out of the building. Parent/Guardian permission will not be obtained for being out of the building on school grounds and school forest trail.

#### **STUDENT HANDBOOK**

All teachers are to familiarize themselves with the rules and regulations found in the Student Handbook. The policies stated in the handbook are to be carried out.

#### **STUDENT RECORDS**

Student records are kept on file in the office. Each record has valuable information concerning the individual student. This information may assist the teacher in daily interaction with the student.

#### **STUDENT SUPERVISION**

Teachers should never leave students without adult supervision. If an emergency occurs and a teacher must leave the classroom, another teacher or staff member should be asked to supervise the students.

Teachers should escort their students to assemblies and continue to supervise them by sitting with them during the program.

We all share the responsibility of supervising student behavior in the building and on school grounds. Each teacher is to be present at the door of their classroom during the passing of classes. Any behaviors considered "major" on the office discipline referral, should be referred to Administration as soon as possible.

#### **SUBSTITUTE TEACHERS**

Teachers and paraprofessionals must initiate the substitute calling system at their earliest opportunity. The substitute calling system can be accessed by the InstaSub system at <https://instasublogin.tcpssoftware.com/>. If you need assistance with the InstaSub system, please contact the office. If a teacher or paraprofessional expects to be absent for reasons other than illness, arrangements must be made in advance with prior approval from Administration.

#### **SUPPLIES**

There are general supplies in the office for staff use. Although usually teachers requisition and receive these supplies before school begins, occasionally there is a need for general supplies during the school year. If a staff member needs supplies, they must contact the Business Manager.

#### **TESTS**

Teachers are to bear in mind, when making out regular tests during the year those tests are not to last longer than one class period. Students coming late to their next class cause problems for both students and teachers.

#### **TEXTBOOKS**

Textbooks are to be issued to each student by number. The number of the textbook will be recorded in the teacher's record book. Students are to enter their names in the form found on the inside cover of each textbook. Students are not to mark or tear books. Each teacher will note the condition of each book at the time of issue. Teachers are responsible for maintaining an up to date text inventory.

High school teachers are to document fines assessed for textbooks (or other equipment damage) and turn in the list of the fines to the office on check out day.

**VIRTUAL LEARNING/E-LEARNING DAY**  
**(See Organization of School Calendar and School Day Policy 602 for complete policy)**

The Floodwood School District will not be utilizing Virtual/E-Learning Days for the 2026-2027 school year due to the technology needs to meet standards.

~~Floodwood School District Plan for E-learning and Virtual School Days:~~

~~Virtual School Days: In the event Floodwood School has a school cancellation due to severe weather or emergency, the district may utilize an E-learning day for grades 3-12 and a Virtual learning day for PK-2.~~

~~Definitions:~~

- ~~— E-learning day will be counted as a student contact day by meeting all requirements found in MN statute 120A.414 allowing schools to use up to five virtual learning days in the event of a weather emergency.~~
- ~~— Virtual Day does not fully meet the statute requirement and will not be counted as a student day to MDE, but will count as a teacher contracted day.~~

~~Program Plan for High Quality E-learning Opportunities Grades 3-12:~~

- ~~— Must involve on-line instruction tools such as Google Classroom, Google Docs, Schoology, Synergy, Websites, Videos, Blogs, etc. as approved by the Building Administration.~~
- ~~— Include active instruction by teachers by providing feedback, coaching, clarifications, adjustments, etc. as appropriate per the learning activity.~~
- ~~— Provide opportunities for peer interactions.~~
- ~~— Integrate as seamlessly as possible into regular instruction that had been occurring. Grades 3-12 should design consistent learning activities for all students at the grade level. Avoid out of context tasks.~~
- ~~— The School District will notify parents/guardians and students at least two hours prior to the normal school start time of the need to follow the E-learning Day Plan.~~

~~Student Attendance:~~

- ~~— Student completion of learning work as directed by the teacher will be considered present for the class period. A student who does not complete assigned learning work will need a pre-approved parent's/guardians excuse or a parent/guardian excuse reported the following day to be an Excused Absence. If not, the absence will be unexcused.~~
- ~~— Teachers will report attendance of the E-learning Day on the next regular scheduled school day.~~
- ~~— A student without Internet Access will choose from the following: download assignments to device, request paper version of learning work, or make up the work in accordance with excused absence guidelines. The District may have a limited number of Wi-Fi Hotspots to check out from the library if resources allow.~~

~~Teacher Access:~~

- ~~— Teachers will be available either on-line or by phone during the E-learning day as required by statute.~~
- ~~— Access by phone will mean that a student may call the teacher's classroom phone as directed by the teacher. A teacher may be involved in other tasks but must check voice mail messages 2 times during the day.~~
- ~~— Access online will mean that a student may email, text, blog, use social media or message through online platforms as directed by the teacher. A teacher may be involved in other tasks but must check messages 2 times during the day.~~
- ~~— The district strongly recommends that a teacher not use their personal mobile or home phones for these purposes. School phone number and school email are preferred.~~

~~Student Access:~~

- ~~— Students will be provided a device, either Chromebook or iPad for the E-learning Day. A student may choose to use a personal device or home computer.~~
- ~~— For students who do not have accessibility, the learning work will be downloaded to a device, drive, or the work will be done with paper copies as directed by the teacher, or the student will make up the work in accordance with excused absence guidelines.~~
- ~~— Wi-Fi Hotspots may be checked out for students not having access at home as available.~~

~~Special Education:~~

~~Students will complete learning work specific to their IEP goals and modifications/accommodations.~~

**PROGRAM PLAN FOR HIGH-QUALITY VIRTUAL DAY GRADES PK-2**

**Teachers:**

- ~~— By grade level staff creates/modifies learning day grids as approved by the Building Administration.~~
- ~~— Learning day grids are reviewed with class prior to a snow event. Parent/Guardian will initial work as evidence of completion.~~
- ~~— Teacher collects grids and student work on the next day of class.~~
- ~~— Grade levels may create additional learning activities that connect to the curriculum as approved by the Building Administration.~~
- ~~— Teachers will check email and voicemail throughout the Virtual Day (2 times)~~

**Students/Families:**

- ~~— Students will complete at least one activity in each column.~~
- ~~— An adult (parent/guardian) will initial each box completed.~~
- ~~- All incomplete work will be made up as directed by the teacher.~~

# MANDATORY NOTIFICATION

## District Policies

The Floodwood School District is responsible for making employees aware of the following policies. These policies in their entirety as adopted by the Board of Education can be found on the district website at [www.isd698.org](http://www.isd698.org).

102 – Equal Educational Opportunity  
401 – Equal Employment Opportunity  
410 – Family & Medical Leave Policy  
413 – Harassment & Violence  
414 – Mandated reporting of child neglect or physical or sexual abuse  
415 – Mandated reporting of maltreatment of vulnerable adults  
416 – Drug & Alcohol Testing  
417 – Chemical Use & Abuse  
418 – Drug-free Workplace Drug-free School (attached)  
419 – Tobacco-free Environment  
505 – Distribution of non-school-sponsored materials on school premises by students & employees  
514 – Bully Prohibition  
521 – Student Disability Nondiscrimination  
522 – Student Sex Nondiscrimination  
524 – Internet Acceptable Use and Safety (attached)  
525 – Violence Prevention  
526 – Hazing Prohibition  
529 – Staff notification of violent behavior by student

## Asbestos Notification

During the ~~2024-2025~~ 2025-2026 school year the following asbestos management plan activities will be completed. These activities are pursuant to the Environmental Protection Agency 40 CFR Part 763-“Asbestos Containing Materials in Schools; Final Rule and Notice.”

- Two periodic inspections
- Notification of Asbestos Locations for Short-Term Workers (Electricians, Plumbers, etc.)
- Training of District Personnel

For the ~~2025-2026~~ 2026-2027 school year, Floodwood School District does not have any major response actions planned.

Floodwood School District has contracted through the Institute for Environmental Assessment (IEA) to provide Environmental, Health and Safety consulting services, including being involved in the above listed activities.

The complete updated Asbestos management plan can be found in the District Office. The management plan can be viewed, without cost or restriction, during normal working hours. Copies can be obtained for a fee of \$.10 per page.

Any questions concerning this notice or an explanation of our Asbestos Management Plan can be directed to Al Clark at Floodwood School District or Taylor Dickinson with IEA (Institute for Environmental Assessment) at (800) 223-9513.

## Indoor Air Quality Notice

Floodwood School District has an Indoor Air Quality (IAQ) management plan. The management plan outlines specific policies and procedures that will be used in the district to address indoor air quality issues. IEA, the District’s health and safety consultant, completes annual IAQ assessments within the school to ensure proper air quality.

If you have any questions concerning IAQ, or would like to use the EPA Tools for Schools checklists, please contact the District IAQ coordinator: Al Clark 218-476-2285

## Lead-in-Water Annual Notice

Minnesota Statute 121A.335 requires public school buildings serving prekindergarten through grade 12 to test for lead in water every 5 years. This statute also requires school districts to make the results of the testing available to the public for review and to notify parents/guardians of the availability of the information. Notification may be accomplished by publishing a statement in the “Back to School” newsletter or publication that is available to staff, students, parents/guardians and the public.

Floodwood School is committed to providing a safe working and learning environment for employees and students. The district has developed a lead in water management plan and testing program that complies with Minnesota Statute 121A.335, as well as recommendations from the Environmental Protection Agency’s (EPA’s) Lead Contamination Control Act (LCCA) of 1988 and the Minnesota Department of Health (MDH), and Minnesota Department of Education (MDE).

For more information on Floodwood School’s lead reduction and testing program, please contact Al Clark, Head of Maintenance, at 218-476-2285 ext. 70224 or visit <https://www.isd698.org/page/lead-in-water-information>.

## Pesticide General Notice

All Minnesota schools are required to inform parents/guardians and school employees that they may request to be notified prior to pesticide application on school property. Pesticides include chemicals which are used to control insects, weeds, rodents or other pests as defined by the law (M.S. 123B.575, Subd. 9).

In order to provide the required information, schools must maintain a list of parents/guardians and school employees who request notification. Schools must also provide information about individual pesticide applications upon request, including the name of the pesticide product, and the time and location of the planned application. An estimated schedule of pesticide applications is available for review or copying at the District office.

Pesticides and non-chemical treatments may be used in combination in and around schools for a variety of reasons, including the control of pests which have the potential to bite, sting, spread disease, cause asthma, and/or trigger an allergic reaction. Pesticides may also be used to prevent or control damage to materials within the school building or to the school building itself, or to control pests or weeds that are seen as a nuisance.

The long-term health effects on children from the application of such pesticides or the class of chemicals to which they belong may not be fully understood. Children may be more susceptible to pesticides than adults due to their smaller size and rapid growth and development. Also their playful behavior may expose them to more pesticide residue.

To limit the potential pesticide exposure, this school follows safety regulations to ensure pesticides are applied properly. All pesticide products, which are used in and around school buildings, are required to be registered with the Minnesota Department of Agriculture and the U.S. Environmental Protection Agency. In addition, school employees and certified and licensed applicators are required by state and federal law to comply with all requirements of the pesticide label, including building sites, application rates, re-entry intervals, posting, use of personal protective equipment, use restrictions, and disposal on the product label.

To be notified about pesticide applications or the management plan, please contact Al Clark at Floodwood School District, 218-476-2285.

**Floodwood School District #698 does not discriminate on the basis of race, color, national origin, sex (including gender identity and sexual orientation), or disability, age, or reprisal or retaliation for prior civil rights activity.**

### **Drugs, Alcohol, Chemicals, Smoking: Controlled Substances**

(See Appendix J, K & L for the following policies: Chemical Use & Abuse Policy 417, Drug-Free Workplace/Drug-Free School Policy 418, & Tobacco-Free Environment Policy 419.)

**Internet Acceptable Use and Safety Policy # 524 (See Appendix Q for the complete policy)**

## **Floodwood Activities**

### **MISSION**

The mission of the Floodwood athletic department is to encourage student participation and to allow students to experience the benefits of competitive interscholastic sports in which they have the opportunity to have fun and to learn cooperation, mental and physical toughness, sportsmanship, personal sacrifice, discipline, and accomplishment, along with many other character-building assets which enhance the total development of students.

### **PHILOSOPHY**

The major purpose is to provide wholesome opportunities for students to develop from their experiences, favorable habits and attitudes of social and group living in a democratic world. The secondary purpose of the activities program is to provide an opportunity for the community to participate, as a spectator, in these activities and develop positive school/community relationships.

The leadership should be of the highest quality so as to exemplify to the participants the desired type of individual to be developed from the athletic program. Measurement of success of the leadership should not be in terms of the tangible evidence of the victory and defeat record, but in the intangible personality development factors that are an outgrowth of the major objectives of the athletic program.

The athletic program shall always be in conformity with the general objective of the school and the athletic department shall be in line with the general policies of the institution. At no time, shall the program place the education curriculum secondary in emphasis; the program shall function as part of the whole curriculum and shall constantly strive for the development of a well-rounded individual, capable of taking her/his place in modern society.

### **CODE OF ETHICS**

It is the duty of all concerned with school athletics:

1. To emphasize the proper ideals of sportsmanship, ethical conduct and fair play.
2. To eliminate all possibilities which tend to destroy the best values of the game:
  - a. To stress the values derived from playing the game fairly.
  - b. To show cordial courtesy to visiting teams and officials.
  - c. To establish a positive relationship between visitors and hosts.
  - d. To respect the integrity and judgment of sport officials.
  - e. To achieve a thorough understanding and acceptance of the rules of the game and standards of eligibility.
  - f. To encourage leadership, use initiative and good judgment by the players on the team.
  - g. To recognize that the purpose of athletics is to promote fun, physical, mental, moral, social and emotional well-being of the individual players.
  - h. To remember that an athletic contest is only a game - not a matter of life or death for the player, coach, school, fan or community.

### **GOALS FOR STUDENTS:**

To fulfill the mission of the district, students will be provided with opportunities to identify non-academic areas of interest and opportunities to succeed where they have the potential to do so. To this end, students will be encouraged to do the following:

1. Have fun, pursue special interests and develop wise use of leisure time;
2. Improve their abilities to communicate and interact with other people and to develop a respect for the talents and interests of others;
3. Develop an awareness of individual differences in ability, cultural values and other areas of individuality;
4. Assume the responsibilities of citizenship, responsibility, loyalty, and respect;
5. Develop sound physical and mental health;
6. Develop an appreciation for and interest in fine arts activities;
7. Develop attitudes of sportsmanship and fair play both in competition and recreation;
8. Learn from their experiences with success and failure;
9. Give and receive recognition consistent with their abilities and performance

10. Be part of an organization larger than themselves with common goals that can be achieved only by cooperation, dedication, and teamwork;
11. Experience the self-confidence and positive self-worth that can serve as cornerstones for future achievements.

## ATHLETICS

See all coaching job descriptions under “Schedule C Job Descriptions.” JV/Assistant Coaches are Junior High and Junior Varsity Coaches.

At the Junior High level the board expects a philosophy of development while using as many players as possible. The expectation will not be, nor should be, that just because a player is suited for a game that they will play or receive proportional playing time. The board recognizes that many of the lessons learned in athletics are taught in practice, not in games, and herein lay many of the benefits in athletics.

### ACCELERATION OF ATHLETES

There are situations where it is appropriate for a 7<sup>th</sup> or 8<sup>th</sup> grade athlete to be moved up to compete at a higher level. In order for an athlete to be accelerated the following procedures must be followed:

1. Any coach who plans to accelerate an athlete in grades 7 & 8 must meet with the Activities Director before any suggestion to the athlete or their parent/guardian is made and any action is taken.
2. If a 7th or 8th grade athlete is accelerated, the coach must give the athlete and their parents/guardians the advancement form (found on the back page of this handbook) which the parent/guardian must sign and the coach have in possession before the advancement can take place.
3. Acceleration of an athlete on an emergency basis (ineligibilities or injuries) can take place but only if the parent/guardian of the athlete approves and the other members of the teams involved are informed, before the move, of the rationale for the movement.
4. Once a student is accelerated to a higher level, the status of the player shall be reviewed with the AD to determine what the player’s appropriate playing level should be. MSHSL rules do not allow student-athletes to move from the JH level to JV/Varsity and back. If a JH athlete is accelerated they have to stay at the level above.
5. Athletes should be moved up for playing purposes, not to ride the bench.

### ADVISORS

See job descriptions at the end of this handbook for details of expectations. All activities need to be cleared by Administration at least one month in advance of the event.

## Dances

School dances are scheduled on the district Google calendar. Any school organization desiring to sponsor a dance must first receive permission from their advisor. All dances must be approved by administration no less than 30 days before the dance is scheduled to take place with the exception of Homecoming which requires no less than a 14 day notice due to the school year start date. Final arrangements including the required building permit must be made no less than two weeks before the dance is scheduled to take place.

To ensure these functions will be well organized and will provide wholesome entertainment for the student body some regulations are necessary:

1. School dances are for Floodwood students in grades 7-12. Students wishing to bring guests to the dance must seek prior approval from administration who will then notify the dance chaperones. It is in the students’ best interest to ask for approval well in advance of the dance, as there is a required form for the guest to complete, which requires their school principal to sign.
2. All students and guests attending school organization sponsored dances MUST complete the Behavior Contract for Floodwood School Dances.
3. All chaperones must complete a Chaperone Agreement to chaperone events.
4. No one will be allowed to enter 30 minutes after the dance has begun. If a student has left the dance they will not be allowed to re-enter. If a student does leave the dance prior to 30 minutes before the end time of the dance, parents/guardians will be notified immediately by chaperones.
5. School dances will be terminated no later than 12:00 midnight.
6. At least one faculty member and two additional adults are to chaperone each dance. The organization sponsoring the dance will be responsible for arranging for these people and the expense of background checks needed. There should be at least one chaperone of each sex for bathroom checks.
7. Student committees will see that concessions and dance areas are cleaned as soon after 12:00 midnight as possible.
8. Dances are special occasions and students are expected to be clean and presentable and conduct themselves in accordance with district policies.
9. Admission charge at dances will be set by the organization sponsoring the dance but must be approved by administration.
10. All persons attending the dance must remain in the cafeteria or main hall. All other areas in the school are off-limits.
11. The organization sponsoring the dance may sell tickets in advance.
12. Privilege based attendance eligibility will take place Wednesday prior to the dance by district administration.

### DUTIES OF VARSITY COACHES AND JV/ASSISTANTS See “Schedule C Job Descriptions” for all coaches job descriptions

Athletic Department Forms:

1. The Activities Director will collect Physical Form, Insurance Form, and Eligibility Information.
2. Do not issue equipment or permit a student to participate until the Activities Director has received all required forms.

Eligibility:

Requirements for participation in extracurricular activities, students shall achieve all of the following:

1. Maintain a passing grade in all classes.
2. Academic checks
  - a. Academic checks will be conducted by an administrator with the following timeline:  
Mid 1<sup>st</sup> quarter, end of 1<sup>st</sup> quarter, mid 2<sup>nd</sup> quarter, end of 1<sup>st</sup> semester, mid 3<sup>rd</sup> quarter, end of 3<sup>rd</sup> quarter, mid 4<sup>th</sup> quarter, end of 2<sup>nd</sup> semester.
  - b. At an academic check time, if an athlete is failing 1 or more classes, they are placed on probation
    - i. Probation: The athlete’s grades are checked weekly until the next academic check.
      1. During probation, an athlete is ineligible for contests if they are not passing all classes. Once they are passing all classes, they are eligible for contests.

2. Eligibility will occur during regular school hours, 8:00am to 3:30 pm.

At the next academic check, if an athlete is passing all classes, they are no longer on probation.

3. If, at the end of the previous semester, an athlete is failing 2 or more classes, they are placed on academic suspension.
4. **ACADEMIC SUSPENSION PERIOD** – The student shall be ineligible for contests during the suspension period. The student may practice with the team. If, at the end of the suspension period, the student is passing all classes, the student may then be reinstated for interscholastic competition.
  - a. The suspension period for high school students shall be as follows:
    - i. First Semester: From the first day of school through the fourth Saturday of September.
    - ii. Second Semester: For five (5) weeks beginning the first day of the second semester.
  - b. Each student is eligible on Monday of the week following the end of the suspension period. Three or more teaching days shall constitute a week.
5. **Appeals:** Under unusual circumstances, such as extreme hardships, students may appeal the discipline measures resulting from these academic eligibility requirements to the Administration.

It is our goal to provide students with a strong learning environment as well as offer a variety of extracurricular opportunities to students. We expect all student athletes to be in good academic standing. An essential belief is that extracurricular activities are secondary to academic programs. As such, failure in academics results in ineligibility to participate in activities.

To encourage the development of responsibility, it is important to make certain that stakeholders understand that extracurricular and co-curricular activities are privileges, not rights, and while all students begin the year with the opportunity to participate in these privileges, they can be revoked as a result of irresponsible behavior, irresponsible attendance, or irresponsible punctuality.

The following is the process followed by the Activities Director regarding Athletic Scholastic Eligibility:

- 1 Unexcused Absence (1 Period or More): The student will be ineligible to participate in the next practice or event scheduled for that day.
- 3 Tardies in a season: The student will be ineligible to participate in the next practice or event when they reach three (3) tardies in a season and this will be the case for each succeeding tardy.
- Grade of F in One or More Classes: Students will be ineligible to compete in events, games, or performances for the remainder of the week. A list of unsatisfactory grades (F) will be generated each Monday for all classes (current semester and quarter), and this period of ineligibility will begin on Tuesday and run through Sunday. If the student completes the “Eligibility Reinstatement Form,” which is signed by teachers verifying the grade(s) is up to passing, the student will immediately regain eligibility.
- One time per season: Students may petition the Administration to substitute completing a one (1) hour community service project to regain eligibility for a practice, event or game. This petition must be preapproved by Administration.
- Administration has the right to create individual contracts with students as long as the contracts meet MSHSL guidelines.

Athletic Injury - Medical emergencies:

1. Planning ahead for uncommon major medical emergencies involves pre-preparation in four major areas: personnel, communications, supplies, and transportation.
  - a. Personnel
    1. Varsity Coach
    2. JV/Assistant Coach
    3. Student Managers
  - b. Communications
    1. The coach is directly in charge of IMMEDIATELY handling the medical emergency involved and each coach is required to have an Emergency Action Plan on file with the Activities Director. These plans can be developed on the Coaches Clipboard on the MSHSL.org website.
    2. The Coach must decide whether additional knowledgeable assistance, manpower and supplies are needed and from whom.
    3. A telephone and telephone assistance is readily available in the coaches office. (Make sure you have a key to the phone area!)
      - a. Ambulance - 911
      - b. Hospital - (inform the hospital if a student is being transported there).
      - c. Parents/Guardian - Have a list of phone numbers readily available and don't forget to inform them in an emergency.
      - d. Emergency information is listed in the First Aid Kits.
  - c. Supplies (for immediate emergency)
    1. A First Aid Kit issued to each Coach with emergency care supplies.
  - d. Transportation
    1. The injured athlete will be transported to the hospital by school van or by ambulance. ***Use an automobile only as a last resort.***

## FUNDRAISING

All fundraising activities conducted will be required to follow Floodwood School Board Policy #511. The responsibility of fundraising through organizations is as follows:

1. Fundraising must be conducted in a manner that will not result in embarrassment on the part of the individual students, employees, or the school.
2. All fundraising activities must be approved in advance by the administration. One fundraiser per year is allowed with the exception of yearlong activities. The length of the fundraiser should be agreed upon between the coach and the Activities Director prior to the start of the fundraiser.
3. The school district expects all students who participate in approved fundraising activities to represent the school, the student organization, and the community in a responsible manner. All rules pertaining to student conduct and student discipline extend to student fundraising activities.
4. The school district expects all employees who plan, supervise, coordinate, or participate in student fundraising activities to act in the best interests of the students and to represent the school, the student organization, and the community in a responsible manner.

Organizations conducting fundraising activities should make regular deposits into their Student Activities Account in the office. Funds should not be kept in desks, at home, or anywhere where they can be lost or stolen.

Accessing funds will be done through the Activity Fund Pay Order form that can be found on-line at [www.isd698.org](http://www.isd698.org) under District and Staff Resources. All signatures must be secured before the administration will approve the transaction. No Student Activity Account will be allowed to maintain a negative balance at the end of the school year.

## EVALUATIONS

1. JV/Assistant and Junior High coaching evaluations will be performed by the Varsity Coach.
2. All Varsity Coaching evaluations will be performed by the Activities Director (if needed, the Administration would be accessible as a resource as well)
3. All coaches/advisors will be evaluated at the conclusion of the season.
4. The evaluation form can be found at the back of this handbook.

## HIRING OF COACHES

1. Upon a successful evaluation and pending austerity issues it is assumed that coaches will be retained for the following school year.
2. All coaching vacancies shall be posted in house as a first step.
3. The filling of a Varsity Coaching vacancy will be the responsibility of the Administration/Activities Director.
4. The filling of an JV/Assistant and Junior High Coaching vacancy shall be a joint responsibility of the Varsity Coach and Administration and Activities Director.
5. Administration will bring the coach's name forward to the school board for a recommendation and they vote on the hire.
6. The hiring process shall begin as soon as possible after a vacancy exists.

## PROCEDURES FOR ATHLETIC INJURY

1. Call the hospital or doctor and make arrangements before taking the injured athlete for medical treatment.
2. Call and inform the parents/guardian of the injury.
3. Send a coach along with the injured athlete to the doctor or the hospital. **Do Not** allow athletes to drive themselves.
4. Fill out an accident report (forms are located in the coach's office).
5. Players must have a signed doctor's note before they can continue participation.

## IF AN INJURY OCCURS:

1. Minor to intermediate seriousness - ice and elevate the injured part or attend to the immediate needs of the injured.
2. Coaches and managers are the only ones who can get ice. There is a freezer in the ball room.
3. Serious injury - move the remainder of the team away from injured player; attend to the immediate needs of the injured - call the ambulance or take the injured player to the hospital.

NOTE: IF AN ATHLETE MUST GO TO A DOCTOR, THE ATHLETE SHALL **NOT** BE PERMITTED TO PRACTICE OR PLAY UNTIL RELEASED BY A PHYSICIAN IN WRITING TO DO SO. Make sure you fill out injury reports for all injuries.

## PROGRAMS

1. The Varsity coach is responsible for development and operation of the program related to their sport. This means the Varsity ~~Head~~ coach runs the 7-12 program and to act as the point person for elementary coaches of the same sport for guidance in appropriate equipment that may be utilized, foster involvement between high school players and elementary players and help enrich the elementary sports programs.
2. The Varsity coach shall meet with his/her assistants prior to the season to discuss the program and duties of each member of the staff.
3. The Varsity coach shall pass on information to the assistants as to how the program shall be carried out. It is very important that head coaches carry on continued communications with the junior high coaches.
4. The Varsity coach is responsible for the equipment of 7-12 teams and advising elementary coaches on appropriate equipment to use.
5. The Varsity coach is responsible to see that all levels of his/her sport conduct a student/parent/guardian meeting.
6. The Varsity coach is responsible for the enforcement of the rules and regulations and policies of the Minnesota State High School League and the Floodwood School District.
7. The Varsity coach is required to represent the school at Polar League post season meetings.
8. The Varsity coach is responsible for submitting game reports to the proper media or designating someone from their coaching staff to do so.

## PRACTICE REGULATIONS FOR HOLIDAYS, VACATIONS, WEDNESDAYS AND SUNDAYS

1. If a coach calls a practice on any of the following days and parents/guardians do not desire that their student participate, no punitive action shall be taken by the coach nor shall it affect the student's status on the team.
  - a. Labor Day - may practice
  - b. Thanksgiving Day - may practice if there is a game the next day or two
  - c. Christmas Eve Day - may practice, keep in mind that many families have early evening activities
  - d. Christmas Day - no practice
  - e. New Year's Eve Day - may practice
  - f. New Year's Day - no practice
  - g. Good Friday - may practice
  - h. Easter Monday - may practice
  - i. Memorial Day - may practice
2. Wednesday Practice Schedule
  - a. On Wednesdays, all teams must be out of the building by 6:00 p.m.
  - b. No events can be scheduled on Wednesday's with the exception being play-off games or spring sports who often must reschedule multiple events due to poor weather.
3. Sundays – No School activities shall be scheduled on Sunday's – exceptions:
  - a. Open Gym
  - b. Volunteer operated Elementary sports programs
4. Starting Practice After School
  - a. No practice shall begin after school until the end of the school day
  - b. Teachers/Coaches are not to allow athletes into the locker rooms until the end of the school day.
  - c. Approval by the Activities Director is necessary for any change in this schedule
5. Emergency School Closure
  - a. Due to the nature of the closure
  - b. Varsity practice only
  - c. Permission granted by Administration
  - d. All parents/guardians of varsity players must be informed

- e. No players are penalized for non-participation

### **PRACTICE AND VOLUNTEER COACHES**

1. Any college students who wish to serve their practicum at the Floodwood School must first get permission from the Activities Director. Coaches are not authorized to accept practicum students for their programs.
2. Practicum students will be assigned to a program by the Activities Director. Varsity coaches are responsible for assigning the responsibilities to the student but it is mandatory that if at any level of their program (7-12) there is an overload of students the practicum student must be assigned to that level.
3. Volunteer coaches may be used at the discretion of the Varsity coach. They must have a background check through MBCA. The background check must be complete prior to participation. The Varsity coach must obtain prior permission from the Activities Director for all volunteer coaches.

### **HOW TO AVOID LIABILITY IN SPORTS**

1. Medical Exam - the school should be reasonably aware of the health status of each athlete. There should be a thorough medical exam when a student enters the athletic program and three year updates supplemented by observation and referral exams when warranted.
2. Acceptance of Risk - a "waiver of responsibility" by athletes should be based on a full understanding by them of the risks involved. This emphasizes that the student shares responsibility for preventative measures.
3. Planning and supervision - those responsible for sports programs know where, when, and to whom an athletic injury could occur, and they should plan for any anticipated problems.
4. Competitive preparation - pre-season practices should protect participants from "the full rigors of the sport". In-season practices should help them be fully prepared and "follow the spirit of the rules" for that sport.
5. Equipment - appropriate equipment recommended by rules or authoritative groups must be used by all participants in practice as well as in games.
6. Facility - there should be regular checks on the facilities, including warm-up and adjacent areas to make sure the conditions are safe.
7. Emergency care - each practice or competition should have a person immediately available to give first aid, planned access to a physician for prompt medical evaluation, planned access to a medical facility, and a thorough understanding by all persons, including the leadership of visiting teams, or the personnel available and procedures.
8. Record - documentation is evidence that "you care". This should include data on participation, injury records, and waiver forms.
9. Justification - if the sport is to be defended adequately, its benefits and its risks must be thoroughly justified and accepted by all participants.

### **SCHEDULING AND OFFICIALS**

1. Make recommendations to the Activities Director as to opponents.
2. Make recommendations to the Activities Director as to officials.

### **SCOUTING**

Shall be done on an individual basis of need and level of competition. School vehicles are not available for scouting purposes. Personal vehicles must be used and you may be reimbursed by the district. Coaches are encouraged to exchange video via the internet.

### **TEAM TRANSPORTATION**

1. The Activities Director will provide the bus times monthly for each activity. The Activities Director will check with the transportation supervisor and Varsity of the activity on all needs for the loading time and departure time. The Activities Director will list load times and departure times. Leave on time. Please let the Activities Director know if there needs to be an adjustment. **DO NOT TALK TO THE TRANSPORTATION SUPERVISOR ABOUT CHANGES, ALL ADJUSTMENTS NEED TO BE MADE THROUGH THE ACTIVITIES DIRECTOR.**
2. Use of school vehicles - it is your responsibility to make sure that the vehicle that you have used is filled with gas and cleaned up at the end of the activity. The drivers have been directed to keep small garbage bags in all of the school vehicles. They will be in the very back of the vans. Please have your students put their materials and containers in these garbage bags and drop them in the school receptacle when you return from your activity. In addition, please refuel the vehicle if possible. Otherwise leave a note or let someone know to fill it. If you would assume responsibility for having most of these things done, it would facilitate the people using the vehicle the next day in getting on their way so they do not have to wait for the custodians to clean the vehicles and fill them with gas. All keys must be returned to the office by 7:00am on the following school day after the use of a school vehicle.
3. When teams travel by bus, each coach is responsible to see that someone is in charge to inspect the bus prior to the trip and after the trip. And make sure that "spikes" or other inappropriate shoes are not worn on the bus. This protects you and your players from false accusations. To assist in holding students accountable, and to make your job easier, it is suggested that you have assigned seats. It makes it easier for the AD and Administration to support you if you are thorough. It makes it easier for the district to defend you in court if you are thorough.
4. The school district's practice regarding the transportation of students to co-curricular activities is:
  - a. Students are transferred from the Floodwood School site to the co-curricular activity and back to the school site. They are not to be dropped off at any other site unless the parent/guardian of the student contacts the coach or supervisor and takes custody of the student in the presence of the coach or supervisor.
  - b. Only the parent/guardian of the student can take custody of the student. Parents/guardians should sign the release form that each coach should have along.
  - c. Prior arrangements may be made through the Activities Director for alternate transportation on a case by case basis.
  - d. Students are **never** allowed to drive other students.
5. Coaches are always the last ones to leave the school building, do not leave athletes outside or inside the school building after practices, scrimmages or games.
6. Parents/guardians and other adults should not be allowed to ride team buses unless the parent/guardian or other adult is employed or a volunteer acting in an approved capacity by the school district.
7. All coaches must ride the team bus. The only exceptions would be emergencies and very rare occasions which would benefit the students and were authorized in advance by the Administration/Athletic Director.

### **LOCKER ROOM**

Coaches

1. Keep locker rooms as neat and clean as possible.
2. Have players pick up after themselves.
3. Keep all doors locked- coaches' room, and equipment room. When the coaches leave the area, they must see to it that the doors are locked.
4. Do not permit students and players to enter equipment and storage rooms without supervision.
5. When practice is completed, the Varsity coach or his/her designated assistants should be the last person to leave the building. Lock all doors and turn off lights before you leave.

6. Coaches will be given locker numbers that their athletes can use, the rest of the lockers will be used for PE students.
7. Locker room assignments:
  - Floodwood VB players will use their own Girls locker room
  - Visiting VB teams will use the Boys locker room.
  - Floodwood FB team will use the Varsity locker room aka FB locker room
  - Visiting FB teams will use the Boys locker room
  - Floodwood GBB players will use their own GBB locker room.
  - Floodwood BBB players will use their own BBB locker room.
  - The Football locker room will be reserved for visiting Basketball teams.
  - In the case where both GBB and BBB teams are playing on the same day –The varsity team who plays second will use an alternative room as a locker room.

#### Athletes

1. No running in the locker rooms.
2. No “snapping” of towels.
3. No water or soap fights.
4. No sliding in the shower areas.
5. Athletes are instructed that the improper turning on and off of the water in the shower area can be dangerous.
6. Shut off showers (when done using them).
7. Pick up towels.
8. All clothing, books, etc. should be kept in lockers.
9. Lockers are closed and locked when not in use.
10. No glass containers (deodorant, etc.).
11. No electrical appliances near shower area (hair dryer, etc.).

#### KEYS, ACCESS CARDS

Keys are to be used by coaches and managers only. (Do not lend your keys to students). Lock and unlock doors using your key or Allen wrench. DO NOT PROP DOORS OPEN WITH CANS, ROCKS, ETC. Inspect all exits prior to leaving and make sure all students have left the building.

#### SEASON’S END REPORT

1. Each Varsity coach is responsible for completing an end of the season summary form and inventory sheet from the Activities Director.
2. The Varsity coach is responsible to see that all reports are turned in on time.
3. All reports from assistants should be turned in with the Varsity coach’s reports.
4. Coaches will be paid when their season ending summary sheet and inventory sheets are turned in. The Activities Director will determine when all items are accounted for. Coaches will be paid on the next scheduled pay period.

#### BUDGET PREPARATION

1. Submit all budgetary items to the Activities Director.
2. Confer with assistant coaches as to what is needed.
3. Confer with the Activities Director when materials are purchased.
4. You must use the electronic requisition form provided by the district. All information must be electronic, handwritten will not be approved. All UFARS codes must be typed in, no other is acceptable. Only the Varsity coaches’ signature is acceptable. The Activities Director will not approve any requisitions not signed by the Varsity coach. The Activities Director will do all of the ordering of equipment.
5. List each item separately with the number needed and description. Also give the unit cost and total cost of items.
6. All ordering of materials for athletics shall be done by the Activities Director. In special cases where it becomes necessary for a coach to pick up needed materials, they must first contact the Activities Director and secure a purchase order and number. You may not purchase any item without a proper purchase order.
7. If you purchase anything for your personal needs, or if you are ordering items for the athletes on a personal basis, have the company bill you at your home address.
8. Policy Law

#### RUNNING IN THE HALLS

1. Running in the hall after school can occur after 3:30p.m, after the coach has inspected the hallways, and has determined the halls safe for running.
2. Any indoor running must be directly supervised by a teacher or coach.
3. Students are to be instructed to run on the right side of the hall area.

#### LEAGUE RULES AND ETHICS

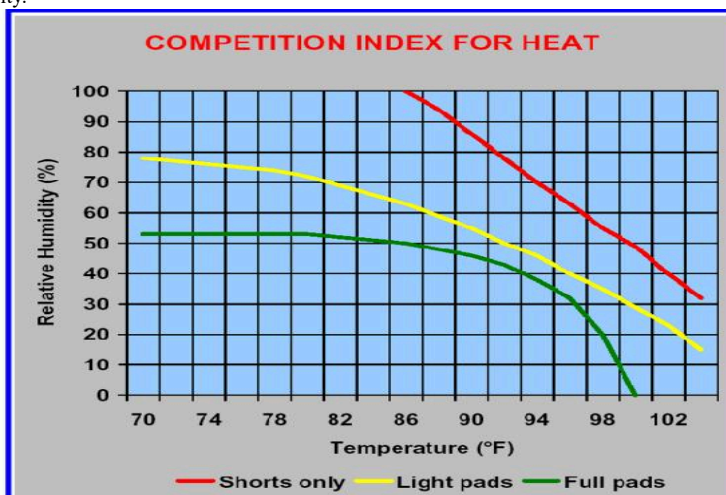
1. Report all player violations of the MSHSL rules to the Activities Director.
2. Abide by the rules and regulations which pertain to your sport.
3. Become familiar with the MSHSL rules by reading the MSHSL website.
4. Be ethical in your dealings with opponents, players and the public.
5. Submit a copy of your special rules to the Activities Director at the beginning of your season.
6. Before dismissing a player from your program, check with the Activities Director and Administration. Also, the parents/guardians shall be informed before any action is taken.
7. If you consider moving a younger player in your sport to a higher level of competition, please refer to the acceleration procedure on page 4.

#### USE OF OTHER SCHOOLS LOCKER ROOM FACILITIES

1. Check the locker room as to its condition before your team enters.
2. Check the locker room as to its condition after your team leaves.
3. Impress on your players the need for respect of property and facilities of other schools.

#### INCLEMENT WEATHER

1. If school is canceled or dismissed early, all activities for that day will be canceled. This includes all practices.
2. In the event of inclement weather prior to the start of an activity, the Activities Director will communicate with the opposing Activities Director to determine the status of the activity.
3. In the event of inclement weather during the activity, the Activities Director will conference with the officials and both the home and visiting coaches to determine the continuation of the activity.



**Heat Stress Risk Temperature and Humidity Graph**  
 Reprinted with permission from Kulka T.J. Kenney WJ. Heat balance limits in football uniforms: how different uniform ensembles alter the equation. *Phys Sportsmed* 2002;30(7):29-39.

- GREEN LINE: Regular practices with full practice gear can be conducted for conditions that plot to the left of the green line.
- RED LINE: Cancel all practices when the temperature and relative humidity plot to the right of the red line; practices may be moved into air-conditioned spaces.
- BETWEEN RED AND YELLOW LINES: Increase rest to work ratio with breaks every 20 minutes and all protective equipment should be removed to practice in shorts only when the temperature and relative humidity plot between the red and yellow lines.
- BETWEEN YELLOW AND GREEN LINES: Increase rest to work ratio with breaks every 30 minutes and wear shorts with helmets and shoulder pads only when the temperature and relative humidity plot between the yellow and green lines.
- Heat risk rises with increasing heat and relative humidity. Fluid breaks should be scheduled for all practices and increased as the heat stress rises.
- Add 5 degrees to temperature between 10 AM & 4 PM from mid May to mid September on bright, sunny days.
- Practices should be modified to reflect the conditions for the safety of the athletes.

4. Outdoor activities should be suspended when the heat index reaches to the red line on the graph below or higher and the wind chill index is -10 or less.

#### STUDENT OR ATHLETE USE OF PHY-ED FACILITIES DURING THE SCHOOL DAY

1. Students or athletes shall not be permitted the use of physical education facilities during the school day unless under the direct supervision of a coach. Direct supervision means the coach and athlete are in the same room at the same time. Students must never be taken from a class for practice. Student performance is the highest priority we have after student safety.
2. Coaches and athletes are not to use the physical education equipment for athletic purposes. Sharing equipment can be done but only at the permission of the physical education department. Coaches are not to assume physical education equipment can be used in their programs. Physical education instructors can use athletic equipment during the instructional day as they see fit.

#### USE OF PRACTICE FACILITIES AND EQUIPMENT (SAFETY)

1. Before using facilities or equipment, check to see that there are no safety hazards to the participants. This includes road ways for track athletes. If so, report them to the Activities Director.
2. After a practice session is over, make sure that all equipment is put away and that all lights are turned off and all doors are locked. It makes it easier for the AD and Administration to support you if you are thorough. It makes it easier for the district to defend you in court if you are thorough.
3. Coaches shall inform their players that use of facilities prior to the start of their first practice will not be permitted. Safety is our top priority. Coaches must be the first to enter the facility and the last to leave. Coaches must clearly communicate to participants what the start time of practice is and what the earliest time they will be allowed in the building. (If you arrive to open the building and students are already in the building, they are to be sent home and they are not allowed to practice. The Administration must be notified. (No student is ever allowed in the building unsupervised, this is a violation of school rules and the Administration will take corrective action.) Students in the building, immediately after school, will be an exception to this procedure. Please communicate clearly to your participants what door they are allowed to use to gain access to the building. Unlock that door from the inside using an Allen wrench or key. These are school issued. Once your deadline for arrival is past then you need to relock the doors as you are personally responsible for all students who enter during that time. It is your responsibility to be the last one out of the building. It is your responsibility to check each door that your actions could have allowed access to the building. If your actions allowed access to the entire building then you must ensure that each door is checked and secure. If a student is waiting for a ride it is your responsibility to supervise that student until the parent/guardian arrives.
4. **“Captain’s Practice”**
  - It is believed that the words “captain’s practice” originated years ago as a description of the spontaneous gatherings of students for the purpose of preparing themselves for a level of physical conditioning prior to the start of a school’s sport season. These were physical conditioning meetings. The activities were usually led by the captains and included calisthenics and running, hence the term “captain’s practice”. Member schools have subscribed to the rules and regulations governing the start and close of each sport season. Their athletes should be permitted to choose their activities in the “off season” providing they do so without direction from school coaches. No school may engage in any game or games, practice, training, or other activities between the close of one season and the opening of the next season. Group and individual physical development programs opened to all students between the close of one season and the opening of the next season are encouraged. This does not include “captain’s practice”. Our school policy or personnel do not offer “captain’s practice.” The use of high school gymnasiums and other athletic facilities during this same period is also encouraged. There shall be no compulsion of athletes to participate in any pre-season training as a qualification of being on a high school team.

When using school facilities students must be supervised. However the school district cannot in any way be involved in a "Captain's Practice." If the school is fined by the MSHSL and your actions are responsible you will reimburse the district for that fine.

**5. "OPEN GYMS"**

- a. Members of the school's coaching staff will not be allowed to set up open gyms outside of their season or the summer waiver period.
- b. Members of the school's coaching staff will not be allowed to supervise open gyms outside of their season or the summer waiver period.
- c. Open gyms during the school year must be set up by adults who are not a part of the school's coaching staff, and they may not be directed to do so by members of the school's coaching staff.
- d. If the adult who set up the open gym is unable to supervise they must notify the activities director/facilities scheduler and notify them of the replacement.
- e. Members of the school's coaching staffs will not be allowed to notify student-athletes of open gyms that are held outside of their season or the summer waiver period by phone, text, email or other social media.

(Note: The reason for these changes is to protect the school, our coaches, and our student-athletes from accusations of coaches putting undue influence on kids to participate, and to protect us from accusations from coaches coaching student athletes out of season.)

- 6. All facilities, gym, weight room, locker rooms, fields, etc. must be supervised at all times before any formal or informal activity can be conducted in the area.**

**GYMNASIUM**

1. Gymnasium doors should be locked after practice.
2. Coaches should check the gymnasium area each day for possible hazards.
3. Players are not allowed in the gymnasium unless the coach is present.
4. Players are not allowed to use the equipment until the coach has given permission.
5. Players are to leave the gymnasium in an orderly manner.
6. Gymnasium doors are to be opened carefully when leaving the gym (doors open out).
7. Players are instructed to walk in the center of the hall by the gymnasium area, and to stay away from the gymnasium doors.
8. Coaches or managers shall be the only ones to turn lights on or off.
9. Bleachers shall not be opened or closed by players without proper supervision.

**OUTDOOR FACILITIES**

1. Athletic fields are maintained by the groundskeeper, Varsity Coach and the Activities Director. Observation of the fields by both the coaching staff and grounds keeper result in repairs as needed.
2. Players are instructed to watch for vehicles when crossing the streets and walking to and from the field.
3. Players are instructed to wait for the coaches to open gates. They are instructed not to climb fences.
4. Players are instructed to walk on the street, not on personal property, to and from the athletic field. Students need to be instructed to walk or run no more than two abreast and they need to ensure traffic is not impeded.

**EQUIPMENT**

1. Coaches shall check equipment prior to use. It is the responsibility of each coach at each level to not use unsafe facilities or equipment. The coach is liable if he or she elects to use equipment or facilities that they believe is unsafe. Coaches should electronically report to the Activities Director to request any repairs needed.
2. Care of equipment and use of equipment is discussed in detail with players for each activity.
3. Safety precautions are discussed with players pertaining to the use of equipment - not only the player's safety, but that of their team members.

**UNEXCUSED ABSENCE**

1. Students who are absent from school without an excused absence will not be permitted to participate in any school sponsored activity, including practice, the day of their absence, or on Saturday, if the violation occurs on Friday.
2. Any absence on the day of an activity will result in the student not being allowed to participate/attend the activity that day or evening. This does not relate to absences such as appointments (medical, dental, counselor, and legal, driving tests), funerals, religious instruction, or absences that have prior approval by the Administration. If a student is in a situation where they feel there should be an exception to the rule and an afternoon class must be missed, that student should clear the absence ahead of time with Administration. Verification may be requested if it is deemed these exceptions are being abused by the parent/guardian and/or the student. Also, any unexcused absence for the day (or any part of the day) of an activity will result in ineligibility for that day's activity. This would include unexcused absences for missed school or either in or out of school suspension.
3. Athletic contests on school nights do not excuse students from being in school promptly the following morning and parents/guardians cannot excuse an athlete for their morning absence or tardy following a late night without a medical note.

**UNIFORMS**

1. Teams and individuals must wear the uniforms and warm-ups provided by the athletic department. Any special situations or additions to uniforms or warm-ups must be approved by the activities director.
2. Coaches at any level cannot accept or solicit from outside sources contributions of or for uniforms, warm-ups, or any other apparel that can be taken as part of the team outfit. Coaches cannot purchase for resale any equipment.
3. Teams who wish to order from source items for the personal use by and purchased by the individual members can do so but cannot be part of the team uniform unless provisions are made for those wishing to not purchase such items. i.e.--Team sweatshirts, jackets, shooter shirts, etc. Design for such items must be approved by the Activities Director.
4. Uniforms should be good quality and meet all requirements set by the MSHSL.

**Uniform Rotation**

<b>SPORT</b>	<b>ROTATION</b>	<b>NEXT PURCHASE</b>
<b>Boys Basketball</b>	<b>2026-2027</b>	<b>2032-2033</b>
<b>Girls Basketball</b>	<b>2027-2028</b>	<b>2033-2034</b>
<b>Softball</b>	<b>2029-2030</b>	<b>2036-2037</b>
<b>Baseball</b>	<del>2024-2025</del> <b>2030-2031</b>	<del>2030-2031</del> <b>2037-2038</b>
<b>Volleyball</b>	<b>2028-2029</b>	<b>2035-2036</b>
<b>Golf</b>	<del>2025-2026</del> <b>2031-2032</b>	<del>2031-2032</del> <b>2038-2029</b>

**If teams would like to purchase uniforms before their scheduled rotation, they may do so by using funds from their activity account. They may also look into students purchasing their own uniform with their names on them if they wish.**

#### **SPECIAL RULES WHICH PERTAIN TO YOUR PARTICULAR ACTIVITY**

1. If you have special rules for your sport, make sure they are written and gone over with the team members, and they must be approved by the AD and Administration.
  - a. Give a copy to the Activities Director so they also have a record of your rules.
  - b. Punishment should not be as harsh for a first offense, as for continuous violations. In some cases, involvement of parents/guardians may be necessary before action is taken.
    - 1) Never do or take any punitive action in the heat of disappointment or anger.
    - 2) Punitive action for a violation of your rules shall be constructive. Never use a sport activity for punishment.
2. Floodwood High School will abide by Minnesota State High School League rules with the exception of those that have been made more restrictive and adopted by the Floodwood school board.

#### **REPORTING GAME RESULTS**

1. Email score to the Activities Director's Office prior to 8:00 a.m. the morning succeeding an activity to be put in the announcements. It is the coach's responsibility to inform members of the media and office staff for announcements.
2. The following media should receive end of game scores and stats: MSHSL.org, Channel 6, Channel 10, Duluth News Tribune, Minnesota-scores.net, The Floodwood Forum, and the Voyageur Press.
3. The Duluth News Tribune should also receive end of season stats.

#### **WEIGHT MACHINE, FREE WEIGHT AND GENERAL AREA**

1. If any unavoidable damage occurs to the weight equipment, free weights or general area through use, you are to report it to the coach or Activities Director so repairs may be made.
2. If any undue damage to the weight equipment, free weights or general area occurs, it may be closed and only limited lifting under direct supervision would be permitted.
3. No pop or food will be permitted in the weight room at any time.
4. The weight equipment and free weights are to be used only as designated and prescribed by the posted rules and lifting charts and not in a manner that is unsafe or injurious for pre-lift warm-up exercises and proper lifts. (No less than two people shall be in the weight room at one time during the day).
5. Students must be properly dressed in gym clothes before being permitted to use the weights.
6. The weight room is for general use by the students and public (*with permission from the Activities Director*). Athletic teams cannot reserve it for just their use, but as always, they may use it with the proper supervision when it is not scheduled and coaches may send athletes there when it is scheduled to be opened.

#### **SCHEDULING OF EVENTS**

1. As soon as the Activities Director has finished scheduling athletic events, these shall be made available to Administration and the Music Department.
2. The Music Department will give the Activities Director a list of event dates by March for the ensuing year.
3. Events scheduled after that date will have to clear the master schedule which is to be kept in the district office. Official sub-section, and state additions or corrections should take precedence over non-conference and locally scheduled events.
4. Both the Activities Director and the Music Department are to check the master schedule with Administration on proposed dates for events that are scheduled after the initial schedule is drawn up.
5. The original schedule will take priority over all late schedule events.
6. All junior high level activities will take priority over high school activity for the junior high level student who might be participating in a high school sport or activity.
7. When it becomes necessary to reschedule a sport or music activity that has been postponed due to weather conditions, each coach or director must check the existing school schedule before rescheduling the event. If there is a possible conflict, the change must be approved by the Activities Director and Music Department.
8. All other departments and organizations that need to schedule events must check with the Activities Director and the master schedule for open dates. These departments and organizations must also abide by the guides that are set for the athletic and music departments.

## PROCEDURE FOR HANDLING POSSIBLE CONFLICTS IN THE SCHEDULE

1. School activities that have been scheduled and appear on the Events Calendar on the district website take priority over rescheduled inter-school activities, unless the normal progress for advancement may be affected. First consideration will be given to the activity that may have its advancement affected.
  - a. Where conflicts seem to be unavoidable, the following regulations will prevail. Every attempt should be made so that the students need not be asked to make a choice, nor be penalized to be outside of a decision stemming from these policies.
    - All performances (games, concerts, or meets) take priority over a practice or rehearsal.
    - A concert will take priority over a JV or "B" squad game or meet.
    - A JV or "B" squad game or meet will take priority over a practice or rehearsal.
    - All Polar League or Great Northern Conference tournaments where a conference championship is determined, sub-sectional, sectional or state activities will take priority over any other scheduled activities or practices.
2. When a conflict appears, the following procedures should be followed:
  - a. Notify the Activities Director as to the possible conflict.
  - b. The Activities Director and Music Department will meet to see if the adopted rules can handle the alleged problem.
  - c. If the adopted rules do not apply or when an agreement on the interpretation cannot be reached, then the Activities Director and Music Department will call a meeting with the two coaches and/or directors to resolve the conflict. Administration will be called in as a fifth party only if needed.
3. When rescheduling events, the Activities Director will try to minimize time away from the classroom.

## MISCELLANEOUS SALARIES

Miscellaneous Salaries will be paid to those individuals wishing to be paid for their time. The person performing the activity is responsible for requesting the salary. Salaries will be paid for home events only. Requests must be made within 2 weeks after the last regularly scheduled home game.

Scorebooks, Score/Clock, Libero Tracker, Officials for Volleyball, Football, Basketball (Girls and Boys) will receive \$25 per night for "A" and "B" games/matches. Officials for "C" Volleyball will receive \$25 per match.

## ATHLETIC AWARD POLICY

1. First award earned – Certificate, a chenille letter (only one chenille letter will be given to cover all sports through high school), and a sport specific pin.
2. Succeeding awards earned - Certificate every time a person letters in a sport. A bar will be given to signify each year the participant lettered.
3. Members of a Polar League Conference Championship Team - Conference Championship Certificate.
4. Awards will be presented at an Athletic Banquet or other activity set-up by each individual activity. There will be no religious observance at any awards presentations. There may be a moment of silence.
5. MVP Offense and MVP Defense awards will be given to all sports. Other awards must first be approved by the Activities Director.
6. The Varsity coach will select the winners of the "end of season awards". It is not the responsibility of the players to choose the winners.
7. Only section championships and state trophies will be engraved with names of participants.
8. Attendance at Athletic Awards Ceremony is mandatory for all coaches employed.

## PARTICIPATION REQUIRED TO QUALIFY FOR A HIGH SCHOOL LETTER

(During a complete sport season)

### **Football:**

- Actively participate in one-fourth of the total quarters played by the varsity squad during the regular season;
- Or by the coaches' and Activities Directors' judgment in special cases.

### **Basketball:**

- Actively participate in one-fourth of the total quarters played by the varsity squad during the regular season. Tournament games do not count as a season game, but tournament quarters count toward winning a letter;
- Or by the coaches' and Activities Director's judgment in special cases.

### **Softball:**

- Students must participate in at least 70% of the games, or half of the innings on the schedule. Any entrance into games counts as playing in a game.
- Lettering is at the discretion of the Varsity coach.

### **Baseball:**

- Students must participate in at least 70% of the games, or half of the innings on the schedule. Any entrance into games counts as playing in a game.
- Lettering is at the discretion of the Varsity coach.

### **Track:**

- Must score points equal to the number of meets in which the varsity team participates during the regular season. These points can be scored during the regular season meets, and/or Conference and District meets;
- Or by the coaches' and Activities Director judgment in special cases.

### **Cross Country:**

- Will follow cooperative criteria.
- Or by the coaches' and Activities Director's judgment in special cases.

### **Volleyball:**

- Must participate in as many games as there are matches must have played in 3/4 of the matches, exclusive of tournaments;
- Or by the coaches' and Activities Director's judgment in special cases.

### **Manager:**

- Must act as manager for two sport seasons:
- Or by the coaches' and Activities Director's judgment in special cases.

**Cheerleading:**

- Must complete season and satisfy coaches' criteria
- Or by the coaches' and Activities Director's judgment in special cases

**Band:**

Maintain an A in the class and hand in all assignments on time and in full. This includes participation in all mandatory performances with appropriate attire and behavior.

In addition to the previous statement, each student must fulfill one of the two of the following requirements. Only one of these must be fulfilled in order to qualify for academic lettering.

1. Participate in a non-mandatory performance. This could include JAMD as a solo or small group act (must be playing instruments and not singing) or participating in BOTH parades for the year (Catfish Days and Christmas City of the North Parade). In order for the Floodwood Catfish Days Parade to count for lettering it must be done the summer before the academic year starts. In the case of a parade being canceled the student may find an alternate assignment approved by the Instructional Music Director to fulfill this requirement. Other non-mandatory performances may include honor bands or any function where you will be playing your instrument for an official performance that goes above and beyond the basics of playing in the ensemble at school. (Pep Bands are mandatory and therefore do not count toward this)
2. Play for the Instructional Music Director a solo or in a small group outside of the basics required by the class. This performance will be for the Instructional Music Director alone and does not have to be performed at a concert or another venue in order to count. Students may also record themselves at home and submit their recording to the Instructional Music Director via email to achieve this goal. Any solo or small group must have pre-approved music for this to count. Students may submit their piece of choice to the Instructional Music Director for approval at any time or the Instructional Music Director will help the student find a piece to play if desired. Solos must be performed in full and at an appropriate level based on the Minnesota State High School League adjudication form. A rating of excellent or higher is required for the solo to count.

The successful completion of all lettering requirements is at the discretion of the Instructional Music Director.

**Plays:**

All coaches and advisors must have written criteria accessible to all concerned for earning a Floodwood School letter. The above are the requirements and any changes to these must be submitted to the Activities Director prior to the beginning of the season of the activity.

**ATHLETIC RECOGNITION**

Official school recognition for outstanding individual or team performance at state, sectional, and sub-sectional events shall be held at organized school assemblies. The Activities Director, Cheerleading Advisor, and anyone interested shall work together on the organization and scheduling of the activity.

**Individual Events:**

- The school shall hold an assembly to recognize individuals who will participate in State Tournaments or Meets.
- Interested community organizations, groups or individuals may participate in this assembly by making such a request to Administration.

**Team Events:**

- The school shall hold an assembly to recognize teams who will participate in State Tournaments or Meets.
- Interested community organizations, groups or individuals may participate in this assembly by making such a request to Administration.

**COACHES CLINIC/STATE TOURNAMENT ATTENDANCE POLICY**

- Individual Participation in State Tournament or Meets – Only the Varsity coach/advisor is permitted to attend the State Tournaments at school expense, whether one or several individuals are participating. Exceptions may be made if individuals of both genders qualify. All necessary expenses of the Varsity coach, and participants will be taken care of by the school.
- Team Participation in State Tournaments or Meets – The Varsity coach/advisor and the official school assistant of the varsity team may attend when a school team is participating in a state tournament. All necessary expenses of the coaches, team, band, and cheerleaders will be taken care of by the school. Cheerleaders must meet lettering criteria.

**PEP BAND**

- The Pep Band will play at four home activities for Football and Volleyball. Pep Band will play at six home activities for Boys Basketball and Girls Basketball.
- The Pep Band shall play at all tournament games. *This will be based on tournament seeding as is the section policy.* (Tournament games shall have preference over regular season scheduled games).

**SPORTSMANSHIP**

Implementation of Sportsmanship Project:

**Participants**

- a. Coaches will meet prior to each season with players to inform them of sportsmanship behavioral expectations.
- b. Advisors of activity groups will discuss sportsmanship behavioral expectations with participants.

**Coaches and Athletic Staff**

- a. A general meeting will be held in the fall with the athletic staff, coaches and administrators to review the sportsmanship behavioral expectations outlined in the Coaches' Handbook.
- b. Seasonal meetings with the coach/coaches involved in each activity will be held to review these expectations.

**Cheerleaders**

- a. The advisor will meet with the cheerleaders on weekdays to direct their program and discuss problems that may arise.
- b. The advisor will be in attendance at the various sport activities to ensure that the rules are implemented.

Responsibilities of:

**1. Participants**

- a. Abide by the rules of the game in letter and spirit.
- b. Show respect for opponents and officials by:
  1. Applaud when the other team is introduced;
  2. Show proper respect when the National Anthem is played;
  3. Shake hands with your opponent before and/or after a game as the sport warrants;
  4. Offer a helping hand to assist an opponent who is down; in a contact sport, unless the opponent appears to be injured;
  5. Refrain from negative yelling or booing when an opponent is shooting free throws;
- a. Display modesty in victory and graciousness in defeat;
- b. Show respect for the official's call by not yelling or booing after calls with which you disagree;
- c. Respond in a reasonable manner when an official's decision is not in your favor. Raise your hand to indicate that you respect the official's decision;
- d. Cooperate with the officials; and,
- e. Thank the officials after the game for officiating the game.
- f. Show respect for opponent's facilities by:
  1. Leaving the locker rooms with all items picked up and put away;
- g. Refraining from defacing or destroying any property in opponent's locker rooms or surrounding facilities.
- h. Abide by the Minnesota State High School League eligibility rules:
  1. Participants are reminded that team members represent their school and community. Participation is an honor and a privilege, not a right.
  2. Participant's actions, attitudes and personal appearance while representing their school and community are being observed by people of all ages. These characteristics will have a definite influence on the manner in which all look at sportsmanship. They reflect other areas of attitude development necessary for good sportsmanship.

**2. Coaches and Staff**

- a. Abide by the Minnesota State High School League Coaches' Code in making an effort to:
  1. Exemplify the highest moral character, behavior and leadership.
  2. Promote ethical relationships among coaches.
  3. Abide by the rules of the letter and spirit.
  4. Respect the integrity and judgment of sports officials.
  5. Display modesty in victory and graciousness in defeat.
  6. Play by the rules - don't try to bend them.
  7. Be a gracious host or hostess to visitors.
  8. Control one's emotions, especially those which may lead to technical fouls.
  9. Avoid inciting the crowd or players by one's actions, on or off the bench.
- b. Acknowledge that by the coach's exemplary actions during their contact time with the team members they are, in fact, having an effect on the attitudes of team members toward sportsmanship.
- c. Respect for opponent's facilities:
  1. Make sure every effort is made to prevent any damage to any part of the opponent's facilities.
  2. Make sure all materials are picked up and properly put away before leaving the locker rooms.
- d. Respect for opponent's players and coaches:
  1. Greet them when they arrive and direct them to their assigned facilities.
  2. Shake hands before and/or after a game as the sport warrants.
  3. Remove any players who are not conducting themselves in a sportsmanlike manner.
- e. Respect for officials:
  1. Introduce yourself to the officials before the game.
  2. Try not to show your discontent toward the officiating.
  3. Respect the calls made by the officials, good or bad. If you disagree with a call, ask them, in a respectful manner, for an interpretation of the call. This should be made when a time-out has been called.
  4. Shake hands with the officials following the game and thank them for officiating the game.
- f. Wear appropriate dress.

**3. Cheerleaders:**

a. Conduct:

1. Remember, you are a leader in all you do. What you do, others copy. Let your behavior be a model on and off the floor.
2. Be a good sport. Win or lose, wear a smile. The crowd will reflect your sportsmanship.
3. Assume your responsibilities willingly and strive never to let your team, your school or other cheerleaders down.
4. Recognize your responsibility and report problems or difficulties to proper adult authorities.
5. Greet the opponent's cheerleaders, if any, before and after the game and make them comfortable.
6. Show respect for the opponent's facilities by conducting yourself in a reasonable and appropriate manner.
7. Conduct yells only when they do not distract or interrupt the play.
8. Select yells that are in good taste and do not offend either the home or opponent's participants or spectators.
9. Discourage any booing or unnecessary yelling at the opponents or officials by the home crowd.
10. Refrain from showing negative emotions, especially if disgusted with a play or an official's call.
11. Cooperate with the band at all times.
12. Lead the crowd in showing respect for the National Anthem and each school's song.
13. Assist school officials in keeping students off the playing floor before, during and after the game.
14. Assist in promoting student and community awareness of up-coming activities and encourage their support.
15. Remember the crowd will give back to you exactly what you give to them. Enthusiasm is highly contagious, so your spirit and excitement must be sincerely felt.
16. Promoting school spirit takes a lot of work behind the scenes, not just during the game. Find creative ways to build positive traditions and promote pride in the school among students, faculty and community.

## **COACH, PARENT/GUARDIAN AND STUDENT MEETINGS**

1. All coaches of Floodwood School athletic teams are encouraged to have a parental/guardian information meeting which includes both parents/guardians and students. The following are the guidelines for these meetings:
2. Parents/guardians are to be given a handout with a brief explanation of the coaches' guidelines for their activity. These guidelines should cover such items as:
  - a. Practice Schedules
  - b. Game Schedules
  - c. Coaches Rules and Penalties for:
    1. Missing practices
    2. Missing games
    3. Participation policy
    4. Any other team rules
    5. Goals and expectations
3. Philosophy (especially as to playing time)
4. Rule changes in your activity
5. Sportsmanship
6. School's rule for attendance
7. Each coach/advisor is to review the Floodwood School Eligibility Information, which includes the Minnesota State High School League material. It is suggested that you read it to all who are in attendance. A copy of this information can be obtained in the activities director's office.
8. It is suggested that each coach have their meeting at the same time that they have a practice. It is not practical to have it any other time since athletes must attend. It may not be the best time for parents/guardians but for the majority of the people involved, it makes for a better situation. For example: if you have a scheduled practice at 3:30 p.m. to 5:30 p.m., schedule the meeting at your practice facility for 4:30 to 5:30 p.m. You are free to conduct this meeting when you like and the activities director's office will do what they can to assist you.

## **DEALING WITH CONFLICT**

### **Procedure for handling athletic complaints**

1. In order to allow an expression of differences that often occur in athletics, a procedure has been developed for establishing a line of communication between school, parent/guardian, students and coaches. This procedure should follow an orderly process.
2. No conflict between a parent/guardian, student, official or coach should be addressed during or immediately following a game. The game site, practice field, lobby or locker rooms are not appropriate places to handle conflict. Coaches are not to meet or deal with conflict at these times or places. Most conflicts are better resolved with an appropriate cooling down period.
3. If you are upset, please call or arrange a meeting the following work day.
4. The following steps should be taken in order for conflict to be resolved.
  - Step 1. Student athlete asks the coach to meet to discuss the issue.
  - Step 2. The parent/guardian or student-athlete contacts the AD to arrange a meeting to talk about the issue. After talking with the parent/guardian and/or student athlete, the AD will decide whether or not the coach needs to be brought into the conversation.
  - Step 3. If needed (issue not resolved,) the coach will be brought into the conversation with the parent(s)/guardian(s), student athlete, and AD. The student athlete does not need to be involved, but is recommended.
  - Step 4. If needed (issue not resolved), Administration will act as a mediator to resolve the issue.
5. Group conflict -- No parent/guardian or booster group shall meet at Floodwood School to discuss team problems without representatives from School which will include the Activities Director, coach or both. Actions or concerns addressed by such groups at any other meetings where School representatives are not present will not be officially acted upon by officials and coaches are not required to attend unofficial meetings.

## **ENFORCING RULES AND REGULATIONS OF THE MSHSL**

### **Guidelines for Compliance with MSHSL Rules and Regulations**

1. Any and all reported violations of Minnesota State High School League Rules and Regulations must be reported to the Activities Director.
  - a. Coaches, directors, or advisors cannot declare a participant ineligible.
  - b. Coaches, directors, or advisors are directed to inform people who report violations to them to take their allegations to the Activities Director.
  - c. Coaches, directors, or advisors shall check with the Activities Director to ensure that the allegation has been reported.
  - d. Coaches, directors, or advisors will be informed of any violations by participants.
2. A coach, director or advisor who directly witnesses a violation or who has a confession of a violation given to him/her is directed to report such an incident to the Activities Director
3. Coaches, directors and advisors are expected to know the school policies regarding the evaluation and suspicion of chemical abuse problems.
4. Coaches, directors and advisors are expected to act according to their professional judgment at all times.
5. Coaches, directors and advisors will be informed by a list each Wednesday when a participant is academically ineligible. All dates in the letter are to be adhered to regardless of cancellations, etc. Any student who does not follow the guidelines stated in the letter will not have their eligibility restored until the guidelines are fulfilled. Coaches must know that in order for a student to serve the ineligibility, he or she must complete the season of the activity where the ineligibility was served. Please explain to students in your program who are ineligible for a period that if they do not come to practices or finish the season after they become eligible, they will again be declared ineligible.
6. Ejection of a player or coach from MSHSL events.
  - a. Ejections must be immediately reported to the Activities Director.
  - b. Coaches are required to know the procedure for dealing with an ejection as outlined in the MSHSL handbook.
  - c. The Floodwood School Athletic Department will not tolerate coaches getting ejected from a contest. A written explanation of an ejection must be filed with the Activities Director and a conference with the director must take place before such coach can resume any of his or her coaching activities.

## **MINNESOTA STATE HIGH SCHOOL LEAGUE SUMMER COACHING WAIVER**

1. Each Varsity coach must meet with their 9 - 12 assistants and distribute a Summer Coaching Waiver Request form. This should be done by the third Friday in May. This also applies to coaches who anticipate working at a camp that Floodwood School athletes may attend. Only Coaches need to sign a waiver request.
2. Summer is defined as the time starting the 4th Saturday in May and ending on July 31st. With one week of no contact in July, dates for the no contact period will change from year to year but are there to provide athletes a break during the July 4<sup>th</sup> celebration.

3. DURING THE SCHOOL YEAR, COACHES MAY NOT COACH THEIR STUDENTS IN ANY CAPACITY OTHER THAN DURING THEIR RESPECTIVE SEASONS.
4. All coaches who are going to provide summer coaching in a clinic/camp format or as a coach of a competitive team **MUST** submit a written statement to the Activities Director as to their intent of what they will be doing and when. And be able to comply with the no contact period in July.

## SCHEDULE C JOB DESCRIPTIONS

### **Job Title: Varsity Football Coach**

#### **Job Summary**

Position is responsible for coaching student athletes in game strategies and techniques to prepare them for athletic competition. Position motivates student athletes to develop an appreciation of the sport.

**Supervisor:** Athletic Director and Administration

**Payment Rate:** In accordance with current Schedule C Agreement

#### **Qualifications:**

Minimum Qualifications (Knowledge, Skills and/or Abilities Required)

1. Some experience as a football coach or assistant coach at the high school or college level preferred.
2. Must possess effective coaching techniques and skills.
3. Must possess a thorough knowledge of the rules, regulations, strategies, and techniques of the sport.
4. Must possess the ability to establish and maintain effective working relationships with school administrators, parents/guardians, and students.
5. Current MN High School Head Coach Certification. (Obtaining and maintaining coach certification is the sole responsibility of the coach and the district does not reimburse the cost of certification)

#### **Essential Duties:**

1. Holds organizational meetings for team prospects and encourages potential athletes to participate in the sport.
  2. Assesses player's skills and assigns team positions.
  3. Develops a regular practice schedule and organizes practice time to provide both individual and team development.
  4. Works with the athletics director in scheduling facilities for practices and competition.
  5. Assigns duties to an assistant coach as necessary.
  6. Coaches and instructs players, individually or in groups, regarding the rules, regulations, equipment, and techniques of the sport.
  7. Observes players, during competition and practice to determine the needs for individual or team improvement.
  8. Determines game strategy based on the team's capabilities.
  9. Establishes and maintains standards of pupil behavior and provides proper supervision of athletes at all times.
  10. Monitors the academic performance of team members to ensure that eligibility requirements are met.
  11. Follows established procedures in the event of an athlete's injury.
  12. Conferences with parents/guardians, as necessary, regarding the athletic performance of their student.
  13. Follows state, regional, and district regulations governing the athletic program.
  14. Models sports-like behavior and maintains appropriate conduct towards players, officials, and spectators.
  15. Acts as a team representative and promotes the sport by communicating with the news media, booster clubs, service clubs, and other organizations.
  16. Follows established procedures for the proper care, maintenance, and requisitioning of equipment, supplies, and uniforms.
  17. Works with the athletic director to develop a policy for awards and submits a list of award winners at the end of the season.
  18. Participates in special activities to include parent's night, banquets, award nights, and pep assemblies.
  19. Maintains eligibility forms, emergency data cards, insurance records, equipment inventory, and other related records.
  20. Models non discriminatory practices in all activities.
- (These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

#### **Other Duties:**

1. Attends staff development meetings, clinics, and other professional activities to improve coaching performance.
2. To act as the point person for elementary coaches of the same sport for guidance in appropriate equipment that may be utilized, foster involvement between high school players and elementary players and help enrich the elementary sports programs.
3. Performs any other related duties as assigned by the school Administration., athletic director, or other appropriate administrators.

#### **Job Specifications:**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodation may be made to enable individuals with disabilities, who are otherwise qualified, to perform the essential functions.

#### **Working Conditions & Physical Requirements:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodation may be made to enable individuals with disabilities to perform essential functions. Must have the ability to stand for extended periods of time; see and read a computer screen and printed material with or without vision aids; hear and understand speech at normal levels, outdoors and on the telephone; speak in audible tones so that others may understand clearly; physical agility to lift up to 25 pounds to shoulder height and 50 pounds to waist height; and to bend, to stoop, to sit on the floor, to climb stairs, to walk and to reach overhead.

#### **Work Environment:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. Duties are normally performed in a school environment or outdoors. Duties may be performed away from school. The noise level in the work environment is usually moderate to loud.

**Supervision Exercised:** JV/Assistant Coaches **Supervision Received:** Administration. and Athletic Director

## **Job Title: Football Cooperative Assistant Coach/Floodwood Football Representative**

### **Job Summary:**

Position is responsible for coaching all cooperative student athletes in game strategies and techniques to prepare them for athletic competition. Position motivates student athletes to develop an appreciation of the sport and characteristics essential to successfully competing cooperatively with another school. Position ensures Floodwood student-athletes are given equal opportunities in the cooperative.

Supervisor: Athletic Director(s) and Administration, Cooperative Head Coach

Payment Rate: In accordance with current Schedule C Agreement for Assistant Football Coach

### **Qualifications:**

Minimum Qualifications (Knowledge, Skills and/or Abilities Required)

1. Some experience as a football coach or assistant coach at the high school or college level preferred.
2. Must possess effective coaching techniques and skills.
3. Must possess a thorough knowledge of the rules, regulations, strategies, and techniques of the sport.
4. Must possess the ability to establish and maintain effective working relationships with school administrators, parents/guardians, and students.

### **Essential Duties:**

1. Holds organizational meetings for team prospects and encourages potential athletes to participate in the sport.
2. Assesses player's skills and assigns team positions.
3. Assists in developing a regular practice schedule and helps organize practice time to provide both individual and team development.
4. Works with the athletics director of both schools to scheduling facilities for practices and competition, as well as schedule transportation to/from practices for student-athletes in the cooperative
5. Coaches and instructs players, individually or in groups, regarding the rules, regulations, equipment, and techniques of the sport.
6. Observes players, during competition and practice to determine the needs for individual or team improvement.
8. Works with other coaches to determine game strategy based on the team's capabilities and opponents' systems.
9. Establishes and maintains standards of pupil behavior and provides proper supervision of athletes at all times.
10. Monitors the academic performance of Floodwood team members to ensure that eligibility requirements are met.
11. Follows established procedures in the event of an athlete's injury.
12. Conferences with parents/guardians, as necessary, regarding the athletic performance of their student.
13. Follows state, regional, and district regulations governing the athletic program.
14. Models sports-like behavior and maintains appropriate conduct towards players, officials, and spectators.
15. May act as a team representative and promote the sport by communicating with the news media, booster clubs, service clubs, and other organizations, especially in the Floodwood area.
16. Works with the head coach and athletic director(s) in the cooperative to award letter winners at the end of the season.
17. Participates in special activities to include parent's night, banquets, award nights, and pep assemblies.
18. Maintains eligibility forms, emergency data cards, insurance records, and assists with equipment inventory and other related records.
19. Models nondiscriminatory practices in all activities.
20. Communicates with school office regarding announcements pertaining to Floodwood student-athletes participation in the football cooperative.
21. Arranges meeting times and places for Floodwood students to convene and participate in Zoom conferences with Cromwell-Wright players and staff.
22. Plans summer waiver workout days in Floodwood for football cooperative student-athletes.

(These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

### **Other Duties:**

1. Attends staff development meetings, clinics, and other professional activities to improve coaching performance.
2. Performs any other related duties as assigned by the school Administration, athletic director, or cooperative head coach..
3. To act as the point person for elementary coaches of the same sport for guidance in appropriate equipment that may be utilized, foster involvement between high school players and elementary players and help enrich the elementary sports programs.

### **Job Specifications:**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. In addition, the individual must be willing to travel to the host school for the seventy-plus practice/game days at their own expense. The requirements listed are representative of the knowledge, skill and/or ability required. Reasonable accommodation may be made to enable individuals with disabilities, who are otherwise qualified, to perform the essential functions.

### **Working Conditions & Physical Requirements:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodation may be made to enable individuals with disabilities to perform essential functions. Must have the ability to stand for extended periods of time; see and read a computer screen and printed material with or without vision aids; hear and understand speech at normal levels, outdoors and on the telephone; speak in audible tones so that others may understand clearly; physical agility to lift up to 25 pounds to shoulder height and 50 pounds to waist height; and to bend, to stoop, to sit on the floor, to climb stairs, to walk and to reach overhead.

### **Work Environment:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. Duties are normally performed in a school environment or outdoors. Duties may be performed away from school. The noise level in the work environment is usually moderate to loud.

## **Job Title: JV/Assistant Football Coach**

### **Job Summary**

The JV/Assistant Football Coach assists the Varsity Football Coach in promoting an appreciation of physical fitness, teamwork, and sportsmanship. The JV/Assistant Football Coach assists in providing leadership and supervision for team and individual sports, and works closely with the other staff and administration of ISD No. 698.

**Supervisor:** Varsity Coach, Activities Director, and Administration

**Payment Rate:** In accordance with current Schedule C Agreement

### **Qualifications:**

1. High school diploma or equivalent.
2. Bachelor's degree from an accredited college/university-preferred.
3. Have a valid driver's license, be able to drive, and qualify under the district's insurance carrier when driving a district vehicle.
4. Desire to continue career improvement.

### **Essential Duties:**

1. Assist in the coordination and supervision of the Football program and team.
2. Promote an appreciation of physical fitness, teamwork, and sportsmanship.
3. Assist in the design of a training program and game program.
4. Assist in the organization and supervision of the coaching staff to assure that the program is properly implemented.
5. Ensure that all athletic activities conform to MSHSL guidelines.
6. Communicate effectively with all members of the school district and community.
7. Work effectively with booster clubs and other community organizations.
8. React to change productively and handle other tasks as assigned.
9. Support the value of an education.
10. Support the philosophy and vision of ISD No. 698.

### **Physical Requirements/Environmental Conditions:**

1. Requires prolonged sitting or standing.
2. Occasionally requires physical exertion to manually move, lift, carry, pull, or push heavy objects or materials.
3. Occasional stooping, bending, and reaching.
4. Requires some travel.
5. Must work indoors and outdoors.
6. Must work in noisy and crowded environments.

### **General Responsibilities:**

1. Assist in the coordination and supervision of the football program and team.
2. Help students achieve gains in athletic skill and team performance.
3. Assist in designing a training program and game program.
4. Assist in organizing and supervising the coaching staff to assure that the program is properly implemented.
5. Assume duties of the Varsity Coach if required to do so.
6. Attend MSHSL rules meetings and adhere to rules and regulations of the MSHSL.
7. Assist in the development of team rules, communicating them to the players and their parents/guardians, and equitably enforce them.
8. Maintain good public relations for the football program including:
  - a. Ensure the continual supervision of student athletes on the field, in conditioning, and in locker and shower rooms.
  - b. Ensure that health and safety precautions are observed during all activities.
9. Immediately report all major injuries incurred during practice sessions or competition to the Varsity Coach, Activities Director, and Administration.
10. See that district policies are observed during all activities.
11. Keep abreast of new information, innovative ideas and techniques.
12. Obtain advance approval of the Varsity Coach for all activities and expenditures.
13. Adhere to all district health and safety policies, including all precautions of the Bloodborne Pathogens Exposure Control Plan.
14. Other duties as assigned by the Varsity Coach, Activities Director, Administration, or other Administrative Staff.

## **Job Title: Varsity Volleyball Coach**

### **Job Summary**

The Varsity Volleyball Coach promotes an appreciation of physical fitness, teamwork, and sportsmanship. The Varsity Volleyball Coach provides leadership and supervision for team and individual sports, and works closely with the other staff and administration of ISD No. 698.

**Supervisor:** Activities Director and Administration

**Payment Rate:** In accordance with current Schedule C Agreement

### **Qualifications:**

1. High school diploma or equivalent.
2. MN High School Head Coach Certification. (Obtaining and maintaining coach certification is the sole responsibility of the coach and the district does not reimburse the cost of certification)
3. Experience coaching volleyball at the high school or college level preferred.
4. Have a valid driver's license, be able to drive, and qualify under the district's insurance carrier when driving a district vehicle.
5. Desire to continue career improvement.

### **Essential Duties:**

1. Coordinate and supervise Volleyball program and team.
2. Promote an appreciation of physical fitness, teamwork, and sportsmanship.
3. Design a training program and game program.
4. Organize and supervise the coaching staff to assure that the program is properly implemented.
5. Ensure that all athletic activities conform to MSHSL guidelines.
6. Communicate effectively with all members of the school district and community.
7. Work effectively with booster clubs and other community organizations.
8. React to change productively and handle other tasks as assigned.
9. Support the value of an education.
10. Support the philosophy and vision of ISD No. 698.

### **Physical Requirements/Environmental Conditions:**

1. Requires prolonged sitting or standing.
2. Occasionally requires physical exertion to manually move, lift, carry, pull, or push heavy objects or materials.
3. Occasional stooping, bending, and reaching.
4. Requires some travel.
5. Must work indoors and possibly outdoors.
6. Must work in noisy and crowded environments.

### **General Responsibilities:**

1. Coordinate and supervise the High School Volleyball program and team.
2. Help students achieve gains in athletic skill and team performance.
3. Design a training program and game program.
4. Organize and supervise the coaching staff to assure that the program is properly implemented.
5. Train assistant coaches in techniques, skills, philosophy, rules, and strategies.
6. Call meetings with coaching staff periodically and consistently throughout the sports season.
7. Responsible for assisting the Activities Director with scheduling of the following:
  - a. practice schedules
  - b. transportation
  - c. meal arrangements
8. Attend MSHSL rules meetings and adhere to rules and regulations of MSHSL.
9. Develop team rules, communicate them to the players and their parents/guardians, and equitably enforce them.
10. Maintain good public relations for the Volleyball program including:
  - a. Develop programs and brochures.
  - b. Present programs to community groups such as Booster Club.
  - c. Notify media of sporting events, scores, news items, before and after games or events.
11. Ensure that student athletes meet eligibility rules.
12. Ensure that physical evaluation forms and permission forms are properly completed and filed in the Activity Director's office.
13. Ensure that student athletes adhere to training rules, lettering policies, grade requirements, and rules of behavior.
14. Ensure the continual supervision of student athletes on the court, in conditioning, and in locker and shower rooms.
15. Ensure that health and safety precautions are observed during all activities.
16. Immediately report all major injuries incurred during practice sessions or competition to the Activities Director and Administration.
17. Ensure proper purchasing, inventory, and care of equipment.
18. Submit a complete team roster to the Activities Director ten days prior to the first contest. The following items should be included: player's name, year in school, height, weight, and uniform number, where applicable.
19. Submit a written report of team records to the activities director at the close of each season.
20. Present a letter of recognition (emblem) to all athletes who meet the necessary requirements.
21. See that district policies are observed during all activities.
22. Keep abreast of new information, innovative ideas and techniques.
23. Obtain advance approval of the Activities Director and Administration for all activities and expenditures.
24. Adhere to all district health and safety policies, including all precautions of the Bloodborne Pathogens Exposure Control Plan.
25. To act as the point person for elementary coaches of the same sport for guidance in appropriate equipment that may be utilized, foster involvement between high school players and elementary players and help enrich the elementary sports programs.
26. Other duties as assigned by the Activities Director, Administration, or other Administrative Staff.

**Supervision Exercised:** JV/Assistant Coaches    **Supervision Received:** Administration and Athletic Director

## **Job Title: JV/Assistant Volleyball Coach**

### **Job Summary**

The JV/Assistant Volleyball Coach assists the Varsity Volleyball Coach in promoting an appreciation of physical fitness, teamwork, and sportsmanship. The JV/Assistant Volleyball Coach assists in providing leadership and supervision for team and individual sports, and works closely with the other staff and administration of ISD No. 698.

**Supervisor:** Varsity Coach, Activities Director, and Administration

**Payment Rate:** In accordance with current Schedule C Agreement

### **Qualifications:**

1. High school diploma or equivalent.
2. Bachelor's degree from an accredited college/university-preferred.
3. Have a valid driver's license, be able to drive, and qualify under the district's insurance carrier when driving a district vehicle.
4. Desire to continue career improvement.

### **Essential Duties:**

1. Assist in the coordination and supervision of the Volleyball program and team.
2. Promote an appreciation of physical fitness, teamwork, and sportsmanship.
3. Assist in the design of a training program and game program.
4. Assist in the organization and supervision of the coaching staff to assure that the program is properly implemented.
5. Ensure that all athletic activities conform to MSHSL guidelines.
6. Communicate effectively with all members of the school district and community.
7. Work effectively with booster clubs and other community organizations.
8. React to change productively and handle other tasks as assigned.
9. Support the value of an education.
10. Support the philosophy and vision of ISD No. 698.

### **Physical Requirements/Environmental Conditions:**

1. Requires prolonged sitting or standing.
2. Occasionally requires physical exertion to manually move, lift, carry, pull, or push heavy objects or materials.
3. Occasional stooping, bending, and reaching.
4. Requires some travel.
5. Must work indoors and outdoors.
6. Must work in noisy and crowded environments.

### **General Responsibilities:**

1. Assist in the coordination and supervision of the volleyball program and team.
2. Help students achieve gains in athletic skill and team performance.
3. Assist in designing a training program and game program.
4. Assist in organizing and supervising the coaching staff to assure that the program is properly implemented.
5. Assume duties of the Varsity Coach if required to do so.
6. Attend MSHSL rules meetings and adhere to rules and regulations of the MSHSL.
7. Assist in the development of team rules, communicating them to the players and their parents/guardians, and equitably enforce them.
8. Maintain good public relations for the football program including:
  - a. Ensure the continual supervision of student athletes on the field, in conditioning, and in locker and shower rooms.
  - b. Ensure that health and safety precautions are observed during all activities.
9. Immediately report all major injuries incurred during practice sessions or competition to the Varsity Coach, Activities Director, and Administration.
10. See that district policies are observed during all activities.
11. Keep abreast of new information, innovative ideas and techniques.
12. Obtain advance approval of the Varsity Coach for all activities and expenditures.
13. Adhere to all district health and safety policies, including all precautions of the Bloodborne Pathogens Exposure Control Plan.
14. Other duties as assigned by the Varsity Coach, Activities Director, Administration, or other Administrative Staff.

## **Job Title: Varsity Boys Basketball Coach**

### **Job Summary**

Position is responsible for coaching student athletes in game strategies and techniques to prepare them for athletic competition. Position motivates student athletes to develop an appreciation of the sport.

Supervisor: Athletic Director and Administration

Payment Rate: In accordance with current Schedule C Agreement

### **Qualifications:**

Minimum Qualifications (Knowledge, Skills and/or Abilities Required)

1. Some experience as a Varsity basketball coach or assistant coach at the high school or college level preferred.
2. Must possess effective coaching techniques and skills.
3. Must possess a thorough knowledge of the rules, regulations, strategies, and techniques of the sport.
4. Must possess the ability to establish and maintain effective working relationships with school administrators, parents/guardians, and students.
5. Current MN High School Head Coach Certification. (Obtaining and maintaining coach certification is the sole responsibility of the coach and the district does not reimburse the cost of certification)

### **Essential Duties:**

1. Holds organizational meetings for team prospects and encourages potential athletes to participate in the sport.
  2. Assesses player's skills and assigns team positions.
  3. Develops a regular practice schedule and organizes practice time to provide both individual and team development.
  4. Works with the athletics director in scheduling facilities for practices and competition.
  5. Assigns duties to an assistant coach as necessary.
  6. Coaches and instructs players, individually or in groups, regarding the rules, regulations, equipment, and techniques of the sport.
  7. Observes players, during competition and practice to determine the needs for individual or team improvement.
  8. Determines game strategy based on the team's capabilities.
  9. Establishes and maintains standards of pupil behavior and provides proper supervision of athletes at all times.
  10. Monitors the academic performance of team members to ensure that eligibility requirements are met.
  11. Follows established procedures in the event of an athlete's injury.
  12. Conferences with parents/guardians, as necessary, regarding the athletic performance of their student.
  13. Follows state, sectional and conference regulations governing the athletic program.
  14. Models sports-like behavior and maintains appropriate conduct towards players, officials, and spectators.
  15. Acts as a team representative and promotes the sport by communicating with the news media, booster clubs, service clubs, and other organizations.
  16. Follows established procedures for the proper care, maintenance, and requisitioning of equipment, supplies, and uniforms.
  17. Works with the athletic director to develop a policy for awards and submits a list of award winners at the end of the season.
  18. Participates in special activities to include parent's night, banquets, award nights, and pep assemblies.
  19. Maintains eligibility forms, emergency data cards, insurance records, equipment inventory, and other related records.
  20. Models non discriminatory practices in all activities.
- (These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

### **Other Duties:**

1. Attends staff development meetings, clinics, and other professional activities to improve coaching performance.
2. To act as the point person for elementary coaches of the same sport for guidance in appropriate equipment that may be utilized, foster involvement between high school players and elementary players and help enrich the elementary sports programs.
3. Performs any other related duties as assigned by the school Administration, athletic director, or other appropriate administrators.

### **Job Specifications:**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodation may be made to enable individuals with disabilities, who are otherwise qualified, to perform the essential functions.

### **Working Conditions & Physical Requirements:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodation may be made to enable individuals with disabilities to perform essential functions. Must have the ability to stand for extended periods of time; see and read a computer screen and printed material with or without vision aids; hear and understand speech at normal levels, indoors in a loud environment and on the telephone; speak in audible tones so that others may understand clearly; physical agility to lift up to 25 pounds to shoulder height and 50 pounds to waist height; and to bend, to stoop, to sit on the floor, to climb stairs, to walk and to reach overhead.

### **Work Environment:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. Duties are normally performed in a school environment or outdoors. Duties may be performed away from school. The noise level in the work environment is usually moderate to loud.

**Supervision Exercised:** JV/Assistant Coaches    **Supervision Received:** Administration and Athletic Director

## **Job Title: JV/Assistant Boys Basketball Coach**

### **Job Summary**

The JV/Assistant Boys Basketball Coach assists the Varsity Boys Basketball Coach in promoting an appreciation of physical fitness, teamwork, and sportsmanship. The JV/Assistant Boys Basketball Coach assists in providing leadership and supervision for team and individual sports, and works closely with the other staff and administration of ISD No. 698.

**Supervisor:** Varsity Coach, Activities Director, and Administration

**Payment Rate:** In accordance with current Schedule C Agreement

### **Qualifications:**

1. High school diploma or equivalent.
2. Bachelor's degree from an accredited college/university-preferred.
3. Have a valid driver's license, be able to drive, and qualify under the district's insurance carrier when driving a district vehicle.
4. Desire to continue career improvement.

### **Essential Duties:**

1. Assist in the coordination and supervision of the Boy's Basketball program and team.
2. Promote an appreciation of physical fitness, teamwork, and sportsmanship.
3. Assist in the design of a training program and game program.
4. Assist in the organization and supervision of the coaching staff to assure that the program is properly implemented.
5. Ensure that all athletic activities conform to MSHSL guidelines.
6. Communicate effectively with all members of the school district and community.
7. Work effectively with booster clubs and other community organizations.
8. React to change productively and handle other tasks as assigned.
9. Support the value of an education.
10. Support the philosophy and vision of ISD No. 698.

### **Physical Requirements/Environmental Conditions:**

1. Requires prolonged sitting or standing.
2. Occasionally requires physical exertion to manually move, lift, carry, pull, or push heavy objects or materials.
3. Occasional stooping, bending, and reaching.
4. Requires some travel.
5. Must work indoors and outdoors.
6. Must work in noisy and crowded environments.

### **General Responsibilities:**

1. Assist in the coordination and supervision of the basketball program and team.
2. Help students achieve gains in athletic skill and team performance.
3. Assist in designing a training program and game program.
4. Assist in organizing and supervising the coaching staff to assure that the program is properly implemented.
5. Assume duties of the Varsity Coach if required to do so.
6. Attend MSHSL rules meetings and adhere to rules and regulations of the MSHSL.
7. Assist in the development of team rules, communicating them to the players and their parents/guardians, and equitably enforce them.
8. Maintain good public relations for the football program including:
  - a. Ensure the continual supervision of student athletes on the field, in conditioning, and in locker and shower rooms.
  - b. Ensure that health and safety precautions are observed during all activities.
9. Immediately report all major injuries incurred during practice sessions or competition to the Varsity Coach, Activities Director, and Administration.
10. See that district policies are observed during all activities.
11. Keep abreast of new information, innovative ideas and techniques.
12. Obtain advance approval of the Varsity Coach for all activities and expenditures.
13. Adhere to all district health and safety policies, including all precautions of the Bloodborne Pathogens Exposure Control Plan.
14. Other duties as assigned by the Varsity Coach, Activities Director, Administration or other Administrative Staff.

## **Job Title: Varsity Girls Basketball Coach**

**Job Summary:** Position is responsible for coaching student athletes in game strategies and techniques to prepare them for athletic competition. Position motivates student athletes to develop an appreciation of the sport.

**Supervisor:** Athletic Director and Administration

**Payment Rate:** In accordance with current Schedule C Agreement

### **Qualifications:**

Minimum Qualifications (Knowledge, Skills and/or Abilities Required)

1. Some experience as a Varsity basketball coach or assistant coach at the high school or college level preferred.
2. Must possess effective coaching techniques and skills.
3. Must possess a thorough knowledge of the rules, regulations, strategies, and techniques of the sport.
4. Must possess the ability to establish and maintain effective working relationships with school administrators, parents/guardians, and students.
5. Current MN High School Head Coach Certification. (Obtaining and maintaining coach certification is the sole responsibility of the coach and the district does not reimburse the cost of certification)

### **Essential Duties:**

1. Holds organizational meetings for team prospects and encourages potential athletes to participate in the sport.
  2. Assesses player's skills and assigns team positions.
  3. Develops a regular practice schedule and organizes practice time to provide both individual and team development.
  4. Works with the athletics director in scheduling facilities for practices and competition.
  5. Assigns duties to an assistant coach as necessary.
  6. Coaches and instructs players, individually or in groups, regarding the rules, regulations, equipment, and techniques of the sport.
  7. Observes players, during competition and practice to determine the needs for individual or team improvement.
  8. Determines game strategy based on the team's capabilities.
  9. Establishes and maintains standards of pupil behavior and provides proper supervision of athletes at all times.
  10. Monitors the academic performance of team members to ensure that eligibility requirements are met.
  11. Follows established procedures in the event of an athlete's injury.
  12. Conferences with parents/guardians, as necessary, regarding the athletic performance of their student.
  13. Follows state, sectional and conference regulations governing the athletic program.
  14. Models sports-like behavior and maintains appropriate conduct towards players, officials, and spectators.
  15. Acts as a team representative and promotes the sport by communicating with the news media, booster clubs, service clubs, and other organizations.
  16. Follows established procedures for the proper care, maintenance, and requisitioning of equipment, supplies, and uniforms.
  17. Works with the athletic director to develop a policy for awards and submits a list of award winners at the end of the season.
  18. Participates in special activities to include parent's night, banquets, award nights, and pep assemblies.
  19. Maintains eligibility forms, emergency data cards, insurance records, equipment inventory, and other related records.
  20. Models non discriminatory practices in all activities.
- (These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

### **Other Duties:**

1. Attends staff development meetings, clinics, and other professional activities to improve coaching performance.
2. To act as the point person for elementary coaches of the same sport for guidance in appropriate equipment that may be utilized, foster involvement between high school players and elementary players and help enrich the elementary sports programs.
3. Performs any other related duties as assigned by the school Administration, athletic director, or other appropriate administrators.

### **Job Specifications:**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodation may be made to enable individuals with disabilities, who are otherwise qualified, to perform the essential functions.

### **Working Conditions & Physical Requirements:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodation may be made to enable individuals with disabilities to perform essential functions. Must have the ability to stand for extended periods of time; see and read a computer screen and printed material with or without vision aids; hear and understand speech at normal levels, indoors in a loud environment and on the telephone; speak in audible tones so that others may understand clearly; physical agility to lift up to 25 pounds to shoulder height and 50 pounds to waist height; and to bend, to stoop, to sit on the floor, to climb stairs, to walk and to reach overhead.

### **Work Environment:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. Duties are normally performed in a school environment or outdoors. Duties may be performed away from school. The noise level in the work environment is usually moderate to loud.

**Supervision Exercised:** JV/Assistant Coaches

**Supervision Received:** Administration and Athletic Director

## **Job Title: JV/Assistant Girls Basketball Coach**

### **Job Summary**

The JV/Assistant Girls Basketball Coach assists the Varsity Girls Basketball Coach in promoting an appreciation of physical fitness, teamwork, and sportsmanship. The JV/Assistant Girls Basketball Coach assists in providing leadership and supervision for team and individual sports, and works closely with the other staff and administration of ISD No. 698.

**Supervisor:** Varsity Coach, Activities Director, and Administration

**Payment Rate:** In accordance with current Schedule C Agreement

### **Qualifications:**

1. High school diploma or equivalent.
2. Bachelor's degree from an accredited college/university-preferred.
3. Have a valid driver's license, be able to drive, and qualify under the district's insurance carrier when driving a district vehicle.
4. Desire to continue career improvement.

### **Essential Duties:**

1. Assist in the coordination and supervision of the Girl's Basketball program and team.
2. Promote an appreciation of physical fitness, teamwork, and sportsmanship.
3. Assist in the design of a training program and game program.
4. Assist in the organization and supervision of the coaching staff to assure that the program is properly implemented.
5. Ensure that all athletic activities conform to MSHSL guidelines.
6. Communicate effectively with all members of the school district and community.
7. Work effectively with booster clubs and other community organizations.
8. React to change productively and handle other tasks as assigned.
9. Support the value of an education.
10. Support the philosophy and vision of ISD No. 698.

### **Physical Requirements/Environmental Conditions:**

1. Requires prolonged sitting or standing.
2. Occasionally requires physical exertion to manually move, lift, carry, pull, or push heavy objects or materials.
3. Occasional stooping, bending, and reaching.
4. Requires some travel.
5. Must work indoors and outdoors.
6. Must work in noisy and crowded environments.

### **General Responsibilities:**

1. Assist in the coordination and supervision of the basketball program and team.
2. Help students achieve gains in athletic skill and team performance.
3. Assist in designing a training program and game program.
4. Assist in organizing and supervising the coaching staff to assure that the program is properly implemented.
5. Assume duties of the Varsity Coach if required to do so.
6. Attend MSHSL rules meetings and adhere to rules and regulations of the MSHSL.
7. Assist in the development of team rules, communicating them to the players and their parents/guardians, and equitably enforce them.
8. Maintain good public relations for the football program including:
  - a. Ensure the continual supervision of student athletes on the field, in conditioning, and in locker and shower rooms.
  - b. Ensure that health and safety precautions are observed during all activities.
9. Immediately report all major injuries incurred during practice sessions or competition to the Varsity Coach, Activities Director, and Administration.
10. See that district policies are observed during all activities.
11. Keep abreast of new information, innovative ideas and techniques.
12. Obtain advance approval of the Varsity Coach for all activities and expenditures.
13. Adhere to all district health and safety policies, including all precautions of the Bloodborne Pathogens Exposure Control Plan.
14. Other duties as assigned by the Varsity Coach, Activities Director, Administration, or other Administrative Staff.

## **Job Title: Varsity Softball Coach**

### **Job Summary**

Position is responsible for coaching student athletes in game strategies and techniques to prepare them for athletic competition. Position motivates student athletes to develop an appreciation of the sport.

**Supervisor:** Athletic Director and Administration

**Payment Rate:** In accordance with current Schedule C Agreement

### **Qualifications:**

Minimum Qualifications (Knowledge, Skills and/or Abilities Required)

1. Some experience as a Varsity softball coach or assistant coach at the high school or college level preferred.
2. Must possess effective coaching techniques and skills.
3. Must possess a thorough knowledge of the rules, regulations, strategies, and techniques of the sport.
4. Must possess the ability to establish and maintain effective working relationships with school administrators, parents/guardians, and students.
5. Current MN High School Head Coach Certification. (Obtaining and maintaining coach certification is the sole responsibility of the coach and the district does not reimburse the cost of certification)

### **Essential Duties:**

1. Holds organizational meetings for team prospects and encourages potential athletes to participate in the sport.
  2. Assesses player's skills and assigns team positions.
  3. Develops a regular practice schedule and organizes practice time to provide both individual and team development.
  4. Works with the athletics director in scheduling facilities for practices and competition.
  5. Assigns duties to an assistant coach as necessary.
  6. Coaches and instructs players, individually or in groups, regarding the rules, regulations, equipment, and techniques of the sport.
  7. Observes players, during competition and practice to determine the needs for individual or team improvement.
  8. Determines game strategy based on the team's capabilities.
  9. Establishes and maintains standards of pupil behavior and provides proper supervision of athletes at all times.
  10. Monitors the academic performance of team members to ensure that eligibility requirements are met.
  11. Follows established procedures in the event of an athlete's injury.
  12. Conferences with parents/guardians, as necessary, regarding the athletic performance of their student.
  13. Follows state, sectional and conference regulations governing the athletic program.
  14. Models sports-like behavior and maintains appropriate conduct towards players, officials, and spectators.
  15. Acts as a team representative and promotes the sport by communicating with the news media, booster clubs, service clubs, and other organizations.
  16. Follows established procedures for the proper care, maintenance, and requisitioning of equipment, supplies, and uniforms.
  17. Works with the athletic director to develop a policy for awards and submits a list of award winners at the end of the season.
  18. Participates in special activities to include parent's night, banquets, award nights, and pep assemblies.
  19. Maintains eligibility forms, emergency data cards, insurance records, equipment inventory, and other related records.
  20. Models non discriminatory practices in all activities.
- (These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

### **Other Duties:**

1. Attends staff development meetings, clinics, and other professional activities to improve coaching performance.
2. To act as the point person for elementary coaches of the same sport for guidance in appropriate equipment that may be utilized, foster involvement between high school players and elementary players and help enrich the elementary sports programs.
3. Performs any other related duties as assigned by the school Administration, athletic director, or other appropriate administrators.

### **Job Specifications:**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodation may be made to enable individuals with disabilities, who are otherwise qualified, to perform the essential functions.

### **Working Conditions & Physical Requirements:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodation may be made to enable individuals with disabilities to perform essential functions. Must have the ability to stand for extended periods of time; see and read a computer screen and printed material with or without vision aids; hear and understand speech at normal levels, outdoors and indoors in a loud environment and on the telephone; speak in audible tones so that others may understand clearly; physical agility to lift up to 25 pounds to shoulder height and 50 pounds to waist height; and to bend, to stoop, to sit on the floor, to climb stairs, to walk and to reach overhead.

### **Work Environment:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. Duties are normally performed in a school environment or outdoors. Duties may be performed away from school. The noise level in the work environment is usually moderate to loud.

**Supervision Exercised:** JV/Assistant Coaches    **Supervision Received:** Administration and Athletic Director

## **Job Title: JV/Assistant Softball Coach**

### **Job Summary**

The JV/Assistant Softball Coach assists the Varsity Softball Coach in promoting an appreciation of physical fitness, teamwork, and sportsmanship. The JV/Assistant Softball Coach assists in providing leadership and supervision for team and individual sports, and works closely with the other staff and administration of I.S.D. No. 698.

Supervisor: Varsity Coach, Activities Director, and Administration

Payment Rate: In accordance with current Schedule C Agreement

### **Qualifications:**

1. High school diploma or equivalent.
2. Bachelor's degree from an accredited college/university-preferred.
3. Have a valid driver's license, be able to drive, and qualify under the district's insurance carrier when driving a district vehicle.
4. Desire to continue career improvement.

### **Essential Duties:**

1. Assist in the coordination and supervision of the Softball program and team.
2. Promote an appreciation of physical fitness, teamwork, and sportsmanship.
3. Assist in the design of a training program and game program.
4. Assist in the organization and supervision of the coaching staff to assure that the program is properly implemented.
5. Ensure that all athletic activities conform to MSHSL guidelines.
6. Communicate effectively with all members of the school district and community.
7. Work effectively with booster clubs and other community organizations.
8. React to change productively and handle other tasks as assigned.
9. Support the value of an education.
10. Support the philosophy and vision of ISD No. 698.

### **Physical Requirements/Environmental Conditions:**

1. Requires prolonged sitting or standing.
2. Occasionally requires physical exertion to manually move, lift, carry, pull, or push heavy objects or materials.
3. Occasional stooping, bending, and reaching.
4. Requires some travel.
5. Must work indoors and outdoors.
6. Must work in noisy and crowded environments.

### **General Responsibilities:**

1. Assist in the coordination and supervision of the basketball program and team.
2. Help students achieve gains in athletic skill and team performance.
3. Assist in designing a training program and game program.
4. Assist in organizing and supervising the coaching staff to assure that the program is properly implemented.
5. Assume duties of the Varsity Coach if required to do so.
6. Attend MSHSL rules meetings and adhere to rules and regulations of the MSHSL.
7. Assist in the development of team rules, communicating them to the players and their parents/guardians, and equitably enforce them.
8. Maintain good public relations for the football program including:
  - a. Ensure the continual supervision of student athletes on the field, in conditioning, and in locker and shower rooms.
  - b. Ensure that health and safety precautions are observed during all activities.
9. Immediately report all major injuries incurred during practice sessions or competition to the Varsity Coach, Activities Director, and Administration.
10. See that district policies are observed during all activities.
11. Keep abreast of new information, innovative ideas and techniques.
12. Obtain advance approval of the Varsity Coach for all activities and expenditures.
13. Adhere to all district health and safety policies, including all precautions of the Bloodborne Pathogens Exposure Control Plan.
14. Other duties as assigned by the Varsity Coach, Activities Director, Administration, or other Administrative Staff.

## **Job Title: Track Coach**

### **Job Summary**

Position is responsible for coaching student athletes in game strategies and techniques to prepare them for athletic competition. Position motivates student athletes to develop an appreciation of the sport.

Supervisor: Athletic Director and Administration

Payment Rate: In accordance with current Schedule C Agreement

### **Qualifications:**

Minimum Qualifications (Knowledge, Skills and/or Abilities Required)

1. Some experience as a track coach or assistant coach at the high school or college level preferred.
2. Must possess effective coaching techniques and skills.
3. Must possess a thorough knowledge of the rules, regulations, strategies, and techniques of the sport.
4. Must possess the ability to establish and maintain effective working relationships with school administrators, parents/guardians, and students.
5. Current MN High School Head Coach Certification. (Obtaining and maintaining coach certification is the sole responsibility of the coach and the district does not reimburse the cost of certification)

### **Essential Duties:**

1. Holds organizational meetings for team prospects and encourages potential athletes to participate in the sport.
  2. Assesses player's skills and assigns team positions.
  3. Develops a regular practice schedule and organizes practice time to provide both individual and team development.
  4. Works with the athletics director in scheduling facilities for practices and competition.
  5. Assigns duties to an assistant coach as necessary.
  6. Coaches and instructs players, individually or in groups, regarding the rules, regulations, equipment, and techniques of the sport.
  7. Observes players, during competition and practice to determine the needs for individual or team improvement.
  8. Determines game strategy based on the team's capabilities.
  9. Establishes and maintains standards of pupil behavior and provides proper supervision of athletes at all times.
  10. Monitors the academic performance of team members to ensure that eligibility requirements are met.
  11. Follows established procedures in the event of an athlete's injury.
  12. Conferences with parents/guardians, as necessary, regarding the athletic performance of their student.
  13. Follows state, sectional and conference regulations governing the athletic program.
  14. Models sports-like behavior and maintains appropriate conduct towards players, officials, and spectators.
  15. Acts as a team representative and promotes the sport by communicating with the news media, booster clubs, service clubs, and other organizations.
  16. Follows established procedures for the proper care, maintenance, and requisitioning of equipment, supplies, and uniforms.
  17. Works with the athletic director to develop a policy for awards and submits a list of award winners at the end of the season.
  18. Participates in special activities to include parent's night, banquets, award nights, and pep assemblies.
  19. Maintains eligibility forms, emergency data cards, insurance records, equipment inventory, and other related records.
  20. Models non discriminatory practices in all activities.
- (These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

### **Other Duties:**

1. Attends staff development meetings, clinics, and other professional activities to improve coaching performance.
2. To act as the point person for elementary coaches of the same sport for guidance in appropriate equipment that may be utilized, foster involvement between high school players and elementary players and help enrich the elementary sports programs.
3. Performs any other related duties as assigned by the school Administration, athletic director, or other appropriate administrators.

### **Job Specifications:**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodation may be made to enable individuals with disabilities, who are otherwise qualified, to perform the essential functions.

### **Working Conditions & Physical Requirements:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodation may be made to enable individuals with disabilities to perform essential functions. Must have the ability to stand for extended periods of time; see and read a computer screen and printed material with or without vision aids; hear and understand speech at normal levels, indoors in a loud environment and on the telephone; speak in audible tones so that others may understand clearly; physical agility to lift up to 25 pounds to shoulder height and 50 pounds to waist height; and to bend, to stoop, to sit on the floor, to climb stairs, to walk and to reach overhead.

### **Work Environment:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. Duties are normally performed in a school environment or outdoors. Duties may be performed away from school. The noise level in the work environment is usually moderate to loud.

**Supervision Exercised:** JV/Assistant Coaches, if needed. **Supervision Received:** Administration and Athletic Director

## **Job Title: Varsity Baseball Coach**

### **Job Summary**

Position is responsible for coaching student athletes in game strategies and techniques to prepare them for athletic competition. Position motivates student athletes to develop an appreciation of the sport.

**Supervisor:** Athletic Director and Administration

**Payment Rate:** In accordance with current Schedule C Agreement

### **Qualifications:**

Minimum Qualifications (Knowledge, Skills and/or Abilities Required)

1. Some experience as a Varsity baseball coach or assistant coach at the high school or college level preferred.
2. Must possess effective coaching techniques and skills.
3. Must possess a thorough knowledge of the rules, regulations, strategies, and techniques of the sport.
4. Must possess the ability to establish and maintain effective working relationships with school administrators, parents/guardians, and students.
5. Current MN High School Head Coach Certification. (Obtaining and maintaining coach certification is the sole responsibility of the coach and the district does not reimburse the cost of certification)

### **Essential Duties:**

1. Holds organizational meetings for team prospects and encourages potential athletes to participate in the sport.
  2. Assesses player's skills and assigns team positions.
  3. Develops a regular practice schedule and organizes practice time to provide both individual and team development.
  4. Works with the athletics director in scheduling facilities for practices and competition.
  5. Assigns duties to an assistant coach as necessary.
  6. Coaches and instructs players, individually or in groups, regarding the rules, regulations, equipment, and techniques of the sport.
  7. Observes players, during competition and practice to determine the needs for individual or team improvement.
  8. Determines game strategy based on the team's capabilities.
  9. Establishes and maintains standards of pupil behavior and provides proper supervision of athletes at all times.
  10. Monitors the academic performance of team members to ensure that eligibility requirements are met.
  11. Follows established procedures in the event of an athlete's injury.
  12. Conferences with parents/guardians, as necessary, regarding the athletic performance of their student.
  13. Follows state, sectional and conference regulations governing the athletic program.
  14. Models sports-like behavior and maintains appropriate conduct towards players, officials, and spectators.
  15. Acts as a team representative and promotes the sport by communicating with the news media, booster clubs, service clubs, and other organizations.
  16. Follows established procedures for the proper care, maintenance, and requisitioning of equipment, supplies, and uniforms.
  17. Works with the athletic director to develop a policy for awards and submits a list of award winners at the end of the season.
  18. Participates in special activities to include parent's night, banquets, award nights, and pep assemblies.
  19. Maintains eligibility forms, emergency data cards, insurance records, equipment inventory, and other related records.
  20. Models non discriminatory practices in all activities.
- (These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

### **Other Duties:**

1. Attends staff development meetings, clinics, and other professional activities to improve coaching performance.
2. To act as the point person for elementary coaches of the same sport for guidance in appropriate equipment that may be utilized, foster involvement between high school players and elementary players and help enrich the elementary sports programs.
3. Performs any other related duties as assigned by the school Administration, athletic director, or other appropriate administrators.

### **Job Specifications:**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodation may be made to enable individuals with disabilities, who are otherwise qualified, to perform the essential functions.

### **Working Conditions & Physical Requirements:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodation may be made to enable individuals with disabilities to perform essential functions. Must have the ability to stand for extended periods of time; see and read a computer screen and printed material with or without vision aids; hear and understand speech at normal levels, indoors in a loud environment and on the telephone; speak in audible tones so that others may understand clearly; physical agility to lift up to 25 pounds to shoulder height and 50 pounds to waist height; and to bend, to stoop, to sit on the floor, to climb stairs, to walk and to reach overhead.

### **Work Environment:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. Duties are normally performed in a school environment or outdoors. Duties may be performed away from school. The noise level in the work environment is usually moderate to loud.

**Supervision Exercised:** JV/Assistant Coaches    **Supervision Received:** Administration and Athletic Director

## **Job Title: Golf Coach**

### **Job Summary**

Position is responsible for coaching student athletes in game strategies and techniques to prepare them for athletic competition. Position motivates student athletes to develop an appreciation of the sport.

**Supervisor:** Athletic Director and Administration

**Payment Rate:** In accordance with current Schedule C Agreement

### **Qualifications:**

Minimum Qualifications (Knowledge, Skills and/or Abilities Required)

1. Some experience as a head golf coach or assistant coach at the high school or college level preferred.
2. Must possess effective coaching techniques and skills.
3. Must possess a thorough knowledge of the rules, regulations, strategies, and techniques of the sport.
4. Must possess the ability to establish and maintain effective working relationships with school administrators, parents/guardians, and students.
5. Current MN High School Head Coach Certification or the ability to obtain. (Obtaining and maintaining coach certification is the sole responsibility of the coach and the district does not reimburse the cost of certification)

### **Essential Duties:**

1. Holds organizational meetings for team prospects and encourages potential athletes to participate in the sport.
2. Develops a regular practice schedule and organizes practice time to provide both individual and team development, as well as make sure the schedule works with the golf course.
3. Works with the athletics director and golf course in scheduling facilities for practices and competition.
4. Assigns duties to an assistant coach as necessary.
5. Coaches and instructs players, individually or in groups, regarding the rules, regulations, equipment, and techniques of the sport.
6. Observes players, during competition and practice to determine the needs for individual or team improvement.
7. Determines game strategy based on the team's capabilities.
8. Establishes and maintains standards of pupil behavior and provides proper supervision of athletes at all times.
9. Works with the AD to monitor the academic performance of team members to ensure that eligibility requirements are met.
10. Follows established procedures in the event of an athlete's injury.
11. Conferences with parents/guardians, as necessary, regarding the athletic performance of their student.
12. Follows state, sectional and conference regulations governing the athletic program.
13. Models sports-like behavior and maintains appropriate conduct towards players, officials, and spectators.
14. Acts as a team representative and promotes the sport by communicating with the news media, booster clubs, service clubs, and other organizations.
15. Follows established procedures for the proper care, maintenance, and requisitioning of equipment, supplies, and uniforms.
16. Works with the athletic director to develop a policy for awards and submits a list of award winners at the end of the season.
17. Participates in special activities to include parent's night, banquets, award nights, and pep assemblies.
18. Maintains eligibility forms, emergency data cards, insurance records, equipment inventory, and other related records.
19. Models non discriminatory practices in all activities.

20. Establishes a relationship with, and works with, the course owner to ensure course rules are followed and expectations of the school/course cooperative are met (including fulfillment of course maintenance duties committed to).

(These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.)

### **Other Duties:**

1. Attends staff development meetings, clinics, and other professional activities to improve coaching performance.
2. To act as the point person for the district in conversations with the golf course owner.
3. Helps recruit and mentor elementary age students interested in playing golf on the team in the future.
4. Performs any other related duties as assigned by the school Administration, athletic director, or other appropriate administrators.

### **Job Specifications:**

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill and/or ability required. Reasonable accommodation may be made to enable individuals with disabilities, who are otherwise qualified, to perform the essential functions.

### **Working Conditions & Physical Requirements:**

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodation may be made to enable individuals with disabilities to perform essential functions. Must have the ability to stand for extended periods of time; see and read a computer screen and printed material with or without vision aids; hear and understand speech at normal levels, indoors in a loud environment and on the telephone; speak in audible tones so that others may understand clearly; physical agility to lift up to 25 pounds to shoulder height and 50 pounds to waist height; and to bend, to stoop, to sit on the floor, to climb stairs, to walk and to reach overhead.

### **Work Environment:**

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Duties are normally performed in the gym at school and outdoors at a golf course. Most of the job will be performed outside, so the noise level in the work environment will be minimal.

**Supervision Received:** Administration and Athletic Director

## **Job Title: Activities Director**

**REPORTS TO:** Principal

**JOB GOAL:** To serve as an administrator of the athletic/fine arts programs. To provide leadership to all athletic and fine arts personnel. To assure the athletic practices of the district are complied with and legally sound.

### **POSITION RESPONSIBILITIES AND DUTIES OF THE DIRECTOR:**

1. Act as an administrator of the athletic/fine arts programs.
2. Report directly to the superintendent.
3. Solicit the Administrations opinions & recommendations on matters pertaining to the athletic and fine arts programs of the school district.
4. Provide a long range policy for continuity and articulation of the athletic & fine arts program.
5. Provide for the requisition and care for all equipment and supplies. Supervises the cleaning, repair, storage and security of all athletic/fine arts equipment.
6. Be involved in the interviewing process and make recommendations to the School Board and administration regarding the assignments and the duties of the athletic (coaching & fine arts) staff.
7. Keep administration and board updated on athletic schedules for the next calendar year. Fall and Winter Sports will be completed prior to the end of the school year and Spring Sports will be updated over the summer into the fall of the given year.
8. Oversee the development of a realistic, adequate, conservative and functional athletic budget based on the recommendation of the coaches of the various sports..
9. Arrange practice schedules in cooperation with coaches/advisors. When it is necessary for athletic and fine arts groups to share portions of the school building, coordinate the scheduling of practices to ensure equitable time for each activity. Coordinate with the person responsible for issuing building permits to avoid scheduling conflicts of school facilities.
10. Arrange for advertising, publicity, transportation and meals for all teams & fine arts events.
11. Supervise the athletic field, gyms, etc., and one-third (1/3) of the contests and meets, and oversee the scheduling of supervisors for home events.
12. Interpret & enforce the athletic eligibility policy of the MSHSL, REGION 7 & Athletic Conferences of which Floodwood High School is a member to the pupils, parents and community members.
13. Attend athletic conferences and other meetings deemed appropriate for a School Activities Director.
14. Ensure that each coach/advisor maintains an inventory of all supplies and equipment of athletic teams and fine arts groups. A copy of the inventory shall be on file in the Activity Director's Office. This inventory should be updated at the conclusion of each season for each sport/activity. The Activities Director shall create a year end check out system for all Floodwood Coaching staff for submission of keys, inventories, billing of students who have not turned in equipment as directed, updating of extra-curricular participation forms & records for all fine arts and athletic coaches.
15. Work with Administrative Assistant to post all coaching/advisor positions and work with Administration to complete the interview process for all potential candidates, make recommendations to the board and consider non-renewals of individuals.
16. Ensure that all coaches/advisors of all sports events interpret the athletic/fine arts eligibility policies to all participants. Require all participants have required physicals on file in the Activity Director's office and are covered by proper insurance for athletics. Ensure that all participants abide by all prescribed rules & regulations.
17. Update information for rosters of A, B, & C Squad athletic participants for posting on the MSHSL website for the preparation of game contest programs for home and visiting school clerical personnel.
18. Institute all purchase orders for equipment & supplies. All orders must be countersigned by the Principal.
19. Recommend changes to athletic/fine arts school policies.
20. Inform visiting school districts on the proper location to use for unloading their team members and for parking of their buses.
21. Coordinate the cancellation or postponement & re-scheduling of contests due to weather or other valid reasons.
22. Approve and coordinate all radio broadcasts of athletic contests or fine arts events.
23. Assist in providing recommendations to the student handbook that covers athletic/fine arts rules and policies and ensures adherence by all coaches/advisors.
24. Notify & authorize attendance at MSHSL rules clinics for all head coaches or fine arts advisors.
25. Establish a program that will provide the Floodwood coaching staff with training in the Prevention & Care of Injuries and in First Aid.
26. Evaluate all head Varsity coaches (or highest level coach) at the end of their respective seasons. Ensure head Varsity Coaches are certified (either through MSHSL Head Coach course or College certification). Confirm all coaches have taken the proper courses and attended meetings required by the MSHSL to coach their season (coaches' records will show as completed or required on the MSHSL Administration Dashboard).
28. Assist head Varsity coaches (or highest level coach)/advisors with the scheduling of parent meetings to explain practice times, schedules, training rules and other items of mutual concern regarding participation in these extra-curricular activities.
29. Maintain a record of awards won by ISD #698 students in athletics and develop a historical record for each sport.
30. Act as a liaison with the community, promotes and advocates the value of school activities.
31. Monitor absence and academic status of students participating in extracurricular activities and work to inform coaches/advisors of students who are in difficulty in these areas.
32. Work with Community Education Director and staff to establish schedules for school district facility/athletic field use and coordinates scheduling of events to establish priority to all interscholastic events prior to other events.
33. Oversee the operation of the school district fitness room and equipment in coordination with the Community Education Director.
34. Perform other duties as assigned by the school district.

### **Management of Contests**

Prior game preparation for all home contests:

- a) Confirm contract dates for all scheduled activities.
- b) Review of eligibility lists sent and received (one copy to be on file in the Principal's office).
- c) Hire all game officials.
- d) Publicize athletic events in school and community.
- e) Arrange for scorers, timers and scoreboard operators.
- f) Arrange for visiting team quarters.
- g) Provide for necessary contest supplies and equipment for each athletic activity.
- h) Obtain needed medical personnel for all home football games.

After game responsibilities for home contests:

- a) Turn in game officials pay vouchers to the business office to be paid.
- b) Assign responsibilities for storage of game equipment and supplies.
- c) Inspect all equipment, supplies & storage areas following each game or event or ensure that someone is assigned this responsibility.
- d) Maintain dressing rooms, training rooms, bathrooms within locker rooms.
- e) Maintain the Activity Director's office and storage areas in a neat, orderly and sanitary condition.
- f) Arrange for safeguarding of contest receipts until the following business day.

## **Senior Class/Graduation Advisor Job Description** - Two positions per Schedule C contract

The Senior Class/Graduation Advisor is responsible for advising and overseeing the activities of the Senior Class as well as planning the graduation ceremony with assistance from Administration. Throughout the school year the Senior Class contributes to school-wide activities such as spirit week. The major event is the Senior Class Trip. The Senior Class also raises funds for class activities for graduation. All activities are paid for through fundraising and by class participants. Schedule C contracts are paid positions, any work for a Schedule C contract position should not be done during the regular work day. Meetings or obligations that are part of your schedule C contract duties should be absences from the district utilizing the time off system and taken unpaid or utilizing personal days, unless conducted during Senior Advisory time.

### **PERFORMANCE RESPONSIBILITIES:**

1. Supervise the Senior Class activities, including fund raising activities to fund graduation . All activities need to be cleared by Administration by a minimum of one month in advance of activity.
2. Establish class goals on class unity, spirit, funds, and events.
3. Encourage students to appreciate and value their classmates, school, and community.
4. Encourage activities in support of school and community.
5. Promote and monitor these goals to keep the class on task.
6. Hold class meetings at least monthly to discuss ideas for the good of the class and to plan future meetings and events. These meetings will be held before 8:00 a.m., after 3:30 p.m., during advisory or during the lunch hour.
7. Work with the senior class advisor and the class to develop a budget for all activities and events. Determine a budget for the year and plan accordingly. Determine a budget for graduation ceremony, class trip, and class group picture.
8. All activities need to be cleared by Administration at least 30 days in advance of activity.
9. Determine role of class officers and conduct election of class officers.
10. Be sure all seniors have ordered caps and gowns for graduation no later than January 1st.
11. Prepare graduation programs with the guidance of Administration.
12. Hold graduation ceremony practice and set up with the guidance of ~~the~~ Administration, in order to conduct a respectable and timely ceremony. Advisors along with the senior class will be responsible for setting up and taking down the graduation ceremony in the gym.
13. Track student contributions to the senior class trip vs. other expenses. Students will not be held responsible for senior class trip fees if they do not go on the trip.
14. Help class plan fundraisers, class events such as dances, and any other extracurricular activities.
15. Mediate class trip planning meetings, assist in determining location of trip as well as the itinerary, coordinate dates with school administration. The initial preliminary plan is to be shared with the school board in May of their junior year, with more detailed plans to be shared at the January board meeting of their senior year.
16. Create a group picture for the hallway of the graduating class.
17. Assist students in setting goals for their individualized plan as required by law to be college and career ready when they graduate, including assistance with class schedules.

### **Student Council**

To provide leadership and supervision of events:

1. Plan and hold Polar Council meetings as needed. The meeting schedule needs to be pre-approved by administration. Polar Council meetings may take place during a class period with pre-approval.
2. Coordinate Student Body Special Events with Polar Council Members: Homecoming Week and Snow Week. More events could be added to the school year if the group is willing to plan and lead more.
3. All activities need to be cleared by Administration at least 15 days in advance of activity.
4. Promote/Support to other school-wide events
5. Promote Polar Council activities through a variety of district outlets: the web page, Facebook, hall TV, school outside sign, etc
6. Monitor Polar Council account and expenditures monthly; determine budget
7. Attend Polar Pride meetings, as needed, so that Polar Council and Polar Pride can work together in recognizing positive behavior
8. Coordinate a Polar Council representative to attend and report to the school board at the monthly school board meeting, if needed

### **STUDENT BODY LEADERSHIP TEAM ORGANIZATION**

1. Work with class advisors and athletic director to set up programs and class activities
2. Coordinate the yearly Master Calendar with Administration on Polar Council events.
3. Deliver Student Body Events
4. Provide direction to Polar Council in Event Planning

### **STUDENT COUNCIL MEETINGS**

1. Manage scheduling of meetings
2. Mentor team in preparing meeting agendas and minutes

### **STUDENT COUNCIL TRAINING**

1. Provide Polar Council members with training regarding their roles and responsibilities.

### **POLAR COUNCIL MEMBER ROLES AND RESPONSIBILITIES**

- Each class is to participate in the Polar Council - at least one member from each class is to be a part of the council.
- Members are to brainstorm, plan, support, organize and participate in Polar Council meetings and events.
- Attendance at meetings is required to be a member of the Polar Council.

\*Schedule C contract for Polar Council will follow "Student Council Advisor " rate of pay found on Education MN Schedule C Salary Schedule.

### **Junior Class Advisor Job Description** - Two positions per Schedule C contract

The High School Junior Class Advisor is responsible for advising and overseeing the activities of the Junior Class. Throughout the school year the Junior Class contributes to school-wide activities such as spirit week and dances. The major event is the Junior Prom. The Junior Class also raises funds for class activities from junior year to graduation. All activities are paid for through fundraising and by class participants. Schedule C contracts are paid positions, any work for a Schedule C contract position should not be done during the regular work day. Meetings or obligations that are part of your schedule C contract duties should be absences from the district utilizing the time off system and taken unpaid or utilizing personal days , unless meetings are held during lunch or Junior advisory time..

#### **PERFORMANCE RESPONSIBILITIES:**

1. Supervise the Junior Class activities, including fund raising activities.
2. All activities need to be cleared by Administration at least 30 days in advance of activity.
3. Determine role of class officers and conduct election of class officers.
4. Establish class goals on class unity, spirit, funds, and events.
5. Encourage students to appreciate and value their classmates, school, and community.
6. Encourage activities in support of school and community.
7. Promote and monitor these goals to keep the class on task.
8. Hold class meetings at least monthly to discuss ideas for the good of the class and to plan future meetings and events. These meetings will be held before 8:00 a.m., after 3:30 p.m., during the scheduled advisory/homeroom time during the school day or during the lunch hour.
9. Work with the class to develop a budget for all activities and events. Determine a budget for the year and plan accordingly. Determine a preliminary budget for their senior class trip and graduation expenses including their group graduation picture.
10. Track student contributions to the senior class trip vs. other expenses. Students will not be held responsible for senior class trip fees if they do not go on the trip.
11. Help class plan fundraisers, class events such as dances, and any other extracurricular activities.
12. Mediate prom committee meetings, view locations and facilities, coordinate dates with school administration, preview music groups, and work with class and prom committee for a successful prom.
13. Mediate senior class trip planning meetings, assist in determining location of trip as well as the itinerary, coordinate dates with school administration. Review and discuss the requirements and limitations of a senior class trip during the junior year. The initial preliminary plan is to be shared with the school board in May of their junior year, with more detailed plans to be shared at the January board meeting of their senior year.
14. Assist students in setting goals for their individualized plan as required by law to be college and career ready when they graduate, including assistance with class schedules.

### **7<sup>th</sup> – 10<sup>th</sup> Grade Class Advisor Job Description**

The 7<sup>th</sup>-10<sup>th</sup> grade Class Advisor is responsible for advising and overseeing the activities of their assigned class. Throughout the school year each grade level contributes to school-wide activities such as spirit week and dances. Each class also raises funds for activities when they are juniors and seniors. All activities are paid for through fundraising and by class participants. These meetings will be held during the day as these positions are not paid, but a duty as assigned.

#### **PERFORMANCE RESPONSIBILITIES:**

1. Supervise grade level activities. All activities need to be cleared by Administration at least 30 days in advance of activity.
2. Determine role of class officers and conduct election of class officers.
3. Establish class goals on class unity, spirit, funds, and events.
4. Encourage students to appreciate and value their classmates, school, and community.
5. Encourage activities in support of school and community.
6. Promote and monitor these goals to keep the class on task.
7. Hold class meetings at least monthly to discuss ideas for the good of the class and to plan future meetings and events. There will be an advisory time set to conduct meetings.
8. Work with the class to develop a budget for all activities and events.
9. Help class plan fundraisers, class events such as dances, and any other extracurricular activities.
10. Assist students in setting goals for their individualized plan as required by law to be college and career ready when they graduate, including assistance with class schedules.

### **National Honor Society Advisor Job Description**

Under the direction of Administration, the National Honor Society Advisor provides support to the National Honor Society members and future members and serves as leadership team motivator, mentor, and manager. Schedule C contracts are paid positions, any work for a Schedule C contract position should not be done during the regular work day. Meetings or obligations that are part of your schedule C contract duties should be absences from the district utilizing the time off system and taken unpaid or utilizing personal days, unless held during lunch.

#### **Duties shall include but not be limited to the following:**

1. Be familiar with the constitution of the National Honor Society and the by-laws of the Floodwood High School Chapter of the National Honor Society (NHS).
2. Review junior and senior grades each semester to determine students who are scholastically eligible for membership in the NHS. Check by-laws to ensure all student eligibility is accounted for.
3. Notify eligible students and distribute Student Activity Information Forms immediately after semester grades are posted.
4. Call a meeting of the faculty council to consider membership applications.
5. Notify candidates of the faculty council's decision on membership applications.
6. Organize the annual NHS initiation ceremony and the Honor Tea with Administration and counselor, including preparation of programs (with Administration's guidance) and invitations to school board members, staff, and parents/guardians/students of those being honored.
7. Regularly review each NHS member for compliance with Society standards and obligations.
8. Serve as a non-voting member of the faculty council.
9. Administration and NHS advisor are to determine faculty council members in October of each year.
10. Assist chapter officers in understanding and carrying out their duties.
11. Call meetings of the NHS membership as determined by chapter by-laws.
12. Coordinate at least two service projects of the NHS membership each year.
13. All activities need to be cleared by Administration at least one month in advance of activity.
14. Maintain files on membership, chapter history, activities, and financial records. Submit annual reports and the annual affiliation fee to the national office. Share with the Administration prior to submitting.
15. Notify local media of chapter events, including the selection of new members. Promote NHS through a variety of district outlets: the web page, Facebook, providing periodic newsletter articles, supplying the Administration with periodical items for the bulletin, hall TV, and updating the NHS bulletin board monthly. Share with the Administration prior to submitting.
16. Coordinate with the business office the ordering of honor cords, medallions, membership cards, etc.
17. Keep the administration informed of chapter membership, activities, and needs.

### **Yearbook Advisor Job Description**

Under the direction of Administration, the Yearbook advisor will oversee the production, promotion, sale and distribution of the yearbook.

#### **Duties shall include but not be limited to the following:**

1. Evaluates and selects a yearbook vendor. Works closely with the vendor to ensure a quality product and to meet publication deadlines.
2. Upholds board policies and follows administrative procedures.
3. Helps students develop a distinctive yearbook format.
4. Provides guidance with layout, pictures/artwork selection, writing styles.
5. Helps students with proofreading and editing functions.
6. Ensures that yearbook content is accurate and appropriate.
7. Supervises sale of advertising.
8. Helps students manage yearbook communications
9. Manages work assignment for yearbook students to fulfill a complete yearbook that is equitable and inclusive to the entire Floodwood School community.

### **Instructional Music Director Job Description**

Under the direction of Administration, the Instructional Music Director will oversee the music programs outside of the scheduled school day.

#### **Duties shall include but not be limited to the following:**

1. Planning and management of musical performances such as band concerts, JAMD, Pep Band and other performances like graduation, parades, winter concert, grandparents day etc.
2. Pep band management. Pep Band will be required to play at four home games for fall sports and six home games for winter sports. Pep Band is also responsible for playing at all home tournament games, if feasible with student availability. Attendance of away tournament games will be coordinated with administration, if feasible.
3. Oversee Drumline Advisory and all drumline events or performances.
4. Assist students in entering and attending sectional and state competitions.
5. Oversee lettering in band in coordination with the Activities Director.

# Acknowledgement of **EMPLOYEE/ACTIVITIES HANDBOOK** ~~2025-2026~~ **2026-2027**

**Please sign and return to the Floodwood School office. By signing below, you are acknowledging that you have received the employee/activities handbook and the information stated below. Please ask if you have any questions. Thank you!**

Printed Name: _____	
Signature: X _____	Date: _____

## **Employee Handbook**

I have received a copy of the Floodwood School Employee/Activities Handbook for 2024-2025.

## **Tennesen Warning**

I have read and understand the Tennesen Warning for Employees located in the Employee/Activities Handbook.

## **Mandatory Notifications of Pesticides / Asbestos / Lead-in-Water / Pesticides**

I have read and understand the notifications located in the Employee/Activities Handbook.

## **Parent/Guardians/Teacher Compact**

I have read and agree to comply with the Floodwood School Parent/Teacher Compact located in the Employee/Activities Handbook.

## **Drug-Free Workplace / Drug-Free School Policy #418**

I have read and agree to comply with the Floodwood School policy #418 located in the Employee/Activities Handbook.

## **Internet Acceptable Use & Safety Policy #524**

I have read and agree to comply with the Floodwood School policy #524 located in the Employee/Activities Handbook, and the responsibilities listed below:

### **SUPERVISING TEACHER'S RESPONSIBILITIES:**

I have read the school district policies relating to safety and acceptable use of the school district computer system and the Internet and agree to promote these policies with the student. Because the student may use the Internet on the school district computer system for individual work or in the context of another class, I cannot be held responsible for the student's use of the Internet on network. As the supervising teacher I do agree to instruct the student on acceptable use of the Internet and network and proper network etiquette.

### **SCHOOL DISTRICT EMPLOYEE'S RESPONSIBILITIES:**

I have read and do understand the school district policies relating to safety and acceptable use of the school district computer system and the Internet and agree to abide by them. I further understand that should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken, and/or appropriate legal action may be taken.

## **District Policies**

I am aware that all district policies, some of which are stated below, can be found on the district website [www.isd698.org](http://www.isd698.org), in the Appendix section of this handbook or in the school office.

- 102 – Equal Educational Opportunity
- 401 – Equal Employment Opportunity
- 410 – Family & Medical Leave Policy
- 413 – Harassment & Violence
- 414 – Mandated reporting of child neglect or physical or sexual abuse
- 415 – Mandated reporting of maltreatment of vulnerable adults
- 416 – Drug & Alcohol Testing
- 417 – Chemical Use & Abuse
- 418 – Drug-free Workplace Drug-free School (attached)
- 419 – Tobacco-free Environment
- 505 – Distribution of non-school-sponsored materials on school premises by students & employees
- 514 – Bully Prohibition
- 521 – Student Disability Nondiscrimination
- 522 – Student Sex Nondiscrimination
- 524 – Internet Acceptable Use and Safety (attached)
- 525 – Violence Prevention
- 526 – Hazing Prohibition
- 529 – Staff notification of violent behavior by student

**The Floodwood School District #698 does not discriminate based on sex, disability, race, color, and national origin.**

**FLOODWOOD  
POLAR BEARS  
ROAR WITH PRIDE  
PBIS MANUAL**

REVISED JULY 2024



# Table of Contents

2	PBIS Introduction
3	Discipline Flow Chart
4-10	Behavior Lesson Plans by Location
11-13	Behavior Matrices
14	Major/Minor Referral Form

This handbook has been developed to align with the PBIS approach to school discipline. PBIS is a research and evidence-based multi-tiered framework used in District 698, across the state, nation and world. The framework guides schools in creating and sustaining positive, effective and culturally inclusive environments that support academic and social-emotional success for all students. The framework allows schools to continually build upon and refine systems and practices to meet the challenging needs of their school community.

#### Key Components of PBIS

- Identify goals and desired academic and social-emotional outcomes
- Establish and develop school-wide systems
- Select and implement evidence-based practices
- Collect and use data to guide decision making

School teams use the multi-tiered framework to design a three-tiered system of equitable support for all students. Emphasis is placed on prevention of problem behavior, development of prosocial skills, and the use of data based problem solving for addressing existing behavior concerns.

Tier 1 focus is on the prevention of problem behavior through these core practices:

1. Teach expected behaviors for school
2. Acknowledge the use of expected behaviors
3. Identify and use effective error correction
4. Collect and use data to make decisions that will improve outcomes for students

Tiers 2 & 3 add intervention and support for students who are not responding to Tier 1 Prevention.

#### Support

##### **Tier 3—Intensive Individualized**

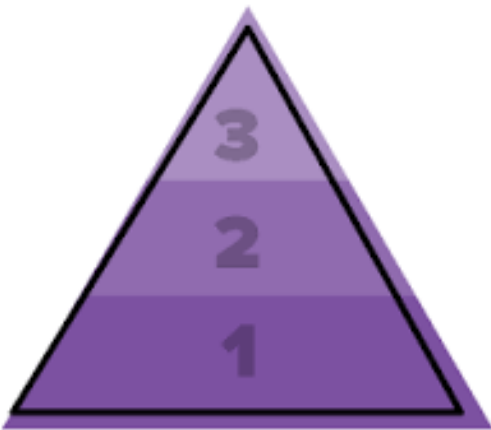
Approximately 0-5% of Students Tier 3 is effective if there is progress (i.e., gap is closing, decrease in frequency, intensity, duration of behaviors that interfere with learning)

##### **Tier 2—Supplemental/Target**

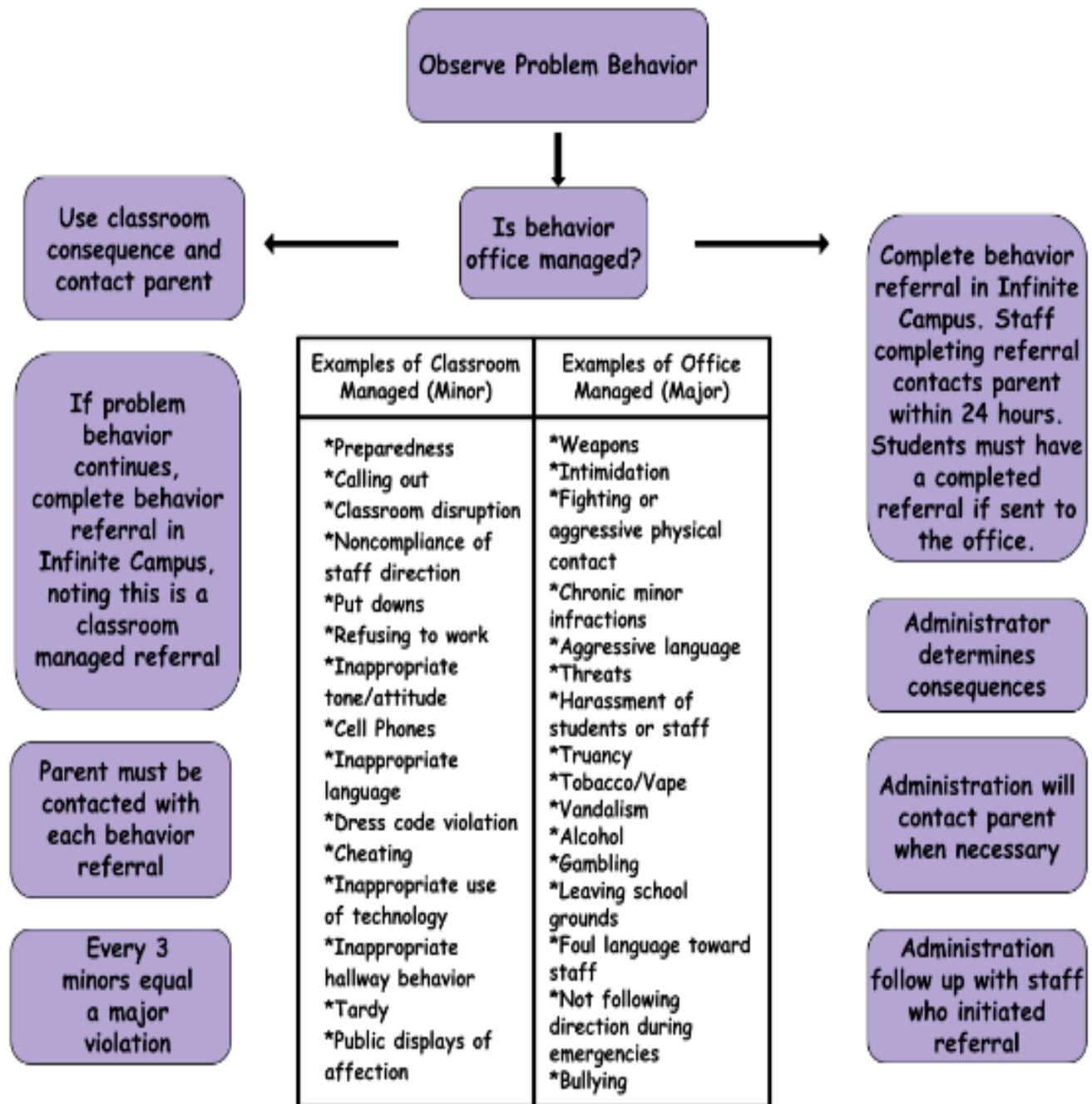
Approximately 15-20% of Students Tier 2 is effective if at least 70-80% of students receiving intervention improve performance (i.e., gap is closing towards benchmark, decrease in frequency of behaviors that interfere with learning)

##### **Tier 1—Core Instruction/Core Prevention**

All Students Tier 1 is effective if 80-85% of students respond to core instruction (i.e., meet benchmark assessments with only access to the core and demonstrate school wide behavioral expectations)



## Floodwood School Student Discipline Process



# Bathroom - Lesson Plan

## Setting: Bathroom

### SW Expectations: Respect

Allow others their privacy; flush toilet; wash your hands

### Optimism

Use appropriate language

### Acceptance

Be kind; Take turns

### Responsibility

Get in and get out; Keep the bathroom clean; Report problems to adults

### Why is this important?

- Take care of our needs
- Get back to learning quickly

### Procedure:

- Generate a discussion about using the bathroom quickly and safely. Ask the following:
  1. What are some ways we can be safe in the bathroom?
  2. How can we use a bathroom quickly?
- Take a walk to the bathroom following these guidelines:
  - Line up at the classroom door when called
  - Walk on the right side of the hallway in a straight line to the bathroom
- Model the procedure for bathroom behavior:
  - After using the bathroom flush the toilet
  - Use the THINK 2 routine:
    - 2 pumps of soap
    - 2 hands to wash
    - 2 minutes or less
  - Dry hands
  - Use an indoor voice
  - Respect the privacy of others
  - Report bathroom problems as soon as they occur

### Example(s)

- Demonstrate how to use the bathroom routine.

### Non-Example(s)

- Demonstrate what happens when we don't follow the routine- i.e. forget to flush, forget to dry our hands, use more than 2 mins, use more than 2 pumps, or forget to wash our hands.

### Student Practice/Role Play

- Role-play the example and non-examples.

### Follow up/ Reinforcement Activities

- Have a person keep track of the amount of time it takes the class to use the bathroom.
- Have a challenge to beat the class time each month with a reward when it is accomplished.
- Re-teach the expectation when infractions of the procedures are being reported.
- Discuss the purpose of using the bathroom quickly and safely.

# Hallway - Lesson Plan

Setting: Hallways	
<p><b>SW Expectations:</b></p> <p><b>Respect</b> Use your quiet voice; Walk at all times; Move quickly to your destination</p> <p><b>Optimism</b> Show a positive attitude</p> <p><b>Acceptance</b> Smile and wave</p> <p><b>Responsibility</b> Keep hallways clean; Stay with your class; Hands at your sides</p>	<p><b>Why is this important?</b></p> <ul style="list-style-type: none"> <li>● Walking quietly is important to avoid noisy disruptions of learning.</li> <li>● Everybody needs personal space.</li> <li>● Walking directly to a destination is important to maintain maximum learning time.</li> <li>● Practicing hallway procedures keeps everybody safe.</li> </ul>
<p><b>Procedure:</b></p> <ul style="list-style-type: none"> <li>● Generate a discussion (or discussions depending on time) by asking the following questions:               <ul style="list-style-type: none"> <li>○ Why is it important to be quiet in the hallways?</li> <li>○ What is personal space?                   <ul style="list-style-type: none"> <li>▪ Explain what personal space is by using volunteers to demonstrate.</li> <li>▪ Why is it important to maintain personal space?</li> </ul> </li> <li>○ Why is it important to walk directly to your destination?</li> <li>○ Why is walking on the right side in line a safe practice?</li> <li>○ What could happen if you walk with your shoes untied?</li> </ul> </li> </ul>	
Examples	Non-Examples
<ul style="list-style-type: none"> <li>● Walk quietly in line and keep to the right with shoes tied</li> <li>● Maintain personal space in line</li> </ul>	<ul style="list-style-type: none"> <li>● Walk noisily out of line with shoes untied and not keeping to the right</li> <li>● Bump into people when walking in line</li> </ul>
<p><b>Student Practice/Role Plays</b></p> <ul style="list-style-type: none"> <li>● Small groups of volunteers role play the examples and non-examples</li> <li>● The rest of the class comments on what was done right and what was wrong</li> </ul>	
<p><b>Follow up/ Reinforcement Activities</b></p> <ul style="list-style-type: none"> <li>● Observe subsequent hallway behaviors and point out the positive examples</li> <li>● Provide positive feedback on hallway procedures on a regular basis</li> <li>● Review the positive behaviors that become forgotten</li> </ul>	

# Cafeteria - Lesson Plan

<b>Setting: Cafeteria</b>	
<p><b>SW Expectations: Respect</b> Use good table manners; say please and thank you; sit quietly until dismissed</p> <p style="text-align: center;"><b>Optimism</b></p> <p>Show a positive attitude</p> <p style="text-align: center;"><b>Acceptance</b></p> <p>Include others; celebrate differences</p> <p style="text-align: center;"><b>Responsibility</b></p> <p>Move quickly through the line; handle food appropriately; pick up after yourself</p>	<p><b>Why is this important?</b></p> <ul style="list-style-type: none"> <li>● There are students learning near the cafeteria Lunch is a time to eat. We need to keep our cafeteria clean.</li> <li>● All students need to feel safe and free of injury</li> </ul>
<p><b>Procedure:</b></p> <ul style="list-style-type: none"> <li>● Generate a discussion about using the cafeteria appropriately and safely. Ask the following:               <ol style="list-style-type: none"> <li>1. What are some ways we can be respectful in the cafeteria?</li> <li>2. What are some ways we can be optimistic in the cafeteria?</li> <li>3. How do we show acceptance in the cafeteria?</li> <li>4. How do we show responsibility in the cafeteria?</li> </ol> </li> <li>● Take a walk to the cafeteria following these guidelines:               <ul style="list-style-type: none"> <li>○ Line up at the classroom door</li> <li>○ Walk on the right side of the hallway in a straight line to the cafeteria</li> <li>○ Remain in a straight line while waiting in line for your food</li> </ul> </li> <li>● Model the procedure for cafeteria behavior:               <ul style="list-style-type: none"> <li>○ Gather food quickly and quietly</li> <li>○ Select a table in a polite manner</li> <li>○ Keep food in own area</li> <li>○ Follow cafeteria rules and procedures</li> <li>○ After eating, raise your hand and wait patiently for permission to empty your tray in the garbage</li> <li>○ Watch for your teacher to let you know it is time to line up</li> <li>○ Walk to line up</li> </ul> </li> </ul>	
Example(s)	Non-Example(s)
<ul style="list-style-type: none"> <li>● Demonstrate how to gather food.</li> <li>● Practice selecting a table.</li> <li>● Review cafeteria rules and procedures.</li> <li>● Model raising your hand to empty tray</li> <li>● Practice watching for the teacher and walking to the line.</li> </ul>	<ul style="list-style-type: none"> <li>● Demonstrate what happens when we don't follow the procedures- i.e. forget to take food items, fight over seats, raise voices, get up out of seats, leave chairs out and run to the line.</li> </ul>
<p><b>Student Practice/Role Play</b></p> <ul style="list-style-type: none"> <li>● Role-play the example and non-examples.</li> <li>● Play I-Spy to find the "one" who is not following procedures; discuss</li> </ul>	

# Gym - Lesson Plan

<b>Setting: Gym</b>	
<p><b>SW Expectation:</b></p> <p><b>Respect</b> Be considerate of coaches, players, officials, and fan; Show good sportsmanship</p> <p><b>Optimism</b> Display a winning attitude; Show school spirit</p> <p><b>Acceptance</b> Include others; Celebrate differences</p> <p><b>Responsibility</b> Participate when appropriate; Pick up after yourself and others; Leave promptly</p>	<p><b>Why is this important?</b></p> <ul style="list-style-type: none"> <li>● Use kind words</li> <li>● Take turns</li> <li>● Share</li> <li>● Respect others' personal space</li> <li>● Follow the rules</li> <li>● Be honest</li> <li>● Respect equipment &amp; property</li> <li>● Give your best effort</li> <li>● Take pride in your school</li> <li>● Be responsible for your personal belongings</li> <li>● Everyone participates</li> </ul>
<p><b>Procedure:</b> Generate a discussion about respecting the other students and adults who are in the gym.</p> <ol style="list-style-type: none"> <li>1. What are some ways that we can show respect in the gym?</li> <li>2. How do we respect the gym itself while we are in it?</li> </ol>	
Example(s)	Non-Example(s)
<ul style="list-style-type: none"> <li>● Getting/putting away equipment properly</li> <li>● Walking on the bleachers</li> <li>● Listening to person in charge</li> <li>● Asking others to join in</li> <li>● Participation</li> <li>● Conversation about play space</li> <li>● Using appropriate language</li> </ul>	<ul style="list-style-type: none"> <li>● Climbing in the basketball cart</li> <li>● Jumping off the bleachers</li> <li>● Hurting each other</li> <li>● Not listening to the person in charge</li> <li>● Defiance</li> <li>● Invading others' play space</li> <li>● Throwing balls at kids</li> <li>● Cussing/Swearing/Bad Language</li> </ul>
<p><b>Student Practice/Role Play</b></p> <ul style="list-style-type: none"> <li>● Role play the examples and the non-examples.</li> </ul>	
<p><b>Follow up/ Reinforcement Activities</b></p> <ul style="list-style-type: none"> <li>● Reinforce/reward positive behavior. Give Paw Pride ticket.</li> <li>● Role play when needed throughout the entire year. Behaviors need to be recognized and re-taught to achieve success.</li> </ul>	

# Bus - Lesson Plan

<b>Setting: Bus</b>	
<p><b>Expectation:</b></p> <p style="text-align: center;"><b>Respect</b></p> <p>Be on time; Use your quiet voice; Keep the bus clean</p> <p style="text-align: center;"><b>Optimism</b></p> <p>Have a positive attitude; Greet others</p> <p style="text-align: center;"><b>Acceptance</b></p> <p>Be kind; Celebrate differences</p> <p style="text-align: center;"><b>Responsibility</b></p> <p>Stay in your seat; Face forward; Keep your hands and feet to self</p>	<p><b>Why is this important?</b></p> <p>To teach students the behaviors to keep them safe while riding to and from school on the bus.</p> <ol style="list-style-type: none"> <li>1. Keep hands and feet to self at all times</li> <li>2. Make good choices when speaking to others.</li> <li>3. Remain seated in assigned seat at all times</li> <li>4. Respect the bus and all property on it,</li> <li>5. Follow the adult's directions.</li> </ol>
<p><b>Procedure:</b></p> <p>Generate a discussion about respecting the other students and adults who ride the bus.</p> <ol style="list-style-type: none"> <li>1. What are some ways that we can show respect on the bus?</li> <li>2. How do we respect the bus itself while we ride it?</li> <li>3. What do inside voices sound like?</li> </ol> <p>Line up for the bus in the designated areas</p> <ol style="list-style-type: none"> <li>1. Use inside voices while waiting.</li> <li>2. Be Punctual</li> <li>3. Keep hands, feet &amp; mouth to self</li> </ol> <p>Model the procedure for entering the bus</p> <ol style="list-style-type: none"> <li>1. Walk to bus</li> <li>2. Do not push while getting on bus</li> <li>3. Go directly to assigned seat/or first available seat quickly</li> </ol> <p>Model procedure of riding the bus</p> <ol style="list-style-type: none"> <li>1. Use inside voices</li> <li>2. Follow adult directives</li> <li>3. Stay seated at all times</li> <li>4. Keep hands and feet to self and out of bus aisle</li> </ol> <p>Model procedure for exiting the bus</p> <ol style="list-style-type: none"> <li>1. Wait until bus stops completely before standing</li> <li>2. Keep hands to self when walking down the aisle</li> <li>3. Look around to make sure traffic has stopped before Crossing in front of a bus.</li> <li>4. Walk – DO NOT RUN!</li> </ol>	
<b>Example(s)</b>	<b>Non-Example(s)</b>
<ul style="list-style-type: none"> <li>● Demonstrate how to wait in designated areas on the bus.</li> <li>● Demonstrate procedures entering and exiting the bus.</li> <li>● Demonstrate good behavior while riding the bus.</li> </ul>	<ul style="list-style-type: none"> <li>● Demonstrate what happens when we don't line up properly and orderly for the bus.</li> <li>● Demonstrate what might happen on the bus if we are not sitting, or not using inside voices.</li> </ul>
<p><b>Student Practice/Role Play</b></p> <ul style="list-style-type: none"> <li>● Role play the examples and the non-examples.</li> </ul>	
<p><b>Follow up/ Reinforcement Activities</b></p> <ul style="list-style-type: none"> <li>● Quickly re-teach students before dismissal about how to respect the bus.</li> <li>● Reinforce/reward positive behavior. Give a Polar Paw ticket.</li> <li>● Role play when needed throughout the entire year. Behaviors need to be recognized and re-taught to achieve success.</li> </ul>	

# Playground - Lesson Plan

<b>Setting: Playground</b>	
<p><b>Expectation:</b></p> <p style="text-align: center;"><b>Respect</b></p> <p>Follow direction; Use equipment appropriately; Take turns</p> <p style="text-align: center;"><b>Optimism</b></p> <p>Use appropriate language; Have a positive attitude</p> <p style="text-align: center;"><b>Acceptance</b></p> <p>Include others; Celebrate differences</p> <p style="text-align: center;"><b>Responsibility</b></p> <p>Dress for the weather; Line up quickly; Pick up litter</p>	<p><b>Why is this important?</b></p> <ol style="list-style-type: none"> <li>1. To teach students the behaviors to keep them safe and have fun while on the playground.</li> <li>2. Having a positive attitude will keep them having fun.</li> <li>3. Involving everyone in play will make everyone feel important.</li> <li>4. Follow the adult's directions.</li> </ol>
<p><b>Procedure:</b></p> <p>Generate a discussion about respecting the other students and adults who are on the playground.</p> <ol style="list-style-type: none"> <li>1. What are some ways that we can show respect on the playground?</li> <li>2. How are some ways we can include others when we play?</li> </ol>	
<b>Example(s)</b>	<b>Non-Example(s)</b>
<ul style="list-style-type: none"> <li>● Getting/putting away equipment properly</li> <li>● Listening to person in charge</li> <li>● Asking others to join in</li> <li>● Participation</li> <li>● Conversation about play space</li> <li>● Using appropriate language</li> </ul>	<ul style="list-style-type: none"> <li>● Climbing up the slide</li> <li>● Jumping off the equipment</li> <li>● Hurting each other</li> <li>● Not listening to the person in charge</li> <li>● Defiance</li> <li>● Invading others' play space</li> <li>● Throwing balls at kids</li> <li>● Cussing/Swearing/Bad Language</li> </ul>
<p><b>Student Practice/Role Play</b></p> <ul style="list-style-type: none"> <li>● Role play the examples and the non-examples.</li> </ul>	
<p><b>Follow up/ Reinforcement Activities</b></p> <ul style="list-style-type: none"> <li>● Reinforce/reward positive behavior. Give a Polar Paw ticket.</li> <li>● Role play when needed throughout the entire year. Behaviors need to be recognized and re-taught to achieve success.</li> </ul>	



# PLAYGROUND



## POLAR BEARS ROAR WITH PRIDE

Respect	Optimism	Acceptance	Responsibility
<ul style="list-style-type: none"> <li>★ Follow directions</li> <li>★ Use equipment appropriately</li> <li>★ Take turns</li> </ul>	<ul style="list-style-type: none"> <li>★ Use appropriate language</li> <li>★ Have a positive attitude</li> </ul>	<ul style="list-style-type: none"> <li>★ Include others</li> <li>★ Celebrate differences</li> </ul>	<ul style="list-style-type: none"> <li>★ Dress for the weather</li> <li>★ Line up quickly</li> <li>★ Pick up litter</li> </ul>



# GYM



## POLAR BEARS ROAR WITH PRIDE

Respect	Optimism	Acceptance	Responsibility
<ul style="list-style-type: none"> <li>★ Be considerate of coaches, players, officials, and fans.</li> <li>★ Show good sportsmanship</li> </ul>	<ul style="list-style-type: none"> <li>★ Display a winning attitude</li> <li>★ Show school spirit</li> </ul>	<ul style="list-style-type: none"> <li>★ Include others</li> <li>★ Celebrate differences</li> </ul>	<ul style="list-style-type: none"> <li>★ Participate when appropriate</li> <li>★ Pick up after yourself and others</li> <li>★ Leave promptly after event</li> </ul>



# CAFETERIA



## POLAR BEARS ROAR WITH PRIDE

Respect	Optimism	Acceptance	Responsibility
<ul style="list-style-type: none"> <li>★ Use your best table manners</li> <li>★ Say please and thank you</li> <li>★ Sit quietly until dismissed</li> </ul>	<ul style="list-style-type: none"> <li>★ Show a positive attitude</li> </ul>	<ul style="list-style-type: none"> <li>★ Include others</li> <li>★ Celebrate differences</li> </ul>	<ul style="list-style-type: none"> <li>★ Move quickly through the line</li> <li>★ Handle food appropriately</li> <li>★ Pick up after yourself</li> </ul>



# HALLWAY



## POLAR BEARS ROAR WITH PRIDE

Respect	Optimism	Acceptance	Responsibility
<ul style="list-style-type: none"> <li>★ Use your quiet voice</li> <li>★ Walk at all times</li> <li>★ Move quickly to your destination</li> </ul>	<ul style="list-style-type: none"> <li>★ Use positive words</li> <li>★ Greet others in the hallway</li> </ul>	<ul style="list-style-type: none"> <li>★ Smile and wave</li> </ul>	<ul style="list-style-type: none"> <li>★ Keep hallways clean</li> <li>★ Stay with your class</li> <li>★ Hands at your sides</li> </ul>



# BATHROOM



## POLAR BEARS ROAR WITH PRIDE

<b>Respect</b>	<b>Optimism</b>	<b>Acceptance</b>	<b>Responsibility</b>
<ul style="list-style-type: none"> <li>★ Allow others their privacy</li> <li>★ Flush toilet</li> <li>★ Wash your hands</li> </ul>	<ul style="list-style-type: none"> <li>★ Use appropriate language</li> </ul>	<ul style="list-style-type: none"> <li>★ Be kind</li> <li>★ Take turns</li> </ul>	<ul style="list-style-type: none"> <li>★ Get in and get out</li> <li>★ Keep the bathroom clean</li> <li>★ Report problems to adults</li> </ul>



# CLASSROOM



## POLAR BEARS ROAR WITH PRIDE

<b>Respect</b>	<b>Optimism</b>	<b>Acceptance</b>	<b>Responsibility</b>
<ul style="list-style-type: none"> <li>★ Follow teacher directions</li> <li>★ Stay on task</li> <li>★ Use your quiet voice</li> </ul>	<ul style="list-style-type: none"> <li>★ Show a positive attitude</li> <li>★ Use your best effort</li> <li>★ Have a growth mindset</li> </ul>	<ul style="list-style-type: none"> <li>★ Include others</li> <li>★ Celebrate differences</li> </ul>	<ul style="list-style-type: none"> <li>★ Be on time</li> <li>★ Actively participate</li> <li>★ Pick up after yourself</li> </ul>

**102 EQUAL EDUCATIONAL OPPORTUNITY**

**I. PURPOSE**

The purpose of this policy is to ensure that equal educational opportunity is provided for all students of the school district.

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the Floodwood school district is to provide equal educational opportunity for all students. The school district does not discriminate on the basis of one or more of the following: race, color, creed, religion, national origin, sex, gender, marital status, parental status, status with regard to public assistance, disability, sexual orientation or age. The school district also makes reasonable accommodations for students with disabilities.
- B. The school district prohibits the harassment and discrimination of any individual based on any of the protected classifications listed above. For information about the types of conduct that constitute violation of the school district's policy on harassment and violence and the school district's procedures for addressing such complaints, refer to the school district's policy on harassment and violence (Policy 413).
- C. The school district prohibits discrimination of students with a disability, within the intent of Section 504 of the Rehabilitation Act of 1973 ("Section 504"), who need services, accommodations, or programs in order to receive a free appropriate public education. For information as to protections that may apply pursuant to Section 504 and the school district's corresponding procedures for addressing disability discrimination complaints, refer to the school district's policy on student disability nondiscrimination (Policy 521).
- D. The school district prohibits sexual harassment discrimination of any individual on the basis of sex in its education programs or activities. For information as to the protections that apply pursuant to Title IX and school district's corresponding procedures and processes for addressing sexual harassment and discrimination, refer to the school district's policy on Title IX sex nondiscrimination (Policy 522).
- E. The school district shall provide equal opportunity for members of each sex and to members of all races and ethnicities to participate in its athletic program. In determining whether equal opportunity to participate in athletic programs is available for the purposes of this law, at least the following factors shall be considered to the extent that they are applicable to a given situation: whether the opportunity for males and females to participate in the athletic program reflects the demonstrated interest in athletics of the males and females in the student body of the educational institution; whether the opportunity for members of all races and ethnicities to participate in the athletic program reflects the demonstrated interest in athletics of members of all races and ethnicities in the student body of the educational institution; whether the variety and selection of sports and levels of competition effectively accommodate the demonstrated interests of members of each sex; whether the variety and selection of sports and levels of competition effectively accommodate the demonstrated interests of members of all races and ethnicities; the provision of equipment and supplies; scheduling of games and practice times; assignment of coaches; provision of locker rooms; practice and competitive facilities; and the provision of necessary funds for teams of one sex.
- F. This policy applies to all areas of education including academics, coursework, co-curricular and extracurricular activities, or other rights or privileges of enrollment.
- G.. Every school district employee shall be responsible for complying with this policy.
- H. Any student, parent or guardian having any questions regarding this policy should discuss it with the appropriate school district official as provided by policy. In the absence of a specific designee, an inquiry or a complaint should be referred to the superintendent.

Legal References: Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)  
Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)  
42 U.S.C. § 2000d et seq. (Title VI of the Civil Rights Act of 1964)  
42 U.S.C. § 12101 et seq. (Americans with Disabilities Act)  
20 U.S.C. § 1681 et seq. (Title IX of the Education Amendments of 1972)

Cross References:  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)

**EQUAL EMPLOYMENT OPPORTUNITY**

**I. PURPOSE**

The purpose of this policy is to provide equal employment opportunity for all applicants for school district employment and for all school district employees.

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to provide equal employment opportunity for all applicants and employees. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, gender, marital status, status with regard to public assistance, disability, sexual orientation, age, family care leave status or veteran status. The school district also makes reasonable accommodations for disabled employees.
- B. The school district prohibits the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute impermissible harassment and the school district's internal procedures for addressing complaints of harassment, please refer to the school district's policy on harassment and violence.
- C. This policy applies to all areas of employment including hiring, discharge, promotion, compensation, facilities or privileges of employment.
- D. Every school district employee shall be responsible for following this policy.
- E. Any person having questions regarding this policy should discuss it with the superintendent.

**Legal References:** Minn. Stat. Ch. 363 (Minnesota Human Rights Act)  
29 U.S.C. § 621 et. seq. (Age Discrimination in Employment Act)  
29 U.S.C. § 2615 (Family and Medical Leave Act)  
38 U.S.C. § 4211 et. seq. (Employment and Training of Veterans)  
38 U.S.C. § 4301 et. seq. (Employment and Reemployment Rights of Members of the Uniformed Service)  
42 U.S.C. § 2000e et. seq. (Equal Employment Opportunities; Title VII of the Civil Rights Act)  
42 U.S.C. § 12101 et. seq. (Equal Opportunity for Individuals with Disabilities)

**Cross References:** MSBA Model Policy 402 (Disability Nondiscrimination)  
MSBA Model Policy 405 (Veteran's Preference)  
MSBA Model Policy 413 (Harassment and Violence)

#### **410 FAMILY AND MEDICAL LEAVE POLICY**

##### **I. PURPOSE**

The purpose of this policy is to provide for family and medical leave to school district employees in accordance with the Family and Medical Leave Act of 1993 (FMLA) and also with parenting leave under state law.

##### **II. GENERAL STATEMENT OF POLICY**

The following procedures and policies regarding family and medical leave are adopted by the Floodwood School district, pursuant to the requirements of the FMLA and consistent with the requirements of the Minnesota parenting leave laws.

##### **III. DEFINITIONS**

A. "Covered active duty" means:

1. in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
2. in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in 10 United States Code section 101(a)(13)(B).

B. "Covered servicemember" means:

1. a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
2. a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, and was discharged or released under conditions other than dishonorable, at any time during the period of five years preceding the first date the eligible employee takes FMLA leave to care for the covered veteran.

C. "Eligible employee" means an employee who has been employed by the school district for a total of at least 12 months and who has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave. An employee returning from fulfilling his or her Uniformed Services Employment and Reemployment Rights Act (USERRA)-covered service obligation shall be credited with the hours of service that would have been performed but for the period of absence from work due to or necessitated by USERRA-covered service. In determining whether the employee met the hours of service requirement, and to determine the hours that would have been worked during the period of absence from work due to or necessitated by USERRA-covered service, the employee's pre-service work schedule can generally be used for calculations. While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven years or more may not be counted unless: (1) the break is occasioned by the employee's fulfillment of his or her USERRA-covered service obligation; or (2) a written agreement, including a collective bargaining agreement, exists concerning the school district's intention to rehire the employee after the break in service.

D. "Military caregiver leave" means leave taken to care for a covered servicemember with a serious injury or illness.

E. "Next of kin of a covered servicemember" means the nearest blood relative other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin, and the employee may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin.

F. "Outpatient status" means, with respect to a covered servicemember who is a current member of the Armed Forces, the status of a member of the Armed Forces assigned to:

1. a military medical treatment facility as an outpatient; or
2. a unit established for the purpose of providing command and control of members of the Armed Forces receiving care as outpatients.

G. "Qualifying exigency" means a situation where the eligible employee seeks leave for one or more of the following reasons:

1. to address any issues that arise from a short-notice deployment (seven calendar days or less) of a covered military member;

2. to attend military events and related activities of a covered military member;
3. to address issues related to childcare and school activities of a covered military member's child;
4. to address financial and legal arrangements for a covered military member;
5. to attend counseling provided by someone other than a health care provider for oneself, a covered military member, or his/her child;
6. to spend up to 15 calendar days with a covered military member who is on short-term, temporary rest and recuperation leave during a period of deployment;
7. to attend post-deployment activities related to a covered military member;
8. to address care needs of a covered military member's parent who is incapable of
9. to address other events related to a covered military member that both the employee and school district agree is a qualifying exigency.

self-care; and

H. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:

1. inpatient care in a hospital, hospice, or residential medical care facility; or
2. continuing treatment by a health care provider.

I. "Spouse" means a husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one state. This definition includes an individual in a same-sex or common law marriage that either: (1) was entered into in a state that recognizes such marriages; or (2) if entered into outside of any state, is valid in the place where entered into and could have been entered into in at least one state.

J. "Veteran" has the meaning given in 38 United States Code section 101.

#### IV. LEAVE ENTITLEMENT

##### A. Twelve-week Leave under Federal Law

1. Eligible employees are entitled to a total of 12 work weeks of unpaid family or medical leave during the applicable 12-month period as defined below, plus any additional leave as required by law. Leave may be taken for one or more of the following reasons in accordance with applicable law:
  - a. birth of the employee's child and to care for such child;
  - b. placement of an adopted or foster child with the employee;
  - c. to care for the employee's spouse, son, daughter, or parent with a serious health condition;
  - d. the employee's serious health condition makes the employee unable to perform the functions of the employee's job; and/or
  - e. any qualifying exigency arising from the employee's spouse, son, daughter, or parent being on covered active duty, or notified of an impending call or order to covered active duty in the Armed Forces.
2. For the purposes of this policy, "year" is defined as a rolling 12-month period measured backward from the date an employee's leave is to commence.
3. An employee's entitlement to FMLA leave for the birth, adoption, or foster care of a child expires at the end of the 12-month period beginning on the date of the birth or placement.
4. A "serious health condition" typically requires either inpatient care or continuing treatment by or under the supervision of a health care provider, as defined by applicable law. Family and medical leave generally is not intended to cover short-term conditions for which treatment and recovery are very brief.
5. A "serious injury or illness," in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means:
  - a. injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
  - b. in the case of a covered veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time, during the period of five years preceding the date on which the veteran undergoes the medical treatment, recuperation, or therapy, means a qualifying injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty in the Armed Forces and that manifested itself before or after the member became a veteran, and is:

- (i) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or
  - (ii) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability (VASRD) rating of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
  - (iii) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
  - (iv) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.
6. Eligible spouses employed by the school district are limited to an aggregate of 12 weeks of leave during any 12-month period for the birth and care of a newborn child or adoption of a child, the placement of a child for foster care, or to care for a parent. This limitation for spouses employed by the school district does not apply to leave taken: by one spouse to care for the other spouse who is seriously ill; to care for a child with a serious health condition; because of the employee's own serious health condition; or pursuant to Paragraph IV.A.1.e. above.
  7. Depending on the type of leave, intermittent or reduced schedule leave may be granted in the discretion of the school district or when medically necessary. However, part-time employees are only eligible for a pro-rata portion of leave to be used on an intermittent or reduced schedule basis, based on their average hours worked per week. Where an intermittent or reduced schedule leave is foreseeable based on planned medical treatment, the school district may transfer the employee temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position, and which has equivalent pay and benefits.
  8. If an employee requests a leave for the serious health condition of the employee or the employee's spouse, child, or parent, the employee will be required to submit sufficient medical certification. In such a case, the employee must submit the medical certification within 15 days from the date of the request or as soon as practicable under the circumstances.
  9. If the school district has reason to doubt the validity of a health care provider's certification, it may require a second opinion at the school district's expense. If the opinions of the first and second health care providers differ, the school district may require certification from a third health care provider at the school district's expense. An employee may also be required to present a certification from a health care provider indicating that the employee is able to return to work.
  10. Requests for leave shall be made to the school district. When leave relates to an employee's spouse, son, daughter, parent, or covered servicemember being on covered active duty, or notified of an impending call or order to covered active duty pursuant to Paragraph IV.A.1.e. above, and such leave is foreseeable, the employee shall provide reasonable and practical notice to the school district of the need for leave. For all other leaves, employees must give 30 days' written notice of a leave of absence where practicable. The failure to provide the required notice may result in a delay of the requested leave. Employees are expected to make a reasonable effort to schedule leaves resulting from planned medical treatment so as not to disrupt unduly the operations of the school district, subject to and in coordination with the health care provider.
  11. The school district may require that a request for leave under Paragraph IV.A.1.e. above be supported by a copy of the covered military member's active duty orders or other documentation issued by the military indicating active duty or a call to active duty status and the dates of active duty service. In addition, the school district may require the employee to provide sufficient certification supporting the qualifying exigency for which leave is requested.
  12. During the period of a leave permitted under this policy, the school district will provide health insurance under its group health plan under the same conditions coverage would have been provided had the employee not taken the leave. The employee will be responsible for payment of the employee contribution to continue group health insurance coverage during the leave. An employee's failure to make necessary and timely contributions may result in termination of coverage. An employee who does not return to work after the leave may be required, in some situations, to reimburse the school district for the cost of the health plan premiums paid by it.
  13. The school district may request or require the employee to substitute accrued paid leave for any part of the 12-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave. The superintendent shall be responsible to develop directives and guidelines as necessary to implement this policy. Such directives and guidelines shall be submitted to the school board for annual review.  
  
The school district shall comply with written notice requirements as set forth in federal regulations.
  14. Employees returning from a leave permitted under this policy are eligible for reinstatement in the same or an equivalent position as provided by law. However, the employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave.

B. Twelve-week Leave under State Law

An employee who does not qualify for parenting leave under Paragraphs IV.A.1.a. or IV.A.1.b. above may qualify for a 12-week unpaid leave which is available to a biological or adoptive parent in conjunction with the birth or adoption of a child, or to a female employee for prenatal care or incapacity due to pregnancy, childbirth, or related health conditions. The length of the leave shall be determined by the employee but must not exceed 12 weeks unless agreed to by the school district. This leave is separate and exclusive of the family and medical leave described in the preceding paragraphs but may be reduced by any period of paid parental, disability, personal, or medical, or sick leave, or accrued vacation provided by the school district so that the total leave does not exceed 12 weeks, unless agreed to by the school district, or leave taken for the same purpose under the FMLA. The leave taken under this section shall begin at a time requested by the employee. An employee who plans to take leave under this section must give the school district reasonable notice of the date the leave shall commence and the estimated duration of the leave. For leave taken by a biological or adoptive parent in conjunction with the birth or adoption of a child, the leave must begin within 12 months of the birth or adoption; except that, in the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital.

C. Twenty-six-week Servicemember Family Military Leave

1. An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember shall be entitled to a total of 26 work weeks of leave during a 12-month period to care for the servicemember. The leave described in this paragraph shall be available only during a single 12-month period. For purposes of this leave, the need to care for a servicemember includes both physical and psychological care.
2. During a single 12-month period, an employee shall be entitled to a combined total of 26 work weeks of leave under Paragraphs IV.A. and IV.C. above.
3. The 12-month period referred to in this section begins on the first day the eligible employee takes leave to care for a covered servicemember and ends 12 months after that date.
4. Eligible spouses employed by the school district are limited to an aggregate of 26 weeks of leave during any 12-month period if leave is taken for birth of the employee's child or to care for the child after birth; for placement of a child with the employee for adoption or foster care or to care for the child after placement; to care for the employee's parent with a serious health condition; or to care for a covered servicemember with a serious injury or illness.
5. The school district may request or require the employee to substitute accrued paid leave for any part of the 26-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave.
6. An employee will be required to submit sufficient medical certification issued by the health care provider of the covered servicemember and other information in support of requested leave and eligibility for such leave under this section within 15 days from the date of the request or as soon as practicable under the circumstances.
7. The provisions of Paragraphs IV.A.7., IV.A.10., IV.A.12., IV.A.13., and IV.A.14. above shall apply to leaves under this section.

V. **SPECIAL RULES FOR INSTRUCTIONAL EMPLOYEES**

- A. An instructional employee is one whose principal function is to teach and instruct students in a class, a small group, or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors, and special education assistants.
- B. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule leave greater than 20 percent of the work days in the leave period may be required to:
  1. take leave for the entire period or periods of the planned medical treatment; or
  2. move to an available alternative position for which the employee is qualified, and which provides equivalent pay and benefits, but not necessarily equivalent duties.
- C. Instructional employees who request continuous leave near the end of a semester may be required to extend the leave through the end of the semester. The number of weeks remaining before the end of a semester does not include scheduled school breaks, such as summer, winter, or spring break.
  1. If an instructional employee begins leave for any purpose more than five weeks before the end of a semester and it is likely the leave will last at least three weeks, the school district may require that the leave be continued until the end of the semester.
  2. If the instructional employee begins leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last more than two weeks or if the employee's return from leave would occur during the last two weeks of the semester.
  3. If the instructional employee begins leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, school district may require the employee to continue taking leave until the end of the semester.
  4. If the school district requires an instructional employee to extend leave through the end of a semester as set forth in this paragraph, only the period of leave until the employee is ready and able to return to work shall be charged against the employee's FMLA leave entitlement. Any additional leave required by the school district to the end of the school term is not counted as FMLA leave but as an unpaid or paid leave, to the extent the instructional employee has accrued paid leave available and the school district shall maintain the employee's group

health insurance and restore the employee to the same or equivalent job, including other benefits, at the conclusion of the leave.

**VI. OTHER**

- A. The provisions of this policy are intended to comply with applicable law, including the FMLA and applicable regulations. Any terms used from the FMLA will have the same meaning as defined by the FMLA and/or applicable regulations. To the extent that this policy is ambiguous or contradicts applicable law, the language of the applicable law will prevail.
- B. The requirements stated in the collective bargaining agreement between employees in a certified collective bargaining unit and the school district regarding family and medical leaves (if any) shall be followed.

**VII. DISSEMINATION OF POLICY**

- A. A poster prepared by the U.S. Department of Labor summarizing the major provisions of the Family and Medical Leave Act and informing employees how to file a complaint - shall be conspicuously posted in each school district building in areas accessible to employees and applicants for employment.

**Legal References:** Minn. Stat. §§ 181.940-181.944 (Parenting Leave and Accommodations)  
10 U.S.C. § 101 *et seq.* (Armed Forces General Military Law)  
29 U.S.C. § 2601 *et seq.* (Family and Medical Leave Act)  
38 U.S.C. § 101 (Definitions)  
29 C.F.R. Part 825 (Family and Medical Leave Act)

**Cross References:** None

**413 HARASSMENT AND VIOLENCE**

**I. PURPOSE**

The purpose of this policy is to maintain a learning and working environment that is 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, including gender identity or expression, or disability.

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the **Floodwood** school district is to maintain a learning and working environment that is 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, including gender identity or expression, or disability. The school district prohibits any form of harassment or 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, including gender identity or expression, or disability.
- 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 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, 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 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.
- 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 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, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who is 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.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications: Definitions
  - 1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
    - a. has a physical, sensory, or mental impairment which materially limits one or more major life activities;
    - b. has a record of such an impairment;
    - c. is regarded as having such an impairment;
    - d. has an impairment that is episodic or in remission and would materially limit a major life activity when active.

2. "Familial status" means the condition of one or more minors 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 on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
  3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment 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.
  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 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:
  - 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 or unreasonably 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 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 Minn. Stat. § 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, whether that person is of the same sex or the opposite sex;
  - 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, 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.

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

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

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

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

## **V. INVESTIGATION**

- A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

## **VI. SCHOOL DISTRICT ACTION**

- A. Upon completion of an investigation that determines a violation of this policy has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.
- B. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

## **VII. RETALIATION OR REPRISAL**

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

## **VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights, 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 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.

**X. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.
- B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- C. This policy shall appear in the student handbook.
- D. The school district will develop a method of discussing this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, 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. § 626.556 *et seq.* (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 (Rehabilitation Act of 1973, § 504)  
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)  
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)  
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)  
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

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

**414 MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE**

**I. PURPOSE**

The purpose of this policy is to make clear the statutory requirements of school personnel to report suspected child neglect or physical or sexual abuse.

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the Floodwood school district is to fully comply with Minn. Stat. Ch. 260E requiring school personnel to report suspected child neglect or physical or sexual abuse.
- B. A violation of this policy occurs when any school personnel fails to immediately report instances of child neglect or physical or sexual abuse when the school personnel knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years.

**III. DEFINITIONS**

- A. “Accidental” means a sudden, not reasonably foreseeable, and unexpected occurrence or event which:
  - 1. is not likely to occur and could not have been prevented by exercise of due care; and
  - 2. if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence of the event.
- B. “Child” means one under age 18 and, for purposes of Minn. Stat. Ch. 260C ( Juvenile Safety and Placement) and Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18).
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- D. “Mandated reporter” means any school personnel who knows or has reason to believe a child is being maltreated or has been maltreated within the preceding three years.
- E. “Mental injury” means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child’s ability to function within a normal range of performance and behavior with due regard to the child’s culture.
- F. “Neglect” means the commission or omission of any of the acts specified below, other than by accidental means:
  - 1. failure by a person responsible for a child’s care to supply a child with necessary food, clothing, shelter, health care, medical care, or other care required for the child’s physical or mental health when reasonably able to do so,
  - 2. failure to protect a child from conditions or actions that seriously endanger the child’s physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;
  - 3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors such as the child’s age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for his or her own basic needs or safety or the basic needs or safety of another child in his or her care;
  - 4. failure to ensure that a child is educated in accordance with state law, which does not include a parent’s refusal to provide his or her child with sympathomimetic medications;
  - 5. prenatal exposure to a controlled substance used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child’s birth, or medical effects or developmental delays during the child’s first year of life that medically indicate prenatal exposure to a controlled substance or the presence of a fetal alcohol spectrum disorder;
  - 6. medical neglect as defined by Minn. Stat. § 260C.007, Subd. 6, Clause (5);
  - 7. chronic and severe use of alcohol or a controlled substance by a parent or person responsible for the care of the child that adversely affects the child’s basic needs and safety; or
  - 8. emotional harm from a pattern of behavior which contributes to impaired emotional functioning of the child which may be demonstrated by a substantial and observable effect in the child’s behavior, emotional response, or cognition that is not within the normal range for the child’s age and stage of development, with due regard to the child’s culture.

Neglect does not occur solely because the child's parent, guardian, or other person responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease; Or remedial care of the child in lieu of medical care.

G. "Non Maltreatment mistake" occurs when: (1) at the time of the incident, the individual was performing duties identified in the center's child care program plan required under Minn. Rules Part 9503.0045; (2) the individual has not been determined responsible for a similar incident that resulted in a finding of maltreatment for at least seven years; (3) the individual has not been determined to have committed a similar non maltreatment mistake under this paragraph for at least four years; (4) any injury to a child resulting from the incident, if treated, is treated only with remedies that are available over the counter, whether ordered by a medical professional or not; and (5) except for the period when the incident occurred, the facility and the individual providing services were both in compliance with all licensing requirements relevant to the incident. This definition only applies to child care centers licensed under Minn. Rules Ch. 9503.

H. "Person responsible for the child's care" means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employee or agent, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.

I. "Physical abuse" means any physical injury, mental injury (under subdivision 13), or threatened injury (under subdivision 23), inflicted by a person responsible for the child's care other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child's history of injuries or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minn. Stat. § 125A.0942 or § 245.825.

Abuse does not include reasonable and moderate physical discipline of a child administered by a parent or legal guardian which does not result in an injury. Abuse does not include the use of reasonable force by a teacher, principal, or school employee as allowed by Minn. Stat. § 121A.582.

Actions that are not reasonable and moderate include, but are not limited to, any of the following: (1) throwing, kicking, burning, biting, or cutting a child; (2) striking a child with a closed fist; (3) shaking a child under age three; (4) striking or other actions that result in any nonaccidental injury to a child under 18 months of age; (5) unreasonable interference with a child's breathing; (6) threatening a child with a weapon, as defined in Minn. Stat. § 609.02, Subd. 6; (7) striking a child under age one on the face or head; (8) striking a child who is at least age one but under age four on the face or head, which results in an injury; (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances that were not prescribed for the child by a practitioner, in order to control or punish the child, or other substances that substantially affect the child's behavior, motor coordination, or judgment or that result in sickness or internal injury, or that subject the child to medical procedures that would be unnecessary if the child were not exposed to the substances; (10) unreasonable physical confinement or restraint not permitted under Minn. Stat. § 609.379 including, but not limited to, tying, caging, or chaining; or (11) in a school facility or school zone, an act by a person responsible for the child's care that is a violation under Minn. Stat. § 121A.58.

J. "Report" means any communication received by the local welfare agency, police department, county sheriff, or agency responsible for child protection pursuant to this section that describes maltreatment of a child and contains sufficient content to identify the child and any person believed to be responsible for the maltreatment, if known.

K. "School personnel" means professional employee or professional's delegate of the school district who provides health, educational, social, psychological, law enforcement, or child care services.

L. "Sexual abuse" means the subjection of a child by a person responsible for the child's care, by a person who has a significant relationship to the child (as defined in Minn. Stat. § 609.341, Subd. 15), or by a person in a current or recent position of authority (as defined in Minn. Stat. § 609.341, Subd. 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration, sexual contact, solicitation of children to engage in sexual conduct, and communication of sexually explicit materials to children. Sexual abuse also includes any act involving a minor which constitutes a violation of Minnesota statutes prohibiting prostitution or use of a minor in a sexual performance. Sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation which requires registration under Minn. Stat. § 243.166, Subd. 1b(a) or (b) (Registration of Predatory Offenders).

M. "Threatened injury" means a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person responsible for the child's care who has (1) subjected the child to, or failed to protect a child from, an overt act or condition that constitutes egregious harm (2) been found palpably unfit; (3) committed an act that resulted in an involuntary termination of parental rights; (4) , or committed an act that resulted in the involuntary transfer of permanent legal and physical custody of a child to a relative.

#### IV. REPORTING PROCEDURES

A. A mandated reporter shall immediately report the information to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services agency, or tribal police department. The reporter will include his or her name and address in the report.

B. An oral report shall be made immediately by telephone or otherwise, the oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) to the appropriate police department, the county sheriff, local welfare agency, or agency responsible for assessing or investigating the report. Any report shall be of sufficient content to identify the child, any person believed to be responsible for the maltreatment of the child if the person is known, the nature and extent of the maltreatment, and the name and address of the reporter.

C. Regardless of whether a report is made, as soon as practicable after a school receives information regarding an incident that may constitute

maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.

- D. A mandated reporter who knows or has reason to know of the deprivation of custodial or parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.
- E. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated reporter shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.
- F. A person mandated by Minnesota law and this policy to report who fails to report may be subject to criminal penalties and/or discipline, up to and including termination of employment.
- G. An employer of a mandated reporter shall not retaliate against the person for reporting in good faith maltreatment against a child with respect to whom a report is made, because of the report.
- H. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, plus costs and reasonable attorney fees. Knowingly or recklessly making a false report also may result in discipline.

## **V. INVESTIGATION**

- A. The responsibility for investigating reports of suspected neglect or physical or sexual abuse rests with the appropriate county, state, or local agency or agencies. The agency responsible for assessing or investigating reports of maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged offender, and any other person with knowledge of the maltreatment for the purpose of gathering the facts, assessing safety and risk to the child, and formulating a plan. The investigating agency may interview the child at school. The interview may take place outside the presence of the alleged offender or parent, legal guardian, or a school official. The investigating agency, not the school, is responsible for either notifying or withholding notification of the interview to the parent, guardian or person responsible for the child's care. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded.
- B. When the investigating agency determines that an interview should take place on school property, written notification of intent to interview the child on school property will be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property.
- C. Except where the alleged offender is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school employees when an interview is conducted on school premises.
- D. Where the alleged offender is believed to be a school official or employee, the school district shall conduct its own investigation independent of MDE and, if involved, the local welfare or law enforcement agency.
- E. Upon request by MDE, the school district shall provide all requested data that are relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The school district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

## **VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE**

- A. When a local welfare or local law enforcement agency determines that a potentially abused or abused child should be interviewed on school property, written notification of the agency's intent to interview on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct the interview. The notification shall be private data. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notice or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation has been concluded.
- B. All records regarding a report of maltreatment, including any notification of intent to interview which was received by the school as described above in Paragraph A., shall be destroyed by the school only when ordered by the agency conducting the investigation or by a court of competent jurisdiction.

## **VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE**

Under certain circumstances, alleged physical or sexual abuse may also be sexual harassment or violence under Minnesota law. If so, the duties relating to the reporting and investigation of such harassment or violence may be applicable.

## **VIII. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall appear in school personnel handbooks.

- B. The school district will develop a method of discussing this policy with school personnel.
- C. This policy shall be reviewed at least annually for compliance with state law.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 121A.58 (Corporal Punishment)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)  
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)  
Minn. Stat. § 243.166, Subd. 1b(a)(b) (Registration of Predatory Offenders)  
Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)  
Minn. Stat. § 260C.007, Subd. 6, Clause (5) (Child in Need of Protection)  
Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18)  
Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment)  
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)  
Minn. Stat. § 609.02, Subd. 6 (Definitions – Dangerous Weapon)  
Minn. Stat. § 609.341, Subd. 10 (Definitions – Position of Authority)  
Minn. Stat. § 609.341, Subd. 15 (Definitions – Significant Relationship)  
Minn. Stat. § 609.379 (Reasonable Force)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

**Cross References:** MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)

**415 MANDATED REPORTING OF MALTREATMENT OF VULNERABLE ADULTS**

**I. PURPOSE**

The purpose of this policy is to make clear the statutory requirements of school personnel to report suspected maltreatment of vulnerable adults.

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the Floodwood School district is to comply fully with Minnesota Statutes section 626.557 requiring school personnel to report suspected maltreatment of vulnerable adults.
- B. It shall be a violation of this policy for any school personnel to fail to report suspected maltreatment of vulnerable adults when the school personnel has reason to believe that a vulnerable adult is being or has been maltreated, or has knowledge that a vulnerable adult has sustained a physical injury which is not reasonably explained.

**III. DEFINITIONS**

- A. "Abuse" means:

1. An act against a vulnerable adult that constitutes a violation of, an attempt to violate, or aiding and abetting a violation of: (1) assault in the first through fifth degrees as defined in Minnesota Statutes sections 609.221 to 609.224; (2) the use of drugs to injure or facilitate crime as defined in Minnesota Statutes section 609.235; (3) the solicitation, inducement, and promotion of prostitution as defined in Minnesota Statutes section 609.322; and (4) criminal sexual conduct in the first through fifth degrees as defined in Minnesota Statutes sections 609.342 to 609.3451. A violation includes any action that meets the elements of the crime, regardless of whether there is a criminal proceeding or conviction.

2. Conduct which is not an accident or therapeutic conduct as defined in Minnesota Statutes section 626.5572 which produces or could reasonably be expected to produce physical pain or injury or emotional distress including, but not limited to, the following: (1) hitting, slapping, kicking, pinching, biting, or corporal punishment of a vulnerable adult; (2) use of repeated or malicious oral, written, or gestured language toward a vulnerable adult or the treatment of a vulnerable adult which would be considered by a reasonable person to be disparaging, derogatory, humiliating, harassing, or threatening; (3) use of any aversive or deprivation procedure, unreasonable confinement, or involuntary seclusion, including the forced separation of the vulnerable adult from other persons against the will of the vulnerable adult or the legal representative of the vulnerable adult; and (4) use of any aversive or deprivation procedures for persons with developmental disabilities or related conditions not authorized under Minnesota Statutes section 245.825.

3. Any sexual contact or penetration as defined in Minn. Stat. § 609.341 between a facility staff person or a person providing services in the facility and a resident, patient, or client of that facility.

4. The act of forcing, compelling, coercing, or enticing a vulnerable adult against the vulnerable adult's will to perform services for the advantage of another.

Abuse does not include actions specifically excluded by Minnesota Statutes section 626.5572, Subd. 2.

- B. "Caregiver" means an individual or facility who has responsibility for the care of a vulnerable adult as a result of a family relationship, or who has assumed responsibility for all or a portion of the care of a vulnerable adult voluntarily, by contract, or by agreement.
- C. "Common entry point" means the entity responsible for receiving reports of alleged or suspected maltreatment of a vulnerable adult and designated by the Commissioner of the Minnesota Department of Human Services as the MN Adult Abuse Reporting Center (MAARC).
- D. "Financial Exploitation" means a breach of a fiduciary duty by an actor's unauthorized expenditure of funds entrusted to the actor for the benefit of the vulnerable adult or by an actor's failure to provide food, clothing, shelter, health care, therapeutic conduct or supervision, the failure of which results or is likely to result in detriment to the vulnerable adult. Financial exploitation also includes: the willful use, withholding or disposal of funds or property of a vulnerable adult; the obtaining of services for wrongful profit or advantage which results in detriment to the vulnerable adult; the acquisition of a vulnerable adult's funds or property through undue influence, harassment, duress, deception or fraud; and the use of force, coercion, or enticement to cause a vulnerable adult to perform services against the vulnerable adult's will for the profit or advantage of another.
- E. "Immediately" means as soon as possible, but no longer than 24 hours from the time initial knowledge that the incident occurred has been received.
- F. "Mandated reporters" means a professional or professional's delegate while engaged in education.

- G. “Maltreatment” means the neglect, abuse, or financial exploitation of a vulnerable adult.
- H. “Neglect” means the failure or omission by a caregiver to supply a vulnerable adult with care or services, including but not limited to, food, clothing, shelter, health care, or supervision which is: (1) reasonable and necessary to obtain or maintain the vulnerable adult’s physical or mental health or safety, considering the physical and mental capacity or dysfunction of the vulnerable adult; and (2) which is not the result of an accident or therapeutic conduct.
- I. Neglect also means the absence or likelihood of absence of care or services, including but not limited to, food, clothing, shelter, health care, or supervision necessary to maintain the physical and mental health of the vulnerable adult which a reasonable person would deem essential to obtain or maintain the vulnerable adult’s health, safety, or comfort considering the physical or mental capacity or dysfunction of the vulnerable adult. Neglect does not include actions specifically excluded by Minnesota Statutes section 626.5572, Subdivision 17.
- J. “School Personnel” means professional employees or their delegates of the school district engaged in providing health, educational, social, psychological, law enforcement or other caretaking services of vulnerable adults.
- K. “Vulnerable adult” means any person 18 years of age or older who: (1) is a resident or inpatient of a facility; (2) receives services required to be licensed under Minnesota Statutes section 245A, except as excluded under Minnesota Statutes section 626.5572, Subd. 21(a)(2); (3) receives services from a licensed home care provider or person or organization that offers, provides, or arranges for personal care assistance services under the medical assistance program; or (4) regardless of residence or whether any type of service is received, possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction that impairs the individual’s ability to provide adequately for the individual’s own care without assistance or supervision and, because of the dysfunction or infirmity and need for care or services, has an impaired ability to protect the individual's self from maltreatment.

**IV. REPORTING PROCEDURES**

- A. A mandated reporter as defined herein shall immediately report the suspected maltreatment to the designated county entity.
- B. Whenever a mandated reporter, as defined herein, knows or has reason to believe that an individual made an error in the provision of therapeutic conduct to a vulnerable adult which results in injury or harm, which reasonably requires the care of a physician, such information shall be reported immediately to the designated county agency. The mandated reporter also may report a belief that the error did not constitute neglect and why the error does not constitute neglect.
- C. The report shall, to the extent possible identify the vulnerable adult, the caregiver, the nature and extent of the suspected maltreatment, any evidence of previous maltreatment, the name and address of the reporter, the time, date, and location of the incident and any other information that the reporter believes might be helpful in investigating the suspected abuse or neglect. A mandated reporter may disclose not public data, as defined under Minnesota Statutes section 13.02, to the extent necessary to comply with the above reporting requirements.
- D. A person mandated to report suspected maltreatment of a vulnerable adult who negligently or intentionally fails to report is liable for damages caused by the failure. A negligent or intentional failure to report may result in discipline. A mandatory reporter who intentionally fails to make a report, who knowingly provides false or misleading information in reporting or who intentionally fails to provide all the material circumstances surrounding the reported incident may be guilty of a misdemeanor.
- E. Retaliation against a person who makes a good faith report under Minnesota law and this policy, or against a vulnerable adult who is named in a report is prohibited.
- F. Any person who intentionally makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury. The intentional making of a false report may result in discipline.

**V. INVESTIGATION**

The responsibility for investigating reports of suspected maltreatment of a vulnerable adult rests with the entity designated by the county for receiving reports.

**VI. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy should appear in school personnel handbooks as appropriate.
- B. The school district will develop a method of discussing this policy with employees as appropriate.
- C. This policy should be reviewed at least annually for compliance with state law.

**Legal References:**

Minn. Stat. § 13.02 (Government Data Practices Definitions)  
 Minn. Stat. Ch. 245A (Human Services Licensing)  
 Minn. Stat. § 245.825 (Aversive and Deprivation Procedures; Licensed Facilities and Services)  
 Minn. Stat. §§ 609.221-609.224 (Assault)  
 Minn. Stat. § 609.232(Crimes Against Vulnerable Adults; Definitions) Minn. Stat. § 609.235 (Use of Drugs to Injure or Facilitate Crime)  
 Minn. Stat. § 609.322 (Solicitation, Inducement, and Promotion of Prostitution; Sex Trafficking)  
 Minn. Stat. § 609.341 (Definitions)  
 Minn. Stat. §§ 609.342-609.3451 (Criminal Sexual Conduct)  
 Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)  
 Minn. Stat. § 626.5572 (Definitions)  
*In re Kleven*, 736 N.W.2d 707 (Minn. App. 2007)

***Cross References:*** MSBA/MASA Model Policy 103 (Complaints-Students, Employees, Parents, Other Persons)  
MSBA/MASA Model Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee or Student)  
MSBA/MASA Model Policy 403 (Discipline Suspension and Dismissal of School District Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

416 **DRUG, ALCOHOL, AND CANNABIS TESTING**

**I. PURPOSE**

- A. The Floodwood School board recognizes the significant problems created by drug, ~~and~~ alcohol, and cannabis use in society in general, and the public schools in particular. The school board further recognizes the important contribution that the public schools have in shaping the youth of today into the adults of tomorrow.
- B. The school board believes that a work environment free of drug, ~~and~~ alcohol, and cannabis use will be not only safer, healthier, and more productive but also more conducive to effective learning. To provide such an environment, the purpose of this policy is to provide authority so that the school board may require all employees and/or job applicants to submit to drug, ~~and~~ alcohol, and cannabis testing in accordance with the provisions of this policy and as provided in federal law and Minnesota Statutes sections 181.950-181.957.

**II. GENERAL STATEMENT OF POLICY**

- A. All school district employees and job applicants whose positions require a commercial driver's license will be required to undergo drug and alcohol testing and cannabis testing in accordance with federal law and the applicable provisions of this policy. The school district also may request or require that drivers submit to drug and alcohol testing and cannabis testing in accordance with the provisions of this policy and as provided in Minnesota Statutes sections 181.950-181.957.
- B. The school district may request or require that any school district employee or job applicant, other than an employee or applicant whose position requires a commercial driver's license, submit to drug and alcohol testing and cannabis testing in accordance with the provisions of this policy and as provided in Minnesota Statutes sections 181.950-181.957.
- C. The use, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed, including medical cannabis, whether or not it has been prescribed for the employee, is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of drugs that are not medically prescribed, including medical cannabis, whether or not it has been prescribed for the employee, is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs that are not medically prescribed are prohibited from entering or remaining on school district property.
- D. The use, possession, sale, purchase, transfer, or dispensing of alcohol or cannabis is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of alcohol or cannabis is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of alcohol or cannabis are prohibited from entering or remaining on school district property.
- E. Any employee who violates this section shall be subject to discipline that includes, but is not limited to, immediate suspension without pay and immediate discharge.
- F. The school district may discipline, discharge, or take other adverse personnel action against an employee for cannabis flower, cannabis product, lower-potency hemp edible, or hemp-derived consumer product use, possession, impairment, sale, or transfer while an employee is working, on school district premises, or operating a school district vehicle, machinery, or equipment as follows:
  - 1. if, as the result of consuming cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product, the employee does not possess that clearness of intellect and control of self that the employee otherwise would have;
  - 2. if cannabis testing verifies the presence of cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product following a confirmatory test;
  - 3. as provided in the school district's written work rules for cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products and cannabis testing, provided that the rules are in writing and in a written policy that contains the minimum information required by Minnesota Statutes, section 181.952; or
  - 4. as otherwise authorized or required under state or federal law or regulations, or if a failure to do so would cause the school district to lose a monetary or licensing-related benefit under federal law or regulations.

**III. FEDERALLY MANDATED DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS**

A. General Statement of Policy

All persons subject to commercial driver's license requirements shall be tested for alcohol, marijuana (including medical cannabis), cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP), pursuant to federal law. Drivers who test positive for alcohol or drugs shall be subject to disciplinary action, which may include termination of employment.

B. Definitions

1. "Actual Knowledge" means actual knowledge by the school district that a driver has used alcohol or controlled substances based on: (a) direct observation of the employee's use (not observation of behavior sufficient to warrant reasonable suspicion testing); (b) information provided by a previous employer; (c) a traffic citation; or (d) an employee's admission, except when made in connection with a qualified employee self-admission program.
2. "Alcohol Screening Device" (ASD) means a breath or saliva device, other than an Evidential Breath Testing Device (EBT), that is approved by the National Highway Traffic Safety Administration and placed on its Conforming Products List for such devices.
3. "Breath Alcohol Technician" (BAT) means an individual who instructs and assists individuals in the alcohol testing process and who operates the (EBT).
4. "Commercial Motor Vehicle" (CMV) includes a vehicle that is designed to transport 16 or more passengers, including the driver.
5. "Designated Employer Representative" (DER) means an employee authorized by the school district to take immediate action to remove employees from safety-sensitive duties, or cause employee to be removed from these covered duties, and to make required decisions in the testing and evaluation process. The DER receives test results and other communications for the school district.
6. "Department of Transportation" "DOT" means United States Department of Transportation.
7. "Direct Observation" means observation of alcohol or controlled substances use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing.
8. "Driver" is any person who operates a CMV, including full-time, regularly employed drivers, casual, intermittent or occasional drivers, leased drivers, and independent owner-operator contractors.
9. "Evidential Breath Testing Device" (EBT) means a device approved by the National Highway Traffic Safety Administration for the evidentiary testing of breath for alcohol concentration and placed on its Conforming Products List for such devices.
10. "Licensed Medical Practitioner" means a person who is licensed, certified, and/or registered, in accordance with applicable Federal, State, local, or foreign laws and regulations, to prescribe controlled substances and other drugs.
11. "Medical Review Officer" (MRO) means a licensed physician responsible for receiving and reviewing laboratory results generated by the school district's drug testing program and for evaluating medical explanations for certain drug tests.
12. "Refusal to Submit" (to an alcohol or controlled substances test) means that a driver: (a) fails to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so; (b) fails to remain at the testing site until the testing process is complete; (c) fails to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test; (d) fails to permit the observation or monitoring of the driver's provision of a specimen in the case of a directly observed or monitored collection in a drug test; (e) fails to provide a sufficient breath specimen or sufficient amount of urine when directed and a that no adequate medical explanation for the failure exists; (f) fails or declines to take an additional test as directed by the school district or the collector; (g) fails to undergo a medical examination or evaluation, as directed by the MRO or the DER; (h) fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector, fails to sign the certification on the forms); (i) fails to follow the observer's instructions, in an observed collection, to raise the driver's clothing above the waist, lower closing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process; (j) possesses or wears a prosthetic or other device that could be used to interfere with the collection process; (k) admits to the collector or MRO that the driver adulterated or substituted the specimen; or (l) is reported by the MRO as having a verified adulterated or substituted test result. An applicant who fails to appear for a pre-employment test, who leaves the testing site before the pre-employment testing process commences, or who does not provide a urine specimen because he or she has left before it commences is not deemed to have refused to submit to testing.
13. "Safety-Sensitive Functions" are on-duty functions from the time the driver begins work or is required to be in readiness to work until relieved from work, and all responsibility for performing work, and include such functions as driving, loading and unloading vehicles, or supervising or assisting in the loading or unloading of vehicles, servicing, repairing, obtaining assistance to repair, or remaining in attendance during the repair of a disabled vehicle.
14. "Screening Test Technician" (STT) means anyone who instructs and assists individuals in the alcohol testing process and operates an ASD.
15. "Stand Down" means the practice of temporarily removing an employee from performing safety-sensitive functions based only upon a laboratory reports to the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test before a MRO completes the verification process.
16. "Substance Abuse Professional" (SAP) means a qualified person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

C. Policy and Educational Materials

1. The school district shall provide a copy of this policy and procedures to each driver prior to the start of its alcohol and drug testing program and to each driver subsequently hired or transferred into a position requiring driving of a CMV.
2. The school district shall provide to each driver information required under Title 49 of the Code of Federal Regulations, including information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or controlled substance problem; and available methods of intervening when an alcohol or controlled substance problem is suspected, including confrontation, referral to an employee assistance program, and/or referral to management.
3. The school district shall provide written notice to representatives of employee organizations that the information described above is available.
4. The school district shall require each driver to sign a statement certifying that the driver received a copy of the policy and materials. This statement should be in the form of Attachment A to this policy. The school district will maintain the original signed certificate and will provide a copy to the driver if the driver so requests.

D. Alcohol and Controlled Substances Testing Program Manager

1. The program manager will coordinate the implementation, direction, and administration of the alcohol and controlled substances testing policy for bus drivers. The program manager is the principal contact for the collection site, the testing laboratory, the MRO, the BAT, the SAP, and the person submitting to the test. Employee questions concerning this policy shall be directed to the program manager.
2. The school district shall designate a program manager and provide written notice of the designation to each driver along with this policy.

E. Specific Prohibitions for Drivers

1. Alcohol Concentration. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. Drivers who test greater than 0.04 will be taken out of service and will be subject to evaluation by a professional and retesting at the driver's expense.
2. Alcohol Possession. No driver shall be on duty or operate a CMV while the driver possesses alcohol.
3. On-Duty Use. No driver shall use alcohol while performing safety-sensitive functions.
4. Pre-Duty Use. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. Use Following an Accident. No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident, or until the driver undergoes a post-accident alcohol test, whichever occurs first.
6. Refusal to Submit to a Required Test. No driver shall refuse to submit to an alcohol or controlled substances test required by post-accident, random, reasonable suspicion, return-to-duty, or follow-up testing requirements. A verified adulterated or substituted drug test shall be considered a refusal to test.
7. Use of Controlled Substances. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to instructions (which have been presented to the school district) from a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that the substance does not adversely affect the driver's ability to safely operate a CMV. Controlled substance includes medical cannabis, regardless of whether the driver is enrolled in the state registry program.
8. Positive, Adulterated, or Substituted Test for Controlled Substance. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive for controlled substances, including medical cannabis, or has adulterated or substituted a test specimen for controlled substances.
9. General Prohibition. Drivers are also subject to the general policies and procedures of the school district that prohibit possession, transfer, sale, exchange, reporting to work under the influence of drugs or alcohol, and consumption of drugs or alcohol while at work or while on school district premises or operating any school district vehicle, machinery, or equipment.

F. Other Alcohol-Related Conduct

No driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform safety-sensitive functions for at least twenty-four (24) hours following administration of the test. The school district will not take any action under this policy other than removal from safety-sensitive functions based solely on test results showing an alcohol concentration of less than 0.04 but may take action otherwise consistent with law and the policies of the school district.

G. Prescription Drugs/Cannabinoid Products

A driver shall inform the driver's supervisor if at any time the driver is using a controlled substance pursuant to a physician's prescription. The physician's instructions shall be presented to the school district upon request. Use of a prescription drug shall be allowed if the physician has advised the driver that the prescribed drug will not adversely affect the driver's ability to safely operate a CMV. Use of medical cannabis is prohibited notwithstanding the driver's enrollment in the patient registry. Use of nonintoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for cannabis. MROs will verify a drug test confirmed as positive, even if a driver claims to have only used non-intoxicating cannabinoids or edible cannabinoid products.

## H. Testing Requirements

### 1. Pre-Employment Testing

- a. A driver applicant shall undergo testing for [alcohol and] controlled substances, including medical cannabis, before the first time the driver performs safety-sensitive functions for the school district.
- b. Tests shall be conducted only after the applicant has received a conditional offer of employment.
- c. To be hired, the applicant must test negative and must sign an agreement in the form of Attachment B to this policy, authorizing former employers to release to the school district all information on the applicant's alcohol tests with results of blood alcohol concentration of 0.04 or higher, or verified positive results for controlled substances, including medical cannabis, or refusals to be tested (including verified adulterated or substituted drug test results), or any other violations of

DOT agency drug and alcohol testing regulations, or, if the applicant violated the testing regulations, documentation of the applicant's successful completion of DOT return-to-duty requirements (including follow-up tests), within the preceding two (2) years.

- d. The applicant also must be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee, during the last two (2) years, applied for, but did not obtain, safety-sensitive transportation work covered by DOT testing rules.
- e. Before employing a driver subject to controlled substances and alcohol testing, the school district must conduct a full pre-employment query of the federal Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse ("Clearinghouse") to obtain information about whether the driver (1) has a verified positive, adulterated, or substituted controlled substances test result; (2) has an alcohol confirmation test with a concentration of 0.04 or higher; (3) has refused to submit to a test in violation of federal law; or (4) that an employer has reported actual knowledge that the driver used alcohol on duty, before duty, or following an accident in violation of federal law or used a controlled substance in violation of federal law. The applicant must give specific written or electronic consent for the school district to conduct the Clearinghouse full query. (See attachment C to this policy) The school district shall retain the consent for three (3) years from the date of the query.

### 2. Post-Accident Testing

- a. As soon as practicable following an accident involving a CMV, the school district shall test the driver for alcohol and controlled substances, including medical cannabis, if the accident involved the loss of human life or if the driver receives a citation for a moving traffic violation arising from an accident which results in bodily injury or disabling damage to a motor vehicle.
- b. Drivers should be tested for alcohol use within two (2) hours and no later than eight (8) hours after the accident.
- c. Drivers should be tested for controlled substances, including medical cannabis, no later than thirty-two (32) hours after the accident.
- d. A driver subject to post-accident testing must remain available for testing, or shall be considered to have refused to submit to the test.
- e. If a post-accident alcohol test is not administered within two (2) hours following the accident, the school district shall prepare and maintain on file a record stating the reasons the test was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours.
- f. If a post-accident alcohol test is not administered within eight (8) hours following the accident or a post-accident controlled substances test is not administered within thirty-two (32) hours following the accident, the school district shall cease attempts to administer the test, and prepare and maintain on file a record stating the reasons for not administering the test.
- g. The school district shall report drug and alcohol program violations to the Clearinghouse as required under federal law.

### 3. Random Testing

- a. The school district shall conduct tests on a random basis at unannounced times throughout the year, as required by the federal regulations.
- b. The school district shall test for alcohol at a minimum annual percentage rate of 10% of the average number of driver positions, and for controlled substances, including medical cannabis, at a minimum annual percentage of 50%.
- c. The school district shall adopt a scientifically valid method for selecting drivers for testing, such as random number table or a computer-based random number generator that is matched with identifying numbers of the drivers. Each driver shall have an equal chance of being tested each time selections are made. Each driver selected for testing shall be tested during the selection period.
- d. Random tests shall be unannounced. Dates for administering random tests shall be spread reasonably throughout the calendar year.
- e. Drivers shall proceed immediately to the collection site upon notification of selection; provided, however, that if the driver is performing a safety-sensitive function, other than driving, at the time of notification, the driver shall cease to perform the function and proceed to the collection site as soon as possible.

### 4. Reasonable Suspicion Testing

- a. The school district shall require a driver to submit to an alcohol test and/or controlled substances, including medical cannabis, test when a supervisor or school district official, who has been trained in accordance with the regulations, has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances, including medical cannabis, on duty within four (4) hours before coming on duty or just after the period of the work day. The test shall be done as soon as practicable following the observation of the behavior indicative of the use of controlled substances or alcohol.
  - b. The reasonable suspicion determination must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The required observations for reasonable suspicion of a controlled substances violation may include indications of the chronic and withdrawal effects of controlled substances.
  - c. Alcohol testing shall be administered within two (2) hours following a determination of reasonable suspicion. If it is not done within two (2) hours, the school district shall prepare and maintain a record explaining why it was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours. If an alcohol test is not administered within eight (8) hours following the determination of reasonable suspicion, the school district shall cease attempts to administer the test and state in the record the reasons for not administering the test.
  - d. The supervisor or school district official who makes observations leading to a controlled substances reasonable suspicion test shall make and sign a written record of the observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.
5. Return-To-Duty Testing. A driver found to have violated this policy shall not return to work until a SAP has determined the employee has successfully complied with prescribed education and/or treatment and until undergoing return-to-duty tests indicating an alcohol concentration of less than 0.02 and a confirmed negative result for the use of controlled substances. The school district is not required to return a driver to safety-sensitive duties because the driver has met these conditions; this is a personnel decision subject to collective bargaining agreements or other legal requirements.
6. Follow-Up Testing. When a SAP has determined that a driver is in need of assistance in resolving problems with alcohol and/or controlled substances, the driver shall be subject to unannounced follow-up testing as directed by the SAP for up to sixty (60) months after completing a treatment program.
7. Refusal to Submit and Attendant Consequences
- a. A driver or driver applicant may refuse to submit to drug and alcohol testing.
  - b. Refusal to submit to a required drug or alcohol test subjects the driver or driver applicant to the consequences specified in federal regulations as well as the civil and/or criminal penalty provisions of 49 United States Code section 521(b). In addition, a refusal to submit to testing establishes a presumption that the driver or driver applicant would test positive if a test were conducted and makes the driver or driver applicant subject to discipline or disqualification under this policy.
  - c. A driver applicant who refuses to submit to testing shall be disqualified from further consideration for the conditionally offered position.
  - d. An employee who refuses to submit to testing shall not be permitted to perform safety-sensitive functions and will be considered insubordinate and subject to disciplinary action, up to and including dismissal. If an employee is offered an opportunity to return to a DOT safety-sensitive duty, the employee will be evaluated by a SAP and must submit to a return-to-duty test prior to being considered for reassignment to safety-sensitive functions.
  - e. Drivers or driver applicants who refuse to submit to required testing will be required to sign Attachment C to this policy.
- I. Testing Procedures
1. Drug Testing
    - a. Drug testing is conducted by analyzing a donor's urine specimen. Split urine samples will be collected in accordance with federal regulations. The donor will provide a urine sample at a designated collection site. The collection site personnel will then pour the sample into two sample bottles, labeled "primary" and "split," seal the specimen bottles, complete the chain of custody form, and prepare the specimen bottles for shipment to the testing laboratory for analysis. The specimen preparation shall be conducted in sight of the donor.
    - b. If the donor is unable to provide the appropriate quantity of urine, the collection site person shall instruct the individual to drink up to forty (40) ounces of fluid distributed reasonably through a period of up to three (3) hours to attempt to provide a sample. If the individual is still unable to provide a complete sample, the test shall be discontinued and the school district notified. The DER shall refer the donor for a medical evaluation to determine if the donor's inability to provide a specimen is genuine or constitutes a refusal to test. For pre-employment testing, the school district may elect to not have a referral made, and revoke the employment offer.
    - c. Drug test results are reported directly to the MRO by the testing laboratory. The MRO reports the results to the DER. If the results are negative, the school district is informed and no further action is necessary. If the test result is confirmed positive, adulterated, substituted, or invalid, the MRO shall give the donor an opportunity to discuss the test result. The MRO will contact the donor directly, on a confidential basis, to determine whether the donor wishes to discuss the test result. The MRO shall notify each donor that the donor has seventy-two (72) hours from the time of notification in which to request a test of the split specimen at the donor's expense. No split specimen testing is done for an invalid result.

- d. If the donor requests an analysis of the split specimen within seventy-two (72) hours of having been informed of a confirmed positive test, the MRO shall direct, in writing, the laboratory to provide the split specimen to another Department of Health and Human Services – SAMHSA certified laboratory for analysis. If the donor has not contacted the MRO within seventy-two (72) hours, the donor may present the MRO information documenting that serious illness, injury, inability to contact the MRO, lack of actual notice of the confirmed positive test, or other circumstances unavoidably prevented the donor from timely making contact. If the MRO concludes that a legitimate explanation for the donor’s failure to contact him/her within seventh-two (72) hours exists, the MRO shall direct the analysis of the split specimen. The MRO will review the confirmed positive test result to determine whether an acceptable medical reason for the positive result . The MRO shall confirm and report a positive test result to the DER and the employee when no legitimate medical reason for a positive test result as received from the testing laboratory exists.

If, after making reasonable efforts and documenting those efforts, the MRO is unable to reach the donor directly, the MRO must contact the DER who will direct the donor to contact the MRO. If the DER is unable to contact the donor, the donor will be suspended from performing safety-sensitive functions.

- f. The MRO may confirm the test as a positive without having communicated directly with the donor about the test results under the following circumstances:
  - (1) The donor expressly declines the opportunity to discuss the test results;
  - (2) The donor has not contacted the MRO within seventy-two (72) hours of being instructed to do so by the DER; or
  - (3) The MRO and the DER, after making and documenting all reasonable efforts, have not been able to contact the donor with ten (10) days of the date the confirmed test result was received from the laboratory.

## 2. Alcohol Testing

- a. The federal alcohol testing regulations require testing to be administered by a BAT using an Evidential Breath Testing Device (EBT) or a STT using an (ASD). EBTs and ASDs can be used for screening tests but only EBTs can be used for confirmation tests.
- b. Any test result less than 0.02 alcohol concentration is considered a “negative” test.
- a. If the donor is unable to provide sufficient saliva for an ASD, the DER will immediately arrange to use an Evidential Breath Testing Device. If the donor attempts and fails to provide an adequate amount of breath, the school district will direct the donor to obtain a written evaluation from a licensed physician to determine if the donor’s inability to provide a breath sample is genuine or constitutes a refusal to test.
- d. If the screening test results show alcohol concentration of 0.02 or higher, a confirmatory test conducted on an EBT will be required to be performed between fifteen (15) and thirty (30) minutes after the completion of the screening test.
- e. Alcohol tests are reported directly to the DER.

## J. Driver/Driver Applicant Rights

1. All drivers and driver applicants subject to the controlled substances testing provisions of this policy who receive a confirmed positive test result for the use of controlled substances have the right to request, at the driver’s or driver applicant’s expense, a confirming retest of the split urine sample. If the confirming retest is negative, no adverse action will be taken against the driver, and a driver applicant will be considered for employment.
2. The school district will not discharge a driver who, for the first time, receives a confirmed positive drug or alcohol test UNLESS:
  - a. The school district has first given the employee an opportunity to participate in, at the employee’s own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with the SAP; and
  - b. The employee refuses to participate in the recommended program, or fails to successfully complete the program as evidenced by withdrawal before its completion or by a positive test result on a confirmatory test after completion of the program.
  - c. This limitation on employee discharge does not bar discharge of an employee for reasons independent of the first confirmed positive test result.

## K. Testing Laboratory

The testing laboratory for controlled substances will be MacNeil Environmental, PO Box 2278, Burnsville, MN 55337-8868, 1-800-642-6730, which is a laboratory certified by the Department of Health and Human Services – SAMHSA to perform controlled substances testing pursuant to federal regulations.

## L. Confidentiality of Test Results

All alcohol and controlled substances test results and required records of the drug and alcohol testing program are considered confidential information under federal law and private data on individuals as that phrase is defined in Minnesota Statutes chapter 13. Any information concerning the individual’s test results and records shall not be released without written permission of the individual, except as provided for by regulation or law.

M. Recordkeeping Requirements and Retention of Records

1. The school district shall keep and maintain records in accordance with the federal regulations in a secure location with controlled access.
2. The required records shall be retained for the following minimum periods:

Basic records 5 years

“Basic records” includes records of: (a) alcohol test results with concentration of 0.02 or greater; (b) verified positive drug test results; (c) refusals to submit to required tests (including substituted or adulterated drug test results); (d) SAP reports; (e) all follow-up tests and schedules for follow-up tests; (f) calibration documentation; (g) administration of the testing programs; and (h) each annual calendar year summary.

Information obtained from previous employers	3 years
Alcohol and controlled substance collection procedures	2 years
Negative and canceled controlled substances tests	1 year
Alcohol tests with less than 0.02 concentration	1 year
Education and training records	indefinite

“Education and training records” must be maintained while the individuals perform the functions which require training and for the two (2) years after ceasing to perform those functions.

3. Personal Information

Personal information about all individuals who undergo any required testing under this policy will be shared with the U.S. DOT Drug & Alcohol Clearinghouse (“Clearinghouse”) as required under federal law, including:

- a. The name of the person tested;
- b. Any verified positive, adulterated, or substituted drug test result;
- c. Any alcohol confirmation test with a BAC concentration of 0.04 or higher;
- d. Any refusal to submit to any test required hereunder;
- e. Any report by a supervisor of actual knowledge of use as follows
  - i. Any on-duty alcohol use;
  - ii. Any pre-duty alcohol use;
  - iii. Any alcohol use following an accident; and
  - iv. Any controlled substance use.
- f. Any report from a substance abuse professional certifying successful completion of the return-to-work process;
- g. Any negative return-to-duty test; and
- h. Any employer’s report of completion of follow-up testing.

N. Training

The school district shall ensure all persons designated to supervise drivers receive training. The designated employees shall receive at least sixty (60) minutes of training on alcohol misuse and at least sixty (60) minutes of training on controlled substances use. The training shall include physical, behavioral, speech, and performance indicators of probable misuse of alcohol and use of controlled substances. The training will be used by the supervisors to make determinations of reasonable suspicion.

O. Consequences of Prohibited Conduct and Enforcement

1. Removal.  
The school district shall remove a driver who has engaged in prohibited conduct from safety-sensitive functions. A driver shall not be permitted to return to safety-sensitive functions until and unless the return-to-duty requirements of federal DOT regulations have been completed.
2. Referral, Evaluation, and Treatment

- a. A driver or driver applicant who has engaged in prohibited conduct shall be provided a listing of SAPs readily available to the driver or applicant and acceptable to the school district.
- b. If the school district offers a driver an opportunity to return to a DOT safety-sensitive duty following a violation, the driver must be evaluated by a of SAP and the driver is required to successfully comply with the SAP's evaluation recommendations (education, treatment, follow-up evaluation(s), and/or ongoing services). The school district is not required to provide a SAP evaluation or any subsequent recommended education or treatment.
- c. Drivers are responsible for payment for SAP evaluations and services unless a collective bargaining agreement or employee benefit plan provides otherwise.
- d. Drivers who engage in prohibited conduct also are required to comply with follow-up testing requirements.

3. Disciplinary Action

- a. Any driver who refuses to submit to post-accident, random, reasonable suspicion, or follow-up testing not only shall not perform or continue to perform safety-sensitive functions, but also may be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.
- b. Drivers who test positive with verification of a confirmatory test or are otherwise found to be in violation of this policy or the federal regulations shall be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.
- c. Nothing in this policy limits or restricts the right of the school district to discipline or discharge a driver for conduct which not only constitutes prohibited conduct under this policy but also violates the school district's other rules or policies.

P. Other Testing

The school district may request or require that drivers submit to cannabis testing or drug and alcohol testing other than that required by federal law. For example, drivers may be requested or required to undergo cannabis testing or drug and alcohol testing on an annual basis as part of a routine physical examination. Such additional testing of drivers will be conducted only in accordance with the provisions of this policy and as provided in Minnesota Statutes sections 181.950-181.957. For purposes of such additional, non-mandatory testing, drivers fall within the definition of "other employees" covered by Section IV. of this policy.

Q. Report to Clearinghouse

The school district shall promptly submit to the Clearinghouse any record generated of an individual who refuses to take an alcohol or controlled substance test required under Title 49, Code of Federal Regulations, tests positive for alcohol or a controlled substance in violation of federal regulations, or violates subpart B of Part 382 of Title 49, Code of Federal Regulations (or any subsequent corresponding regulations).

R. Annual Clearinghouse Query

- 1. The school district must conduct a query of the Clearinghouse record at least once per year for information for all employees subject to controlled substance and alcohol testing related to CMV operation to determine whether information exists in the Clearinghouse about those employees. In lieu of a full query, the school district may obtain the individual driver's consent to conduct a limited query to satisfy the annual query requirement. The limited query will tell the employer whether there is information about the driver in the Clearinghouse but will not release that information to the employer. If the limited query shows that information exists in the Clearinghouse about the driver, the school district must conduct a full query within twenty-four (24) hours or must not allow the driver to continue to perform any safety-sensitive function until the employee conducts the full query and the results confirm the driver's Clearinghouse record contains no prohibitions showing the driver has a verified positive, adulterated or substitute controlled substance test, no alcohol confirmation test with a concentration of 0.04 or higher, refuses to submit to a test, or was reported to have used alcohol on duty, before duty, following an accident or otherwise used a controlled substance in violation of the regulations except where the driver completed the SAP evaluation, referral and education/treatment process as required by the regulations. The school district shall comply with the query requirements set forth in 49 Code of Federal Regulations 382.701.
- 2. The school district may not access an individual's Clearinghouse record unless the school district (1) obtains the individual's prior written or electronic consent for access to the record; and (2) submits proof of the individual's consent to the Clearinghouse. The school district must retain the consent for three (3) years from the date of the last query. The school district shall retain for three (3) years a record of each request for records from the Clearinghouse and the information received pursuant to the request.
- 3. The school district shall protect the individual's privacy and confidentiality of each Clearinghouse record it receives. The school district shall ensure that information contained in a Clearinghouse record is not divulged to a person or entity not directly involved in assessing and evaluating whether a prohibition applies with respect to the individual to operate a CMV for the school district.
- 4. The school district may use an individual's Clearinghouse record only to assess and evaluate whether a prohibition applies with respect to the individual to operate a CMV for the school district.

**IV. CANNABIS TESTING OR DRUG AND ALCOHOL TESTING FOR OTHER EMPLOYEES**

The school district may request or require drug and alcohol testing or cannabis testing for other school district personnel, i.e., employees who are not school bus drivers, or job applicants for such positions. The school district does not have a legal duty to request or require any employee or job applicant to undergo drug and alcohol testing or cannabis testing as authorized in this policy, except for school bus drivers and other drivers of CMV who are subject to

federally mandated testing. (See Section III. of this policy.) If a school bus driver is requested or required to submit to drug or alcohol testing beyond that mandated by federal law, the provisions of Section IV. of this policy will be applicable to such testing.

A. Definitions

1. "Cannabis testing" means the analysis of a body component sample according to the standards established under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1, for the purpose of measuring the presence or absence of cannabis flower, as defined in Minnesota Statutes, section 342.01, subdivision 16, cannabis products, as defined in section 342.01, subdivision 20, lower-potency hemp edibles as defined in section 342.01, subdivision 50, hemp-derived consumer products as defined in section 342.01, subdivision 37, or cannabis metabolites in the sample tested. The definitions in this section apply to cannabis testing unless stated otherwise.
2. "Confirmatory test" and "confirmatory retest" mean a drug or alcohol test that uses a method of analysis allowed under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.
3. "Drug" means a controlled substance as defined in Minnesota Statutes, section 152.01, subdivision 4, but does not include marijuana, tetrahydrocannabinols, cannabis flower as defined in section 342.01, subdivision 16, cannabis products as defined in section 342.01, subdivision 20, lower-potency hemp edibles as defined in section 342.01, subdivision 50, and hemp-derived consumer products as defined in section 342.01, subdivision 37.
4. "Drug and Alcohol Testing," "Drug or Alcohol Testing," and "Drug or Alcohol Test" mean analysis of a body component sample by a testing laboratory that meets one of the criteria listed in Minnesota Statutes, section 181.953, subdivision 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" do not include cannabis or cannabis testing, unless stated otherwise.
5. "Employee" means a person, independent contractor, or person working for an independent contractor who performs services for compensation, in whatever form, for an employer.
6. "Initial screening test" means a drug or alcohol test or cannabis test which uses a method of analysis under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.
7. "Job Applicant" means a person, independent contractor, or person working for an independent contractor who applies to become an employee of the charter school in a position that does not require a commercial driver's license, and includes a person who has received a job offer made contingent on the person's passing drug or alcohol testing. Job applicants for positions requiring a commercial driver's license are governed by the provisions of the charter school's drug and alcohol testing policy relating to school bus drivers (Section III.).
8. "Oral fluid test" means analysis of a saliva sample for the purpose of measuring the presence of the same substances as drug and alcohol testing and cannabis testing that:
  - a. can detect drugs, alcohol, cannabis, or their metabolites in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1; and
  - b. does not require the services of a testing laboratory under section 181.953, subdivision 1.
9. "Other Employees" means any persons, independent contractors, or persons working for an independent contractor who perform services for the charter school for compensation, either full time or part time, in whatever form, except for persons whose positions require a commercial driver's license, and includes both professional and nonprofessional personnel. Persons whose positions require a commercial driver's license are primarily governed by the provisions of the charter school's drug and alcohol testing policy relating to school bus drivers (Section III.). To the extent that the drug and alcohol testing of persons whose positions require a commercial driver's license is not mandated by federal law and regulations, such testing shall be governed by Section IV. of this policy and the drivers shall fall within this definition of "other employees."
10. "Positive Test Result" means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.
11. "Random Selection Basis" means a mechanism for selection of employees that:
  - a. results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected; and
  - b. does not give the charter school discretion to waive the selection of any employee selected under the mechanism.
12. "Reasonable Suspicion" means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.

13. "Safety-Sensitive Position" means a job, including any supervisory or management position, in which an impairment caused by drug, alcohol, or cannabis usage would threaten the health or safety of any person.

B. Circumstances Under Which Cannabis testing or Drug or Alcohol Testing May Be Requested or Required; Exceptions

1. General Limitations

- a. The school district may not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing or cannabis testing, unless the testing is done pursuant to this policy; and is either (1) conducted by a testing laboratory which participates in one of the programs listed in Minnesota Statutes section 181.953, Subdivision 1; or (2) complies with the oral fluid test procedures under section 181.953, subdivision 5a.
- b. The school district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing or cannabis testing on an arbitrary and capricious basis.

2. Cannabis Testing Exceptions

For the following positions, cannabis and its metabolites are considered a drug and subject to the drug and alcohol testing provisions in Minnesota Statutes, sections 181.950 to 181.957:

- a. a safety-sensitive position, as defined in Minnesota Statutes, section 181.950, subdivision 13;
- b. a position requiring face-to-face care, training, education, supervision, counseling, consultation, or medical assistance to children;
- c. a position requiring a commercial driver's license or requiring an employee to operate a motor vehicle for which state or federal law requires drug or alcohol testing of a job applicant or an employee;
- d. a position of employment funded by a federal grant; or
- e. any other position for which state or federal law requires testing of a job applicant or an employee for cannabis.

3. Job Applicant Testing

The school district may request or require any job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing, provided a job offer has been made to the applicant and the same test is requested or required of all job applicants conditionally offered employment for that position. If a job applicant has received a job offer that is contingent on the applicant's passing drug and alcohol testing, the school district may not withdraw the offer based on a positive test result from an initial screening test that has not been verified by a confirmatory test. In the event the job offer is subsequently withdrawn, the school district shall notify the job applicant of the reason for its action.

- a. The school district must not request or require a job applicant to undergo cannabis testing solely for the purpose of determining the presence or absence of cannabis as a condition of employment unless otherwise required by state or federal law.
- b. Unless otherwise required by state or federal law, the school district must not refuse to hire a job applicant solely because the job applicant submits to a cannabis test or a drug and alcohol test authorized by Minnesota law and the results of the test indicate the presence of cannabis.
- c. The school district must not request or require an employee or job applicant to undergo cannabis testing on an arbitrary or capricious basis.
- d. Cannabis testing authorized under paragraph (d) must comply with the safeguards for testing employees provided in Minnesota Statutes, sections 181.953 and 181.954.

4. Oral fluid testing

- a. When drug and alcohol testing or cannabis testing is otherwise authorized under Minnesota Statutes, section 181.951, the school district may request an employee or job applicant to undergo oral fluid testing according to the procedures under Minnesota Statutes, section 181.953, subdivision 5a as an alternative to using the services of a testing laboratory under Minnesota Statutes, section 181.953, subdivision 1.
- b. The employee must be informed of the test result at the time of the oral fluid test. Within 48 hours of an oral fluid test that indicates a positive test result or that is inconclusive or invalid, the employee or job applicant may request drug or alcohol testing or cannabis testing at no cost to the employee or job applicant using the services of a testing laboratory under Minnesota Statutes, section 181.953, subdivision 1, and according to the existing laboratory testing standards in subdivisions 1 to 5. The rights, notice, and limitations in Minnesota Statutes, section 181.953, subdivision 6, paragraph (b), and subdivisions 7 to 8 and 10 to 11 apply to an employee or job applicant and a laboratory test conducted pursuant to this paragraph.

- c. If the laboratory test under paragraph (b) above indicates a positive result, any subsequent confirmatory retest, if requested by the employee or job applicant, must be conducted following the retest procedures provided in Minnesota Statutes, section 181.953, subdivision 6, paragraph (c), and subdivision 9 at the employee's or job applicant's own expense.
- d. Nothing in this subdivision is intended to modify the existing requirements for drug and alcohol testing or cannabis testing in the workplace under Minnesota Statutes, sections 181.950 to 18.957, unless stated otherwise.

5. Random Testing

The school district may request or require "other employees" to undergo cannabis testing or drug and alcohol testing on a random selection basis only if they are employed in safety-sensitive positions.

6. Reasonable Suspicion Testing

The school district may request or require any employee to undergo cannabis testing or drug and alcohol testing if the school district has a reasonable suspicion that the employee:

- a. is under the influence of cannabis, drugs or alcohol;
- b. has violated the school district's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol, cannabis flower, cannabis products, lower-potency hemp edibles, or help derived consumer products while the employee is working or while the employee is on the school district's premises or operating the school district's vehicles, machinery, or equipment;
- c. has sustained a personal injury, as that term is defined in Minnesota Statutes section 176.011, Subdivision 16, or has caused another employee to sustain a personal injury; or
- d. has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

7. Treatment Program Testing

The school district may request or require any employee to undergo cannabis testing drug and alcohol testing if the employee has been referred by the school district for chemical dependency treatment or evaluation or is participating in a chemical dependency treatment program under an employee benefit plan, in which case the employee may be requested or required to undergo cannabis testing and drug and alcohol testing without prior notice during the evaluation or treatment period and for a period of up to two (2) years following completion of any prescribed chemical dependency treatment program.

8. Routine Physical Examination Testing

The school district may request or require any employee to undergo drug and alcohol testing as part of a routine physical examination provided the drug or alcohol test is requested or required no more than once annually and the employee has been given at least two weeks' written notice that a drug or alcohol test may be requested or required as part of the physical examination.

C. No Legal Duty to Test

The school district does not have a legal duty to request or require any employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing.

D. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol Testing and Consequences of Such Refusal

1. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol Testing

Any employee or job applicant whose position does not require a commercial driver's license has the right to refuse drug and alcohol testing subject to the provisions contained in Paragraphs 2. and 3. Of Section IV. D.

2. Consequences of an Employee's Refusal to Undergo Drug and Alcohol Testing

Any employee in a position that does not require a commercial driver's license who refuses to undergo drug and alcohol testing in the circumstances set out in the Random Testing, Reasonable Suspicion Testing, and Treatment Program Testing provisions of this policy may be subject to disciplinary action, up to and including immediate discharge.

3. Consequences of a Job Applicant's Refusal to Undergo Drug and Alcohol Testing

Any job applicant for a position which does not require a commercial driver's license who refuses to undergo drug and alcohol testing pursuant to the Job Applicant Testing provision of this policy shall not be employed.

E. Reliability and Fairness Safeguards

1. Pretest Notice

Before requesting an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing or requesting cannabis testing, the school district shall provide the employee or job applicant with a Pretest Notice in the form of Attachment D to this policy on which to acknowledge that the employee or job applicant has received the school district's drug and alcohol testing or cannabis testing policy.

2. Notice of Test Results

Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing an employee or job applicant who has undergone drug or alcohol testing or cannabis testing of a negative test result on an initial screening test or of a negative or positive test result on a confirmatory test.

3. Notice of and Right to Test Result Report

Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing, an employee or job applicant who has undergone drug or alcohol testing of the employee or job applicant's right to request and receive from the school district a copy of the test result report on any drug or alcohol test or cannabis test.

4. Notice of and Right to Explain Positive Test Result

- a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide the individual with notice of the test results and, at the same time, written notice of the right to explain the results and to submit additional information. (see Attachment G to this policy).
- b. The school district may request that the employee or job applicant indicate any over-the-counter or prescription medication that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.
- c. The employee may present verification of enrollment in the medical cannabis patient registry or of enrollment in a Tribal medical cannabis program as a part of the employee's explanation.
- d. Use of nonintoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for cannabis. MROs will verify a drug test confirmed as positive, even if an employee claims to have only used nonintoxicating cannabinoids or edible cannabinoid products.
- e. Within three (3) working days after notice of a positive test result on a confirmatory test, an employee or job applicant may submit information (in addition to any information already submitted) to the school district to explain that result.

5. Notice of and Right to Request Confirmatory Retests

- a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide the individual with notice of the test results and, at the same time, written notice of the right to request a confirmatory retest of the original sample at his or her expense.
  - b. An employee or job applicant may request a confirmatory retest of the original sample at the individual own expense after notice of a positive test result on a confirmatory test. Within five (5) working days after notice of the confirmatory test result, the employee or job applicant shall notify the school district in writing of his or her intention to obtain a confirmatory retest. Within three (3) working days after receipt of the notice, the school district shall notify the original testing laboratory that the employee or job applicant has requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minnesota Statutes section 181.953, Subdivision 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug, alcohol, or cannabis threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against the employee or job applicant.
6. If an employee or job applicant has a positive test result on a confirmatory test, the school district, at the time of providing notice of the test results, shall also provide written notice to inform the individual of other rights provided under Sections F. or G., below, whichever is applicable.

Attachments F and G to this policy provide the Notices described in Paragraphs 2. through 6. of this Section E.

F. Discharge and Discipline of Employees Whose Positions Do Not Require a Commercial Driver's License

1. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.
2. In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.
3. The school district may not discharge an employee for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test or cannabis test requested by the school district, unless the following conditions have been met:
  - a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug, alcohol, or cannabis counseling or rehabilitation program, whichever is more appropriate, as

determined by the school district after consultation with a certified chemical abuse counselor or a physician trained in the diagnosis and treatment of chemical dependency; and

- b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.
4. Notwithstanding Paragraph 1., the school district may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.
5. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information or the employee's status as a patient enrolled in the medical cannabis registry program revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon or after hire, or failing to do so would violate federal law or regulations or cause the school district to lose money or licensing-related benefits under federal law regulations.
6. The school district may not discriminate against any employee in termination, discharge, or any term of condition of employment or otherwise penalize an employee based upon an employee registered patient's positive drug test for cannabis components or metabolites, unless the employee used, possessed, or was impaired by medical cannabis on school district property during the hours of employment.
7. An employee must be given access to information in the individual's personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process or cannabis testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

G. Withdrawal of Job Offer for an Applicant for a Position That Does Not Require a Commercial Driver's License

If a job applicant has received a job offer made contingent on the applicant's passing drug and alcohol testing, the school district may not withdraw the offer based on a positive test result from an initial screening test that has not been verified by a confirmatory test. In the case of a positive test result on a confirmatory test, the school district may withdraw the job offer.

H. Chain-of-Custody Procedures

The school district has established its own reliable chain-of-custody procedures to ensure proper record keeping, handling, labeling, and identification of the samples to be tested. The procedures require the following:

1. Possession of a sample must be traceable to the employee from whom the sample is collected, from the time the sample is collected through the time the sample is delivered to the laboratory;
2. The sample must always be in the possession of, must always be in view of, or must be placed in a secure area by a person authorized to handle the sample;
3. A sample must be accompanied by a written chain-of-custody record; and
4. Individuals relinquishing or accepting possession of the sample must record the time the possession of the sample was transferred and must sign and date the chain-of-custody record at the time of transfer.

I. Privacy, Confidentiality and Privilege Safeguards

1. Privacy Limitations

A laboratory may only disclose to the school district test result data regarding the presence or absence of drugs, alcohol or their metabolites in a sample tested.

2. Confidentiality Limitations

With respect to employees and job applicants, test result reports and other information acquired in the drug or alcohol testing process are private data on individuals as that phrase is defined in Minnesota Statutes chapter 13, and may not be disclosed by the school district or laboratory to another employer or to a third-party individual, governmental agency, or private organization without the written consent of the employee or job applicant tested.

3. Exceptions to Privacy and Confidentiality Disclosure Limitations

Notwithstanding Paragraphs 1. And 2., evidence of a positive test result on a confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under Minnesota Statutes Chapter 43A or other applicable state or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding; (2) disclosed to any federal agency or other unit of the United States government as required under federal law, regulation or order, or in accordance with compliance requirements of a federal government contract; and (3) disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment of the employee.

4. Privilege

Positive test results from the school district drug or alcohol testing program may not be used as evidence in a criminal action against the employee or job applicant tested.

J. Notice of Testing Policy to Affected Employees

The school district shall provide written notice of this drug, alcohol, or cannabis testing policy to all affected employees upon adoption of the policy, to a previously non-affected employee upon transfer to an affected position under the policy, and to a job applicant upon hire and before any testing of the applicant if the job offer is made contingent on the applicant's passing drug and alcohol testing. Affected employees and applicants will acknowledge receipt of this written notice in the form of Attachment G to this policy.

V. **POSTING**

The school district shall post notice in an appropriate and conspicuous location on its premises that it has adopted a drug and alcohol testing policy and that copies of the policy are available for inspection during regular business hours by its employees or job applicants in its personnel office or other suitable locations.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. Ch. 43A (State Personnel Management)  
Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)  
Minn. Stat. § 152.01 (Definitions)  
Minn. Stat. § 152.22 (Definitions; Medical Cannabis;)  
Minn. Stat. § 152.23 (Limitations; Medical Cannabis;)  
Minn. Stat. § 152.32 (Protections for Registry Program Participation)  
Minn. Stat. § 176.011, subd. 16 (Definitions; Personal Injury)  
Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)  
Minn. Stat. § 221.031 (Motor Carrier Rules)  
49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)  
49 U.S.C. 31306a (National Clearinghouse for Controlled Substance and Alcohol Test Results of Commercial Motor Vehicle Operators)  
49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)  
49 C.F.R. Parts 40 and 382 (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)  
49 C.F.R. Part 382 (Controlled Substances and Alcohol Use and Testing)

**Cross-References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)  
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)

**417 CHEMICAL USE AND ABUSE**

**I. PURPOSE**

The school board recognizes that chemical use and abuse constitutes a grave threat to the physical and mental well-being of students and employees and significantly impedes the learning process. Chemical use and abuse also creates significant problems for society in general. The school board believes that the public school has a role in education, intervention, and prevention of chemical use and abuse. The purpose of this policy is to assist the school district in its goal to prevent chemical use and abuse by providing procedures for education and intervention.

**II. GENERAL STATEMENT OF POLICY**

- A. Use or possession of controlled substances, toxic substances, medical cannabis, and alcohol before, during or after school hours, at school or in any school location is prohibited in accordance with school district policies with respect to a Drug-Free Workplace/Drug-Free School.
- B. The school district shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievement.
- C. Every school that participates in a school district chemical abuse program shall establish a chemical abuse preassessment team. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
- D. The school district shall establish a drug-free awareness program for its employees.

**III. DEFINITIONS**

- A. "Chemical abuse", as applied to students, means use of any psychoactive or mood-altering chemical substance, without compelling medical reason, in a manner that induces mental, emotional, or physical impairment and causes socially dysfunctional or socially disordering behavior, to the extent that the minor's normal function in academic, school, or social activities is chronically impaired.
- B. "Controlled substances," as applied to the chemical abuse assessment of students, means a drug, substance, or immediate precursor in Schedules through V of Minnesota Statutes section 152.02 and "marijuana" as defined in Minnesota Statutes section 152.01, subdivision 9 but not distilled spirits, wine, malt beverages, intoxicating liquors or tobacco. As otherwise defined in this policy, "controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code section 812, including analogues and look-alike drugs.
- C. "Drug prevention" means prevention, early intervention, rehabilitation referral, recovery support services, or education related to the illegal use of drugs, such as raising awareness about the consequences of drug use that are evidence based.
- D. "Teacher" means all persons employed in a public school or education district or by a service cooperative as members of the instructional, supervisory, and support staff including superintendents, principals, supervisors, secondary vocational and other classroom teachers, librarians, counselors, school psychologists, school nurses, school social workers, audio-visual directors and coordinators, recreation personnel, media generalists, media supervisors, and speech therapists.

**IV. STUDENTS**

A. Districtwide School Discipline Policy

Procedures for detecting and addressing chemical abuse problems of a student while on school premises are included in the district wide school student discipline policy.

B. Programs and Activities

- 1. The school district shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievements. The programs and activities may include, among other programs and activities, drug prevention activities and programs that may be evidence based, including programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes.
- 2. As part of its drug-free programs, the school district may implement the drug abuse resistance education program (DARE) that enables peace officers to undergo the training to teach a curriculum on drug abuse resistance in schools.

C. Reports of Use, Possession, or Transfer of Alcohol or a Controlled Substance

1. A teacher in a nonpublic school participating in a school district chemical use program, or a public school teacher, who knows or has reason to believe that a student is using, possessing, or transferring alcohol or a controlled substance while on the school premises or involved in school-related activities, shall immediately notify the school's chemical abuse preassessment team, or staff member assigned duties similar to those of such a team, of this information.

*[Note: School districts are not required to participate in a chemical abuse program or establish a chemical abuse preassessment team pursuant to state law. Schools are required to have procedures for detecting student chemical abuse and can obtain federal funding if they establish drug prevention, detection, intervention, and recovery support services. Thus, it is recommended that schools establish these programs and activities. For those schools that do not establish a chemical abuse preassessment team, those obligations could be assigned to a specified staff member such a school counselor or administrator.]*

2. Students involved in the abuse, possession, transfer, distribution, or sale of chemicals may be suspended and proposed for expulsion in compliance with the student discipline policy and the Pupil Fair Dismissal Act, Minnesota Statutes section 121A.40-121A.56, and proposed for expulsion.
3. Searches by school district officials in connection with the use, possession, or transfer of alcohol or a controlled substance will be conducted in accordance with school board policies related to search and seizure.
4. Nothing in paragraph IV.B.1. prevents a teacher or any other school employee from reporting to a law enforcement agency any violation of law occurring on school premises or at school sponsored events.

D. Preassessment Team

1. Every school that participates in a school district chemical abuse program shall establish a chemical abuse preassessment team designated by the superintendent or designee. The team must be composed of classroom teachers, administrators, and to the extent they exist in the school, school nurse, school counselor or psychologist, social worker, chemical abuse specialist, and other appropriate professional staff. For schools that do not have a chemical abuse program and team, the superintendent or designee will assign these duties to a designated school district employee.
2. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
3. Within forty-five (45) days after receiving an individual reported case, the team shall make a determination whether to provide the student and, in the case of a minor, the student's parents with information about school and community services in connection with chemical abuse.

E. Data Practices

1. Student data may be disclosed without consent in health and safety emergencies pursuant to Minnesota Statutes section 13.32 and applicable federal law and regulations.
2. Destruction of Records
  - a. If the preassessment team decides not to provide a student and, in the case of a minor, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the determination is made.
  - b. If the team decides to provide the student and, in the case of a minor or a dependent student, the student's parents with such information, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the student is no longer enrolled in the district.
  - c. This section shall govern destruction of records notwithstanding provisions of the Records Management Act, Minn. Stat. § 138.163.

F. Consent

Any minor may give effective consent for medical, mental and other health services to determine the presence of or to treat conditions associated with alcohol and other drug abuse, and the consent of no other person is required.

V. **EMPLOYEES**

A. The school district shall establish a drug-free awareness program to inform employees about:

1. The dangers of drug abuse in the workplace/school.
2. The school district's policy of maintaining a drug-free workplace.
3. Available drug counseling, rehabilitation, and employee assistance programs.

B. The school district shall notify a federal granting agency required to be notified under the Drug-Free Workplace Act within ten (10) days after

receiving notice from the employee or otherwise receiving actual notice of any criminal drug statute conviction occurring in the workplace.

***Legal References:***

Minn. Stat. § 13.32 (Educational Data)  
Minn. Stat. § 121A.25-121A.29 (Chemical Abuse)  
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)  
Minn. Stat. § 124D.695 (Approved Recovery Program Funding)  
Minn. Stat. § 126C.44 (Safe Schools Levy)  
Minn. Stat. § 138.163 (Preservation and Disposal of Public Records)  
Minn. Stat. § 144.343 (Pregnancy, Venereal Disease, Alcohol or Drug Abuse, Abortion)  
Minn. Stat. § 152.01 (Definitions)  
Minn. Stat. § 152.02 (Schedules of Controlled Substances; Administration of Chapter)  
Minn. Stat. § 152.22 (Definitions; Medical Cannabis)  
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
Minn. Stat. § 299A.33 (DARE Program)  
Minn. Stat. § 466.07, subd. 1 (Indemnification Required)  
Minn. Stat. § 609.101, subd. 3(e) (Controlled Substance Offenses; Minimum Fines)  
20 U.S.C. §§ 7101-7122 (Student Support and Academic Enrichment Grants)  
20 U.S.C. § 5812 (National Education Goals)  
20 U.S.C. § 7175 (Local Activities)  
  
41 U.S.C. §§ 701-707 (Drug-Free Workplace Act)  
34 C.F.R. Part 84 (Government-Wide Requirements for Drug-Free Workplace)

***Cross References:***

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)  
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug Free School)  
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)

**418 DRUG FREE WORKPLACE / DRUG FREE SCHOOL**

**I. PURPOSE**

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

**II. GENERAL STATEMENT OF POLICY**

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

**III. DEFINITIONS**

- A. "Alcohol" includes any alcoholic beverage containing more than one-half of one percent alcohol by volume.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code section 812, including analogues and look-alike drugs.
- C. "Edible cannabinoid product" means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug.
- D. "Nonintoxicating cannabinoid" means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed injection, inhalation, ingestion, or by any other immediate means.
- E. "Medical cannabis" means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; (4) combustion with use of dried raw cannabis; or (5) any other method approved by the commissioner.
- F. "Possess" means to have on one's person, in one's effects, or in an area subject to one's control.
- G. "School location" includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.
- H. "Sell" means to sell, give away, barter, deliver, exchange, distribute or dispose of to another, or to manufacture; or to offer or agree to perform such an act, or to possess with intent to perform such an act.
- I. "Toxic substances" includes (1) glue, cement, aerosol paint, containing toluene, benzene, xylene, amyl nitrate, butyl nitrate, nitrous oxide, or containing other aromatic hydrocarbon solvents, but does not include glue, cement, or paint contained in a packaged kit for the construction of a model automobile, airplane, or similar item; (2) butane or a butane lighter; or (3) any similar substance declared to be toxic to the central nervous system and to have a potential for abuse, by a rule adopted by the commissioner of health.
- J. "Use" means to sell, buy, manufacture, distribute, dispense, be under the influence of, or consume in any manner, including, but not limited to, consumption by injection, inhalation, ingestion, or by any other immediate means.

**IV. EXCEPTIONS**

- A. A violation of this policy does not occur when a person brings onto a school location, for such person's own use, a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minnesota Statutes section 624.701, subdivision 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).
- C. A violation of this policy does not occur when a person uses or possesses a toxic substance unless they do so with the intent of inducing or intentionally aiding another in inducing intoxication, excitement, or stupefaction of the central nervous system, except under the direction and supervision of a medical doctor.
- D. The school district may not refuse to enroll or otherwise penalize a patient or person enrolled in the Minnesota Patient Registry Program as a pupil solely because the patient or person is enrolled in the registry program, unless failing to do so would violate federal law or regulations or cause the school to lose a monetary or licensing-related benefit under federal law or regulations.

## V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, must comply with the school district's student medication policy.
- B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, , nonintoxicating cannabinoids, or edible cannabinoid products, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.
- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.
- D. Employees are subject to the school district's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances, nonintoxicating cannabinoids, or edible cannabinoid products in a school location except with the express permission of the superintendent.
- F. No person is permitted to possess or use medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility. This prohibition includes (1) vaporizing or combusting medical cannabis on any form of public transportation where the vapor or smoke could be inhaled by a minor child or in any public place, including indoor or outdoor areas used by or open to the general public or place of employment; and (2) operating, navigating, or being in actual physical control of any motor vehicle or working on transportation property, equipment or facilities while under the influence of medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products.
- G. Possession of alcohol on school grounds pursuant to the exceptions of Minnesota Statutes section 624.701, Subdivision 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

## VI. SCHOOL PROGRAMS

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

## VII. ENFORCEMENT

A. Students

1. Students may be required to participate in programs and activities that provide education against the use of alcohol, tobacco, marijuana, smokeless tobacco products, electronic cigarettes, and nonintoxicating cannabinoids, and edible cannabinoid products.
2. Students may be referred to drug or alcohol assistance or rehabilitation programs; school based mental health services, mentoring and counseling, including early identification of mental health symptoms, drug use and violence and appropriate referral to direct individual or group counseling service. which may be provide by school based mental health services providers; and/or referral to law enforcement officials when appropriate.
3. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.

B. Employees

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

C. The Public

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

**Legal References:**

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

**Cross References:**

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

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

**I. PURPOSE**

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

**II. GENERAL STATEMENT OF POLICY**

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the Floodwood School district, or person smokes or uses tobacco, tobacco-related devices, or electronic cigarettes 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 device, or electronic cigarette 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, devices, or electronic cigarettes. The school district will not promote or allow promotion of tobacco products or e-cigarettes 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. EXCEPTION**

- 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.
- 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.

**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.

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

**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 Floodwood 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, nonschool-sponsored 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;
  - 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.

- 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;
  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 principal 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.

- 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. NOTICE OF POLICY TO STUDENTS AND EMPLOYEES**

A copy of this policy will be published in student handbooks and posted in school buildings.

**IX. 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.

**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 (8<sup>th</sup> Cir. 1987)  
*Roark v. South Iron R-1 School Dist.*, 573 F.3d 556 (8<sup>th</sup> Cir. 2009)  
*Victory Through Jesus Sports Ministry Foundation v. Lee's Summit R-7 School Dist.*, 640 F.3d 329 (8<sup>th</sup> Cir. 2011), cert. denied \_\_\_ U.S. \_\_\_, 132 S.Ct. 592 (2011)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 512 (School-Sponsored Student Publications)  
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)

**514 BULLYING PROHIBITION POLICY**

**I. PURPOSE**

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with a student's ability to learn and/or a teacher's ability to educate students in a safe environment. The Floodwood 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 they have 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 school 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. Consistent with its applicable policies and practices, the school district must discuss this policy with students, school personnel and volunteers and provide appropriate training for all school district personnel to prevent, identify, and respond to prohibited conduct. The school district must 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. Article II, paragraph D, regarding malicious and sadistic conduct must be conspicuously posted throughout each school building.
- C. This policy shall be conspicuously posted in the administrative offices of the school and school district in summary form.
- D. This policy must be distributed to each school district or school employee and independent contractor, if the contractor regularly interacts with students, at the time of employment with the district or the school.
- E. 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.
- F. This policy shall be available to all parents and other school community members in an electronic format in the languages appearing on the school district's or a school's website consistent with the district policies or practices.
- G. The school district shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

## **IX. POLICY REVIEW**

To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with 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 (Definition of Public School)  
Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 121A.03 (Sexual, Religious and Racial Harassment and Violence)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. § 121A.0312 (Malicious and Sadistic Conduct)  
Minn. Stat. § 121A.0311 (Notice of 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 School)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)  
34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)

### ***Cross References:***

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

**521 STUDENT DISABILITY NONDISCRIMINATION**

**I. PURPOSE**

The purpose of this policy is to protect students with disabilities from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973 (Section 504), need services, accommodations, or programs in order that such learners may receive a free appropriate public education.

**II. GENERAL STATEMENT OF POLICY**

- A. Students with disabilities who meet the criteria of Paragraph C. below are protected from discrimination on the basis of a disability.
- B. The responsibility of the Floodwood School district is to identify and evaluate learners who, within the intent of Section 504, need services, accommodations, or programs in order that such learners may receive a free appropriate public education.
- C. For this policy, a learner who is protected under Section 504 is one who:
  - 1. has a physical or mental impairment that substantially limits one or more of such person's major life activities; or
  - 2. has a record of such an impairment; or
  - 3. is regarded as having such an impairment.
  - 4. has an impairment that is episodic or in remission and would materially limit a major life activity when active.
- D. Learners may be protected from disability discrimination and be eligible for services, accommodations, or programs under the provisions of Section 504 even though they are not eligible for special education pursuant to the Individuals with Disabilities Education Act.

**III. COORDINATOR**

Persons who have questions or comments, should contact the Principal at Floodwood School, PO Box 287, 115 W 4<sup>th</sup> Avenue, Floodwood, MN 55736 218-476-2285. This person is the school district's Americans with Disabilities Act/Section 504 Coordinator. Persons who wish to make a complaint regarding a disability discrimination matter may use the accompanying Student Disability Discrimination Grievance Report Form. The form should be given to the ADA/Section 504 coordinator.

**Legal References:** Minn. Stat. § 363A.03, Subd. 12 (Definitions)  
42 U.S.C. Ch. (Equal Opportunity for Individuals with Disabilities)  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)  
34 C.F.R. Part 104 (Section 504 Implementing Regulations)

**Cross References:** MSBA/MASA Model Policy 402 (Disability Nondiscrimination)

522 TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND

I. GENERAL STATEMENT OF POLICY

- A. The school district does not discriminate on the basis of sex in its education programs or activities, and it is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The school district is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.
- B. The school district prohibits sexual harassment that occurs within its education programs and activities. When the school district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.
- C. This policy applies to sexual harassment that occurs within the school district's education programs and activities and that is committed by a school district employee, student, or other members of the school community. This policy does not apply to sexual harassment that occurs off school grounds, in a private setting, and outside the scope of the school district's education programs and activities. This policy does not apply to sexual harassment that occurs outside the geographic boundaries of the United States, even if the sexual harassment occurs in the school district's education programs or activities.
- D. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy and grievance process should discuss them with the Title IX Coordinator. The school district's Title IX Coordinator(s) is/are:

**Frank Bartsch, Activities Director, Floodwood School, 115 West 4th Ave, Floodwood, MN 55736 218-476-2285.**

Questions relating solely to Title IX and its regulations may be referred to the Title IX Coordinator(s), the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

- E. The effective date of this policy is August 14, 2020, and applies to alleged violations of this policy occurring on or after August 14, 2020.

II. DEFINITIONS

- A. "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to the school district's Title IX Coordinator or to any employee of the school district. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the school district with actual knowledge is the respondent.
- B. "Complainant" means a person who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. A Title IX Coordinator who signs a formal complaint is not a complainant unless the Title IX Coordinator is alleged to be the victim of the conduct described in the formal complaint.
- C. "Day" or "days" means, unless expressly stated otherwise, business days (i.e. day(s) that the school district office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).
- D. "Deliberately indifferent" means clearly unreasonable in light of the known circumstances. The school district is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.
- E. "Education program or activity" means locations, events, or circumstances for which the school district exercises substantial control over both the respondent and the context in which the sexual harassment occurs and includes school district education programs or activities that occur on or off of school district property.
- F. "Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school district investigate the allegation of sexual harassment.
  - 1. A formal complaint filed by a complainant must be a physical document or an electronic submission. The formal complaint must contain the complainant's physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint, and must be submitted to the Title IX Coordinator in person, by mail, or by email.
  - 2. A formal complaint shall state that, at the time of filing the formal complaint, the complainant was participating in, or attempting to participate in, an education program or activity of the school district with which the formal complaint is filed.
- G. "Informal resolution" means options for resolving a formal complaint that do not involve a full investigation and adjudication. Informal resolution may encompass a broad range of conflict resolution strategies, including mediation or restorative justice.

- H. “Relevant questions” and “relevant evidence” are questions, documents, statements, or information that are related to the allegations raised in a formal complaint. Relevant evidence includes evidence that is both inculpatory and exculpatory. Questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.
- I. “Remedies” means actions designed to restore or preserve the complainant’s equal access to education after a respondent is found responsible. Remedies may include the same individualized services that constitute supportive measures, but need not be non-punitive or non-disciplinary, nor must they avoid burdening the respondent.
- J. “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under Title IX.
- K. “Sexual harassment” means any of three types of misconduct on the basis of sex that occurs in a school district education program or activity and is committed against a person in the United States:
1. Quid pro quo harassment by a school district employee (conditioning the provision of an aid, benefit, or service of the school district on an individual’s participation in unwelcome sexual conduct);
  2. Unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; or
  3. Any instance of sexual assault (as defined in the Clery Act, 20 United States Code, section 1092(f)(6)A(v)), dating violence, domestic violence, or stalking (as defined in the Violence Against Women Act, 34 United States Code, section 12291).
- L. “Supportive measures” means individualized services provided to the complainant or respondent without fee or charge that are reasonably available, non-punitive, non-disciplinary, not unreasonably burdensome to the other party, and designed to ensure equal educational access, protect safety, and deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, alternative educational services as defined under Minnesota Statutes, section 121A.41, as amended, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the school district buildings or property, and other similar measures.
- M. “Title IX Personnel” means any person who addresses, works on, or assists with the school district’s response to a report of sexual harassment or formal complaint, and includes persons who facilitate informal resolutions. The following are considered Title IX Personnel:
1. “Title IX Coordinator” means an employee of the school district that coordinates the school district’s efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator is responsible for acting as the primary contact for the parties and ensuring that the parties are provided with all notices, evidence, reports, and written determinations to which they are entitled under this policy and grievance process. The Title IX Coordinator is also responsible for effective implementation of any supportive measures or remedies. The Title IX Coordinator must be free from conflicts of interest and bias when administering the grievance process.
  2. “Investigator” means a person who investigates a formal complaint. The investigator of a formal complaint may not be the same person as the Decision-maker or the Appellate Decision-maker. The Investigator may be a school district employee, school district official, or a third party designated by the school district.
  3. “Decision-maker” means a person who makes a determination regarding responsibility after the investigation has concluded. The Decision-maker cannot be the same person as the Title IX Coordinator, the Investigator, or the Appellate Decision-maker.
  4. “Appellate Decision-maker” means a person who considers and decides appeals of determinations regarding responsibility and dismissals of formal complaints. The Appellate Decision-maker cannot be the same person as the Title IX Coordinator, Investigator, or Decision-maker. The Appellate Decision-maker may be a school district employee, or a third party designated by the school district.
  5. The superintendent of the school district may delegate functions assigned to a specific school district employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes, to any suitably qualified individual and such delegation may be rescinded by the superintendent at any time. The school district may also, in its discretion, appoint suitably qualified persons who are not school district employees to fulfill any function under this policy, including, but not limited to, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes.

### III. BASIC REQUIREMENTS FOR GRIEVANCE PROCESS

- A. Equitable Treatment
1. The school district shall treat complainants and respondents equitably. However, equality or parity with respect to supportive measures

provided to complainants and respondents is not required.

2. The school district will not impose any disciplinary sanctions or take any other actions against a respondent that do not constitute supportive measures until it has completed this grievance process and the respondent has been found responsible.

3. The school district will provide appropriate remedies to the complainant any time a respondent is found responsible.

B. Objective and Unbiased Evaluation of Complaints

1. Title IX Personnel, including the Title IX Coordinator, Investigator, Decision-maker, and Appellate Decision-maker, shall be free from conflicts of interest or bias for or against complainants or respondents generally or a specific complainant or respondent.

2. Throughout the grievance process, Title IX Personnel will objectively evaluate all relevant evidence, inculpatory and exculpatory, and shall avoid credibility determinations based solely on a person's status as a complainant, respondent, or witness.

C. Title IX Personnel will presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

D. Confidentiality

The school district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 United States Code, section 1232g, FERPA regulations, 34 Code of Federal Regulations, part 99, Minnesota law under Minnesota Statutes section 13.32, or as required by law, or to carry out the purposes of 34 Code of Federal Regulations, part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the school district's obligation to maintain confidentiality shall not impair or otherwise affect the complainants and respondents receipt of the information to which they are entitled with respect to the investigative record and determination of responsibility).

E. Right to an Advisor; Right to a Support Person

Complainants and respondents have the right, at their own expense, to be assisted by an advisor of their choice during all stages of any grievance proceeding, including all meetings and investigative interviews. The advisor may be, but is not required to be, an attorney. In general, an advisor is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

A complainant or respondent with a disability may be assisted by a support person throughout the grievance process, including all meetings and investigative interviews, if such accommodation is necessary. A support person may be a friend, family member, or any individual who is not otherwise a potential witness. The support person is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

F. Notice

The school district will send written notice of any investigative interviews or meetings to any party whose participation is invited or expected. The written notice will include the date, time, location, participants, and purpose of the meeting or interview, and will be provided to allow sufficient time for the party to prepare to participate.

G. Consolidation

The school district may, in its discretion, consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

H. Evidence

1. During the grievance process, the school district will not require, allow, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

2. The school district shall not access, consider, disclose, or otherwise use a party's medical, psychological, and similar treatment records unless the school district obtains the party's voluntary, written consent.

I. Burden of Proof

1. The burden of gathering evidence and the burden of proof shall remain upon the school district and not upon the parties.

2. The grievance process shall use a preponderance of the evidence standard (i.e. whether it is more likely than not that the respondent engaged in sexual harassment) for all formal complaints of sexual harassment, including when school district employees are respondents.

J. Timelines

1. Any informal resolution process must be completed within thirty (30) calendar days following the parties' agreement to participate in such informal process.

2. An appeal of a determination of responsibility or of a decision dismissing a formal complaint must be received by the school district within five (5) days of the date the determination of responsibility or dismissal was provided to the parties.

3. Any appeal of a determination of responsibility or of a dismissal will be decided within thirty (30) calendar days of the day the appeal was received by the school district.

4. The school district will seek to conclude the grievance process, including any appeal, within 120 calendar days of the date the formal complaint was received by the school district.

5. Although the school district strives to adhere to the timelines described above, in each case, the school district may extend the time frames for good cause. Good cause may include, without limitation: the complexity of the allegations; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening school district holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances.

K. Potential Remedies and Disciplinary Sanctions

1. The following is the range of possible remedies that the school district may provide a complainant and disciplinary sanctions that the school district might impose upon a respondent, following determination of responsibility: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, changes in work locations, leaves of absence, monitoring of certain areas of the school district buildings or property, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge.

2. If the Decision-maker determines a student-respondent is responsible for violating this policy, the Decision-maker will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the superintendent of the recommended remedies, such that an authorized administrator can consider the recommendation(s) and implement appropriate remedies in compliance with MSBA Model Policy 506 – Student Discipline. The discipline of a student-respondent must comply with the applicable provisions of Minnesota Pupil Fair Dismissal Act, the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

IV. REPORTING PROHIBITED CONDUCT

A. Any student who believes they have been the victim of unlawful sex discrimination or sexual harassment, or any person (including the parent of a student) with actual knowledge of conduct which may constitute unlawful sex discrimination or sexual harassment toward a student should report the alleged acts as soon as possible to the Title IX Coordinator.

B. Any employee of the school district who has experienced, has actual knowledge of, or has witnessed unlawful sex discrimination, including sexual harassment, or who otherwise becomes aware of unlawful sex discrimination, including sexual harassment, must promptly report the allegations to the Title IX Coordinator without screening or investigating the report or allegations.

C. A report of unlawful sex discrimination or sexual harassment may be made at any time, including during non-business hours, and may be made in person, by mail, by telephone, or by e-mail using the Title IX Coordinator's contact information. A report may also be made by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

D. Sexual harassment may constitute both a violation of this policy and criminal law. To the extent the alleged conduct may constitute a crime, the School District may report the alleged conduct to law enforcement authorities. The school district encourages complainants to report criminal behavior to the police immediately.

V. INITIAL RESPONSE AND ASSESSMENT BY THE TITLE IX COORDINATOR

A. When the Title IX Coordinator receives a report, the Title IX Coordinator shall promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

B. The school district will offer supportive measures to the complainant whether or not the complainant decides to make a formal complaint. The school district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the school district's ability to provide the supportive measures. The Title IX

Coordinator is responsible for coordinating the effective implementation of supportive measures.

- C. If the complainant does not wish to file a formal complaint, the allegations will not be investigated by the school district unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the complainant's wishes is not clearly unreasonable in light of the known circumstances.
- D. Upon receipt of a formal complaint, the school district must provide written notice of the formal complaint to the known parties with sufficient time to prepare a response before any initial interview. This written notice must contain:
  - 1. The allegations of sexual harassment, including sufficient details known at the time, the identities of the parties involved in the incident (if known), the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known;
  - 2. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
  - 3. A statement explaining that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
  - 4. A statement that the parties may inspect and review evidence gathered pursuant to this policy;
  - 5. A statement informing the parties of any code of conduct provision that prohibits knowingly making false statements or knowingly submitting false information; and
  - 6. A copy of this policy.

## VI. STATUS OF RESPONDENT DURING PENDENCY OF FORMAL COMPLAINT

### A. Emergency Removal of a Student

- 1. The school district may remove a student-respondent from an education program or activity of the school district on an emergency basis before a determination regarding responsibility is made if:
  - a. The school district undertakes an individualized safety and risk analysis;
  - b. The school district determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal of the student-respondent; and
  - c. The school district determines the student-respondent poses such a threat, it will so notify the student-respondent and the student-respondent will have an opportunity to challenge the decision immediately following the removal. In determining whether to impose emergency removal measures, the Title IX Coordinator shall consult related school district policies, including MSBA Model Policy 506 – Student Discipline. The school district must take into consideration applicable requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973, prior to removing a special education student or Section 504 student on an emergency basis.

### B. Employee Administrative Leave

The school district may place a non-student employee on administrative leave during the pendency of the grievance process of a formal complaint. Such leave will typically be paid leave unless circumstances justify unpaid leave in compliance with legal requirements. The school district must take into consideration applicable requirements of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prior to removing an individual with a qualifying disability.

## VII. INFORMAL RESOLUTION OF A FORMAL COMPLAINT

- A. At any time prior to reaching a determination of responsibility, informal resolution may be offered and facilitated by the school district at the school district's discretion, but only after a formal complaint has been received by the school district.
- B. The school district may not require as a condition of enrollment or continued enrollment, or of employment or continued employment, or enjoyment of any other right, waiver of the right to a formal investigation and adjudication of formal complaints of sexual harassment.
- C. The informal resolution process may not be used to resolve allegations that a school district employee sexually harassed a student.
- D. The school district will not facilitate an informal resolution process without both parties' agreement, and will obtain their voluntary, written consent. The school district will provide to the parties a written notice disclosing the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, the parties' right to withdraw from the informal resolution process, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
- E. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the

grievance process with respect to the formal complaint.

VIII. Dismissal of a Formal Complaint

- A. Under federal law, the school district must dismiss a Title IX complaint, or a portion thereof, if the conduct alleged in a formal complaint or a portion thereof:
  - 1. Would not meet the definition of sexual harassment, even if proven;
  - 2. Did not occur in the school district's education program or activity; or
  - 3. Did not occur against a person in the United States.
- B. The school district may, in its discretion, dismiss a formal complaint or allegations therein if:
  - 1. The complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein;
  - 2. The respondent is no longer enrolled or employed by the school district; or
  - 3. Specific circumstances prevent the school district from gathering sufficient evidence to reach a determination.
- C. The school district shall provide written notice to both parties of a dismissal. The notice must include the reasons for the dismissal.
- D. Dismissal of a formal complaint or a portion thereof does not preclude the school district from addressing the underlying conduct in any manner that the school district deems appropriate.

IX. INVESTIGATION OF A FORMAL COMPLAINT

- A. If a formal complaint is received by the School District, the school district will assign or designate an Investigator to investigate the allegations set forth in the formal complaint.
- B. If during the course of the investigation the school district decides to investigate any allegations about the complainant or respondent that were not included in the written notice of a formal complaint provided to the parties, the school district must provide notice of the additional allegations to the known parties.
- C. When a party's participation is invited or expected in an investigative interview, the Investigator will coordinate with the Title IX Coordinator to provide written notice to the party of the date, time, location, participants, and purposes of the investigative interview with sufficient time for the party to prepare.
- D. During the investigation, the Investigator must provide the parties with an equal opportunity to present witnesses for interviews, including fact witnesses and expert witnesses, and other inculpatory and exculpatory evidence.
- E. Prior to the completion of the investigative report, the Investigator, through the Title IX Coordinator, will provide the parties and their advisors (if any) with an equal opportunity to inspect and review any evidence directly related to the allegations. The evidence shall be provided in electronic format or hard copy and shall include all relevant evidence, evidence upon which the school district does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or another source. The parties will have ten (10) days to submit a written response, which the Investigator will consider prior to completion of the investigative report.
- F. The Investigator will prepare a written investigative report that fairly summarizes the relevant evidence. The investigative report may include credibility determinations that are not based on a person's status as a complainant, respondent or witness. The school district will send the parties and their advisors (if any) a copy of the report in electronic format or hard copy, for their review and written response at least ten (10) days prior to a determination of responsibility.

X. DETERMINATION REGARDING RESPONSIBILITY

- A. After the school district has sent the investigative report to both parties and before the school district has reached a determination regarding responsibility, the Decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness.
- B. The Decision-maker must provide the relevant questions submitted by the parties to the other parties or witnesses to whom the questions are offered, and then provide each party with the answers, and allow for additional, limited follow-up questions from each party.
- C. The Decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant.
- D. When the exchange of questions and answers has concluded, the Decision-maker must issue a written determination regarding

responsibility that applies the preponderance of the evidence standard to the facts and circumstances of the formal complaint. The written determination of responsibility must include the following:

1. Identification of the allegations potentially constituting sexual harassment;
  2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
  3. Findings of fact supporting the determination;
  4. Conclusions regarding the application of the school district's code of conduct to the facts;
  5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the school district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the school district to the complainant; and
  6. The school district's procedures and permissible bases for the complainant and respondent to appeal and the date by which an appeal must be made.
- E. In determining appropriate disciplinary sanctions, the Decision-maker 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 incident occurred.
- F. The written determination of responsibility must be provided to the parties simultaneously.
- G. The Title IX Coordinator is responsible for the effective implementation of any remedies.
- H. The determination regarding responsibility becomes final either on the date that the school district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

## XI. APPEALS

- A. The school district shall offer the parties an opportunity to appeal a determination regarding responsibility or the school district's dismissal of a formal complaint or any allegations therein, on the following bases:
1. A procedural irregularity that affected the outcome of the matter (e.g., a material deviation from established procedures);
  2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
  3. The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
- B. If notice of an appeal is timely received by the school district, the school district will notify the parties in writing of the receipt of the appeal, assign or designate the Appellate Decision-maker, and give the parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.
- C. After reviewing the parties' written statements, the Appellate Decision-maker must issue a written decision describing the result of the appeal and the rationale for the result.
- D. The written decision describing the result of the appeal must be provided simultaneously to the parties.
- E. The decision of the Appellate Decision-maker is final. No further review beyond the appeal is permitted.

## XII. RETALIATION PROHIBITED

- A. Neither the school district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of sexual harassment, filing a formal complaint, or participating in an investigation, constitutes a violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

- B. Any person may submit a report or formal complaint alleging retaliation in the manner described in this policy and it will be addressed in the same manner as other complaints of sexual harassment or sex discrimination.
- C. Charging an individual with violation of school district policies for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

XIII. TRAINING

- A. The school district shall ensure that Title IX Personnel receive appropriate training. The training shall include instruction on:
  - 1. The Title IX definition of sexual harassment;
  - 2. The scope of the school district's education program or activity;
  - 3. How to conduct an investigation and grievance process, appeals, and informal resolution processes, as applicable;
  - 4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
  - 5. For Decision-makers, training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's prior sexual behavior are not relevant; and
  - 6. For Investigators, training on issues of relevance, including the creation of an investigative report that fairly summarizes relevant evidence.
- B. The training materials will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints.
- C. Materials used to train Title IX Personnel must be posted on the school district's website. If the school district does not have a website, it must make the training materials available for public inspection upon request.

XIV. DISSEMINATION OF POLICY

- A. This policy shall be made available to all students, parents/guardians of students, school district employee, and employee unions.
- B. The school district shall conspicuously post the name of the Title IX Coordinator, including office address, telephone number, and work e-mail address on its website and in each handbook that it makes available to parents, employees, students, unions, or applicants.
- C. The school district must provide applicants for admission and employment, students, parents or legal guardians of secondary school students, employees, and all unions holding collective bargaining agreements with the school district, with the following:
  - 1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator;
  - 2. Notice that the school district does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX not to discriminate in such a manner;
  - 3. A statement that the requirement not to discriminate in the education program or activity extends to admission and employment, and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the United States Department of Education, or both; and
  - 4. Notice of the school district's grievance procedures and grievance process contained in this policy, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the school district will respond.

XV. RECORDKEEPING

- A. The school district must create, and maintain for a period of seven calendar years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the school district must document:
  - 1. The basis for the school district's conclusion that its response to the report or formal complaint was not deliberately indifferent;
  - 2. The measures the school district has taken that are designed to restore or preserve equal access to the school district's education program or activity; and
  - 3. If the school district does not provide a complainant with supportive measures, then it must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. Such a record must be maintained for a period of seven years.
  - 4. The documentation of certain bases or measures does not limit the recipient in the future from providing additional explanations or detailing additional measures taken.

B. The school district must also maintain for a period of seven calendar years records of:

1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom; and
4. All materials used to train Title IX Personnel.

**Legal References:** Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)  
Minn. Stat. §§ 121A.40 – 121A.575 (Minnesota Pupil Fair Dismissal Act)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments)  
34 C.F.R. Part 106 (Implementing Regulations of Title IX)  
20 U.S.C § 1400, *et seq.* (Individuals with Disabilities Education Act)  
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act)  
42 U.S.C. § 12101, *et seq.* (Americans with Disabilities Act)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act of 1974)  
20 U.S.C. § 1092 *et seq.* (Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (“Clery Act”))

**Cross References:** MSBA/MASA Model Policy 102 (Equal Educational Opportunity)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

524 **INTERNET, TECHNOLOGY, AND CELL PHONE ACCEPTABLE USE AND SAFETY POLICY**

**I. PURPOSE**

The purpose of this policy is to set forth policies and guidelines for access to the **Floodwood 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 technology resources 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.

**An annual \$25 user fee will be implied for the use of the iPad or Chromebook.**

**V. UNACCEPTABLE USES**

A. The following uses of the school district system and Internet resources or accounts are considered unacceptable:

1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit, or distribute:
  - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
  - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
  - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
  - d. information or materials that could cause damage or danger of disruption to the educational process;
  - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization. Users will not use the school district system to engage in cyber bullying or harassment of another person, or to engage in personal attacks, including prejudicial or discriminatory attacks. This includes, but is not limited to, social network sites, tweeting, texting, chat rooms, email, or other electronic communications.
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, hack into, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a

way as to disrupt the use of the system by other users.

5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.
  6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.
    - a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
    - b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
      - (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
      - (2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

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

  - c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as "Facebook," "Twitter," "Instagram", "Snapchat", and "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 (MSBA/MASA Model Policy 514). 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. 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 include, but are not limited to, situations where the school district system is compromised or if a school district employee or student is negatively impacted. 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 cyber-bullying awareness and response.

## VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

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

## VIII. LIMITED EXPECTATION OF PRIVACY

- A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. Parents have the right at any time to investigate or review the contents of their child’s files and e-mail files. 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 Minn. Stat. Ch. 13 (the Minnesota Government Data Practices Act).

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

## 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 Policy 406, Public and Private Personnel Data, and Policy 515, Protection and Privacy of Pupil Records.
  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'/GUARDIAN RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE**

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

## **XIII. NOTIFICATION REGARDING TECHNOLOGY PROVIDERS**

- A. "Technology provider" means a person who:
1. contracts with the school district, as part of a one-to-one program or otherwise, to provide a school-issued device for student use; and
  2. creates, receives, or maintains educational data pursuant or incidental to a contract with the school district.
- B. "Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
- C. Within 30 days of the start of each school year, the school district must give parents and students direct and timely notice, by United States mail, e-mail, or other direct form of communication, of any curriculum, testing, or assessment technology provider contract affecting a student's educational data.

The notice must:

1. identify each curriculum, testing, or assessment technology provider with access to educational data;

2. identify the educational data affected by the curriculum, testing, or assessment technology provider contract; and
  3. include information about the contract inspection and provide contact information for a school department to which a parent or student may direct questions or concerns regarding any program or activity that allows a curriculum, testing, or assessment technology provider to access a student's educational data.
- D. The school district must provide parents and students an opportunity to inspect a complete copy of any contract with a technology provider.
- E. A contract between a technology provider and the school district must include requirements to ensure appropriate security safeguards for educational data.

The contract must require that:

1. the technology provider's employees or contractors have access to educational data only if authorized; and
  2. the technology provider's employees or contractors may be authorized to access educational data only if access is necessary to fulfill the official duties of the employee or contractor.
- F. All educational data created, received, maintained, or disseminated by a technology provider pursuant or incidental to a contract with a public educational agency or institution are not the technology provider's property.

**XIV. SCHOOL-ISSUED DEVICES**

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

**XV. CELL PHONE USE**

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.

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

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

## **XII. 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/guardian 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. 194 (2003)  
*Sagehorn v. Indep. Sch. Dist. No. 728*, 122 F.Supp.2d 842 (D. Minn. 2015)  
*R.S. v. Minnewaska Area Sch. Dist. No. 2149*, 894 F.Supp.2d 1128 (D. Minn. 2012)  
*Tatro v. Univ. of Minnesota*, 800 N.W.2d 811 (Minn. App. 2011), *aff'd* on other grounds 816 N.W.2d 509 (Minn. 2012)  
*S.J.W. v. Lee's Summit R-7 Sch. Dist.*, 696 F.3d 771 (8<sup>th</sup> Cir. 2012)  
*Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist.*, 853 F.Supp.2d 888 (W.D. Mo. 2012)  
*M.T. v. Cent. York Sch. Dist.*, 937 A.2d 538 (Pa. Commw. Ct. 2007)

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

## **524.5 PERSONAL ELECTRONIC COMMUNICATION DEVICES**

### **I. PURPOSE**

The objective of this policy is to support the school district's focus on learning in alignment with the district's mission to ignite students' passion for learning, cultivate a strong foundation of knowledge, and foster a sense of community within our schools. Possession and use of personal electronic communication devices must be regulated to ensure that such devices do not disrupt or interfere with the education process or school operations, impair the safety, welfare, and privacy of students and staff, or are used as part of an act of academic dishonesty.

### **II. GENERAL STATEMENT OF POLICY**

To minimize the impact of personal electronic communication devices on student behavior, mental health, and academic attainment and to support school environments in which students can engage fully with their classmates, their teachers, and instruction, the school board has determined the use of personal electronic communication devices by students during school hours should be limited.

### III. DEFINITIONS

- A. “Bell-to-Bell” means from when the first bell rings at the start of the school day to begin instructional time until the dismissal bell rings at the end of the academic school day. “Bell-to bell” includes lunch and time in between class periods.
- B. “Cell Phone” means a personal device capable of making calls, transmitting pictures or video, or sending or receiving messages through electronic means. The definition of cell phone includes a non-smart phone that is limited to making phone calls or text messages and a smart phone that encompasses the above features.
- C. “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.
- D. “Instructional Time” means any structured or unstructured learning experiences that occur from when the first bell rings at the start of the school day until the dismissal bell rings at the end of the academic school day.
- E. “Personal Electronic Communication Device” means any personal device capable of connecting to a cell phone, the internet, a cellular or Wi-Fi network, or directly connects to another similar device. Personal electronic communication devices may include cell phones, wearable devices such as smart watches, personal headphones, earbuds or pods, laptops, tablets, virtual reality devices, and other personal electronic communication devices with the abovementioned characteristics.
- F. “Stored” means a cell phone or personal electronic communication device not being carried on the student’s person, including not in the student’s pocket. Storage options may include, but are not limited to, in the student’s backpack, in the student’s locker, in a locked pouch, or in a designated place in the classroom, as determined by school administration.

### IV. PERSONAL ELECTRONIC COMMUNICATION DEVICE USE AND STORAGE

- A. Personal Electronic Communication Device Use
  - 1. Students are prohibited from using personal electronic communication devices during instructional time.
  - 2. Elementary Schools (PreK-6)
    - a. Students are prohibited from using personal electronic communication devices on school premises from bell-to-bell, which includes but is not limited to instructional time, lunch periods, recess, school-sponsored programs, events or activities, or any other time during the designated school day.
    - b. All personal electronic communication devices shall be kept in designated areas and turned off.
  - 3. High Schools (7-12)
    - a. Students are prohibited from using personal electronic communication devices during instructional time, which includes the entire period of a scheduled class and other times when students are directed to report to and participate in any instructional activity.
    - b. Students may wear smart or electronic watches but may not use any communication applications or features that are prohibited from use on other personal electronic communication devices and all notifications must be turned off.
    - c. All personal electronic communication devices shall be kept in designated areas and turned off during instructional time. Personal electronic communication devices may be used during passing times and lunch periods; however, such use is discouraged.
- B. Off-Campus School-Sponsored Activities

School administration may establish guidelines for personal electronic communication device possession and use during off-campus school-sponsored activities, such as extracurricular activities, outdoor and service trips, and school field trips. These guidelines will be provided at pre-activity meetings, activity-specific permission slips, and by other means as appropriate in the circumstances.

**V. LIMITATIONS ON USE OF AND STORAGE OF PERSONAL ELECTRONIC COMMUNICATION DEVICES**

**A. Limitations on Use of Personal Electronic Communication Devices**

1. Personal electronic communication devices may not be used in any manner that causes or results in disruption of the educational environment or school-sponsored extracurricular activities or events or impairs or interferes with school district operations.
2. Devices, including but not limited to personal electronic communication devices, with audio, video, or photo-taking capabilities shall not be used at any time in locker rooms, bathrooms, or other locations where the presence of such devices poses an unreasonable risk to the safety, welfare, or privacy of others. Confiscation and search of such devices will occur if found in these areas.
3. Students may not use a device to record, transmit, or post audio, videos, or photos of a person or persons on school grounds or on a school bus without the express permission of school staff in addition to the express consent of the individual or individuals that are the subjects of the recording.
4. Personal electronic communication devices may not be used to engage in bullying, cyberbullying, harassment, discrimination, or other activity prohibited under federal or state law or under school district policy.
5. Personal electronic communication devices shall not be used during a lockdown drill, a fire drill, or a similar safety drill.

**B. Storage of Personal Electronic Communication Devices**

Students shall keep their personal electronic communication devices in a secure place, such as the student's locker, a closed backpack, a storage device provided by the school, or an area designated by the classroom teacher at all times when personal electronic communication device use is prohibited.

**V. EXCEPTIONS**

- A. Nothing in this policy prohibits a student from using a personal electronic communication device for a purpose documented in the student's individualized education program, a plan developed under section 504 of the Rehabilitation Act of 1973, or a health care plan in force regarding the student.
- B. A student may use a personal electronic communication device to monitor or address a health concern or medical condition upon permission granted by school administration.
- C. Students may use a personal electronic communication device when the use is necessary to respond to or report an emergency. For purposes of this policy, "emergency" means an actual or imminent threat to the health or safety of students and/or school personnel, which may result in death, bodily injury, or substantial property damage.
- D. A student may use a personal electronic communication device during a time at which use would otherwise be prohibited when the student has been granted permission from a staff member to use the device. If the school district implements a curriculum that uses technology, students may be allowed to use their own personal electronic communication devices to access the curriculum. Students who are allowed to use their own devices to access the curriculum will be granted access to any application or electronic materials when they are available to students who do not use their own devices, or provided free of charge to students who do not use their own devices for curriculum.
- E. A personal electronic communication device may be stored in student vehicles parked on school district property provided that the device is not removed from the vehicle while on school district property.
- F. Students who need to make a call may request permission to use a telephone in the building office.

**VI. DISCIPLINE**

If a student violates this policy, a teacher or administrator shall take the following progressively serious disciplinary measures:

- A. Give the student a verbal warning and require the student to store the student's personal electronic communication device in accordance with this policy.

- B. Securely store the student's personal electronic communication device in a teacher- or administrator-controlled locker, bin, or drawer for the duration of the class or period.
- C. Place the student's personal electronic communication device in the school's central office for the remainder of the school day.
- D. Place the student's personal device in the school's central office to be picked up by the student's parent or guardian.
- E. Schedule a conference with the student's parent or guardian to discuss the student's personal device use.
- F. Apply discipline as provided under school district policies and as appropriate.

## VII. SCHOOL DISTRICT RESPONSIBILITY

- A. The school district is not responsible for, nor is it required to investigate, any lost, stolen, or damaged personal electronic communication devices brought onto school grounds or the bus or school-sponsored activities or events.
- B. The school board directs the superintendent and school district administration to establish additional rules and procedures regarding student possession and use of personal electronic communication devices in schools as the superintendent and school district administration find appropriate. These rules shall be consistent with this policy and other applicable school district policies. These rules and procedures should seek to minimize the impact of personal electronic communication devices on student behavior, mental health, and academic attainment. These rules and procedures may be designed for specific school buildings, grade levels, or pursuant to similar criteria.

**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)  
29 U.S.C. § 794 (Nondiscrimination under Federal Grants and Programs)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 524 (Internet, Technology, and Cell Phone Acceptable Use and Safety Policy)  
Away for the Day ([www.awayfortheday.org](http://www.awayfortheday.org))  
MASSP/MESPA, *The Cell Phone Toolkit* (July 2024)

**525 VIOLENCE PREVENTION [APPLICABLE TO STUDENTS AND STAFF]**

**I. PURPOSE**

The purpose of this policy is to recognize that violence has increased and to identify measures that the Floodwood School district will take in an attempt to maintain a learning and working environment that are free from violent and disruptive behavior.

The school board is committed to promoting healthy human relationships and learning environments that are physically and psychologically safe for all members of the school community. It further believes that students are the first priority and they should be protected from physical or emotional harm during school activities, and on school grounds, buses or field trips while under school district supervision.

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to strictly enforce its weapons policy (Policy 501).
- B. The policy of the school district is to act promptly in investigating all acts, or formal or informal complaints, of violence and take appropriate disciplinary action against any student or staff member who is found to have violated this policy or any related policy.
- C. The administration will periodically review discipline policies and procedures, prepare revisions if necessary, and submit them to the school board for review and adoption.
- D. The school district will implement approved violence prevention strategies to promote safe and secure learning environments, to diminish violence in our schools, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

**III. IMPLEMENTATION OF POLICY**

- A. The school board will review and approve policies to prevent and address violence in our schools. The superintendent or designee will develop procedures to effectively implement the school weapons and violence prevention policies. It shall be incumbent on all students and staff to observe all policies and report violations to the school administration.
- B. The school board and administration will inform staff and students annually of policies and procedures related to violence prevention and weapons.
- C. The school district will act promptly to investigate all acts and formal and informal complaints of violence and take appropriate disciplinary action against any student or staff member who is found to have violated this policy or any related policy.
- D. The consequences set forth in the school weapons policy (Policy 501) will be imposed upon any student or nonstudent who possesses, uses or distributes a weapon when in a school location.
- E. The consequences set forth in the school hazing policy (Policy 526) will be imposed upon any student or staff member who commits an act against a student or staff member; or coerces a student or staff member into committing an act, that creates a substantial risk of harm to a person in order for the student or staff member to be initiated into or affiliated with an organization, or for any other purpose.
- F. Students with disabilities may be expelled for behavior unrelated to their disabilities, subject to the procedural safeguards required by the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Pupil Fair Dismissal Act.
- G. Procedures will be developed for the referral of any person in violation of this policy or the weapons policy to the local law enforcement agency in accordance with Minnesota Statutes section 121A.05.
- H. Students who wear objectionable emblems, signs, words, objects, or pictures on clothing communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership or that approves, advances, or provokes any form of religious, racial or sexual harassment or violence against other individuals as defined in the Harassment and Violence Policy (Policy 413) will be subject to the procedures set forth in the student dress and appearance policy (Policy 504). "Gang" as used in this policy means any ongoing organization, association or group of three or more persons, whether formal or informal, having as one of its primary activities, the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. A "pattern of gang activity" means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.
- I. This policy is not intended to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane, denote gang affiliation, advocate harassment or violence against others, are likely to disrupt the education process, or cause others to react in a violent or illegal manner (Policy 504).

**IV. PREVENTION STRATEGIES**

The school district has adopted and will implement the following prevention strategies to promote safe and secure learning environments, to diminish violence in our schools, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

- A. Adopt a district crisis management policy to address potential violent crisis situations in the district.
- B. Provide training in recognition, prevention, and safe responses to violence, and development of a positive school climate.
- C. Coordinate a local school security review committee or task force comprised of school officials, law enforcement, parents, students and other youth service providers to advise on policy implementation.
- D. Inservice training for personnel in aspects of reporting, visibility and supervision as deterrents to violence.
- E. Promote student safety responsibility by encouraging the reporting of suspicious individuals and unusual activities on school grounds.
- F. Establish a curriculum committee that explores ways of teaching students violence prevention strategies, law related education and character / values education (universal values, e.g., honesty, personal responsibility, self discipline, cooperation and respect for others).
- G. Establish clear school rules that prevent and deter violence.
- H. Develop cross cultural awareness programs to unify students of all cultures and backgrounds, to develop mutual respect and understanding of shared experiences and values among students, and to promote the message of inclusion.
- I. Establish conflict resolution training, conflict management, or peer mediation programs for staff and students to teach conservative approaches to settling disputes.
- J. Develop curriculum that teaches social skills such as maintaining self control, building communications skills, forming friendships, resisting peer pressure, being appropriately assertive, forming positive relationships with adults, and resolving conflict in nonviolent ways.
- K. Develop curriculum that teaches critical viewing and listening skills in analyzing mass media to recognize stereotypes, distinguish fact from fantasy and identify differences in behavior and values that conflict with their own.
- L. Develop student safety forums that both inform and elicit students' ideas about particular safety problems in the building.
- M. Develop a student photo or name identification system for quick identification of the student in case of an emergency.
- N. Develop a staff photo or name identification system using identification badges for quick identification of unauthorized people on campus.
- O. Require all visitors to check in the main office upon their arrival and state their business at the school. A visitor badge may be issued for easy identification that the visitor is authorized to be present in the school building.

#### **V. STUDENT SUPPORT**

- A. Students will have access to school based student service professionals, when available, including counselors, nurses, social workers, and psychologists who are knowledgeable in methods to assist students with violence prevention and intervention.
- B. Students will be apprised of school board policies designed to protect their personal safety.
- C. Students will be provided with information as to school district and building rules regarding weapons and violence.
- D. Students will be informed of resources for violence prevention and proper reporting.

#### **VI. PERSONNEL**

- A. School district personnel shall comply with the school weapons policy (Policy 501) and the school hazing policy (Policy 526).
- B. School district personnel shall be knowledgeable of violence prevention policies and report any violation to school administration immediately. School district personnel will be informed annually as to school district and building rules regarding weapons and violence prevention.
- C. School district personnel or agents of the school district shall not engage in emotionally abusive acts including malicious shouting, ridicule, and/or threats or other forms of corporal punishment (Policy 507).

**Legal References:** Minn. Stat. § 13.43, Subd. 16 (Personnel Data)  
Minn. Stat. § 120B.22 (Violence Prevention Education)  
Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 121A.035 (Crisis Management Policy)  
Minn. Stat. § 121A.05 (Policy to Refer Firearms Possessor)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)  
Minn. Stat. § 121A.64 (Notification)  
Minn. Stat. § 121A.69 (Hazing Policy)

Minn. Stat. § 181.967, Subd. 5 (School District Disclosure of Violence or Inappropriate Sexual Contact)  
18 U.S.C. § 921 (Definition of Firearm)  
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)  
*Tinker v. Des Moines Indep. Sch. Dist.*, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)  
*Stephenson v. Davenport Cmty. Sch. Dist.*, 110 F.3d 1303 (8<sup>th</sup> Cir. 1997)  
*McIntire v. Bethel School* 804 F.Supp. 1415, 78 Educ. L.Rep 828 (W.D. Okla. 1992)  
*Olesen v. Board of Educ. of Sch. Dist. No. 228*, 676 F.Supp. 820, 44 Educ. L.Rep. 205 (N.D. Ill. 1987)

**Cross References:** MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 501 (School Weapons Policy)  
MSBA/MASA Model Policy 504 (Student Dress and Appearance)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 507 (Corporal Punishment)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)  
MSBA/MASA Model Policy 526 (Hazing Prohibition)  
MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)

**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 Floodwood 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 for 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 in 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 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 school-related 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 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, the principal’s designee, or the building supervisor (hereinafter the “building report taker” 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 report taker immediately. Any person may report hazing 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.
- 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.
- C. A teacher, administrator, volunteer, contractor, and other 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 report taker 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 report taker, 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 report taker or other appropriate school district officials may take immediate steps, at its 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 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 of alleged hazing, 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 copy of this policy will be printed in the student and staff handbook or disseminated in any other way which school officials deem appropriate.

**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 Minnesota Schools Act)  
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.69 (Hazing Policy)

**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])

**529 STAFF NOTIFICATION OF VIOLENT BEHAVIOR BY STUDENTS**

**I. PURPOSE**

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

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

**II. GENERAL STATEMENT OF POLICY**

- A. Any staff member or other employee of the school district who obtains or possesses information concerning a student in the building with a history of violent behavior shall immediately report said information to the principal of the building in which the student attends school.
- B. The administration will meet with the assigned classroom teacher and other appropriate staff members for the purpose of notifying and determining how staff will manage such student.
- C. Only staff members who have a legitimate educational interest in the information will receive notification.

**III. DEFINITIONS**

For purposes of this policy, the following terms have the meaning given them.

A. Administration

“Administration” means the superintendent, building principal, or other designee.

B. Classroom Teacher

“Classroom Teacher” means the instructional personnel responsible for the course or room to which a student is assigned at any given time, including a substitute hired in place of the classroom teacher.

C. History of Violent Behavior

- 1. A student will be considered to have a history of violent behavior if incident(s) of violence, including any documented physical assault of a school district employee by the student, have occurred during the current or previous school year.
- 2. If a student has an incident of violence during the current or previous school year, that incident and all other past related or similar incidents of violence will be reported.

D. Incident(s) of Violence

“Incident(s) of violence” means willful conduct in which a student endangers or causes physical injury to the student, other students, a school district employee, or surrounding person(s) or endangers or causes significant damage to school district property, regardless of whether related to a disability or whether discipline was imposed.

E. Legitimate Educational Interest

“Legitimate educational interest” includes 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 educational data. It includes a person’s need to know in order to:

- 1. Perform an administrative task required in the school or the 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; or
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.
4. Perform a task directly related to responding to a request for data.

F. School Staff Member

"School Staff Member" includes:

1. A person duly elected to the school board;
2. A person employed by the school board in an administrative, supervisory, instructional, or other professional position;
3. 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
4. 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.

**IV. PROCEDURE FOR STAFF NOTIFICATION OF STUDENTS WITH VIOLENT BEHAVIOR**

A. Reports of Violent Behavior

Any staff member or other employee of the school district who becomes aware of any information regarding the violent behavior of an enrolling student or any student enrolled in the school district shall immediately report the information to the building principal where the student is enrolled or seeks to enroll.

B. Recipients of Notice

Each classroom teacher of a student with a history of violent behavior (see Section III.C., above) will receive written notification from the administration prior to placement of the student in the teacher's classroom. In addition, written notice will be given by the administration to other school staff members who have a legitimate educational interest, as defined in this policy, when a student with a history of violent behavior is placed in a teacher's classroom. The administration will provide notice to anyone substituting for the classroom teacher or school staff member, who has received notice under this policy, that the substitute will be overseeing a student with a history of violent behavior.

The administration may provide other school district employees or individuals outside of the school district with information regarding a student, including information regarding a student's history of violent behavior, in accordance with Policy 515, Protection and Privacy of Pupil Records.

C. Determination of Who Receives Notice

The determination of which classroom teachers and school staff members have a legitimate educational interest in information regarding a student with a history of violent behavior will be made by either: (1) the school district's Responsible Authority appointed by the school board under the Minnesota Government Data Practices Act or (2) the administration. In the event the administration makes this determination, the Responsible Authority will provide guidance to the administration as to what data will be shared.

D. Form of Written Notice

The notice given to classroom teachers and school staff members will be in writing and will include the following:

1. Name of the student;
2. Date of notice;
3. Notification that the student has been identified as a student with a history of violent behavior as defined in Section III. of this policy; and
4. Reminder of the private nature of the data provided.

E. Record of Notice

1. The administration will retain a copy of the notice or other documentation provided to classroom teachers and school staff members notified under this section.
2. Retention of the written notice or other documentation provided to classroom teachers and school staff members is governed by the approved Records Retention Schedule.

F. Meetings Regarding Students with a History of Violent Behavior

1. If the administration determines, in his or her discretion, that the classroom teacher and/or school staff members with a legitimate educational interest in such data reasonably require access to the details regarding a student's history of violent behavior for purposes of school safety and/or intervention services for the student, the administration also may convene a meeting to share and discuss such data.
2. The persons present at the meeting may have access to the data described in Section IV.D., above.

G. Law Enforcement Reports

Staff members will be provided with notice of disposition orders or law enforcement reports received by the school district in accordance with Policy 515, Protection and Privacy of Pupil Records. Where appropriate, information obtained from disposition orders or law enforcement reports also may be included in a Notification of Violent Behavior.

**V. MAINTENANCE AND TRANSFER OF RECORDS**

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

**VI. PARENTAL NOTICE**

- A. The administration will notify parents annually that the school district gives classroom teachers and other school staff members notice about students' history of violent behavior.
- B. Prior to providing the written notice of a student's violent behavior to classroom teachers and/or school staff members, the administration will inform the student's parent or guardian that such notice will be provided.
- C. Parents will be given notice that they have the right to review and challenge records or data, including the data documenting the history of violent behavior, in accordance with Policy 515, Protection and Privacy of Pupil Records.

**VII. TRAINING NEEDS**

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

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 120A.22, Subd. 7 (Compulsory Instruction)  
Minn. Stat. § 121A.45 (Grounds for Dismissal)  
Minn. Stat. § 121A.64 (Notification; Teachers' Legitimate Educational Interest)  
Minn. Stat. § 121A.75 (Receipt of Records; Sharing)  
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
34 C.F.R. §§ 99.1-99.67 (Rules Implementing FERPA)  
Minn. Laws 2003, 1<sup>st</sup> Sp., Ch. 9, Art. 2, § 53

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

**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 Floodwood 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; airguns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; numchucks; throwing stars; explosives; fireworks; mace and other propellants; stunguns; 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.

**D. "Dangerous Weapon"** means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm, or any fire that is used to produce death or great bodily harm. As used in this definition, "flammable liquid" means any liquid having a flash point below 100 degrees Fahrenheit and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100 degrees Fahrenheit but does not include intoxicating liquor. As used in this subdivision, "combustible liquid" is a liquid having a flash point at or above 100 degrees Fahrenheit.

**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 nonstudent (or student where specified) falls within one of the following categories:
1. active licensed peace officers;
  2. Military personnel, or students or nonstudents participating in military training, who are on duty performing official duties;
  3. persons authorized to carry a pistol under Minn. Stat., § 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;
  4. persons who keep or store in a motor vehicle pistols in accordance with Minnesota Statutes, § section 624.714 or 624.715, or other firearms in accordance with ~~§~~ Minnesota Statutes, 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.
  5. firearm safety or marksmanship courses or activities for students or nonstudents conducted on school property;
  6. possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;
  7. a gun or knife show held on school property;
  8. 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
  9. 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.

C. Policy Application to Instructional Equipment/Tools

While the school district does not allow the possession, use or distribution of weapons by students, and a or nonstudents, such a position is not meant to interfere with instruction or the use of appropriate equipment and tools by students or nonstudents. 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.

D. 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 nonstudent permit-holders authorized under Minnesota Statutes, § 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 does not allow 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. The building principal shall, as soon as practicable, refer to the criminal justice or juvenile delinquency system, as appropriate, a student who brings a firearm to school unlawfully.
- D. Administrative Discretion  
While the school district does not allow the possession, use or distribution of weapons by students, the superintendent may use discretion in determining whether, under the circumstances, 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 nonrenewal, suspension, or discharge as deemed appropriate by the school board.
2. Sanctions against employees, including nonrenewal, 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 Nonstudents

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.

## VII. Report of Dangerous Weapon incidents in school zones

- A. **The school district must electronically report to the Commissioner of Education incidents involving the use or possession of a dangerous weapon in school zones, as required under Minnesota Statutes, section 121A.06.**

**Legal References:** Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)  
Minn. Stat. § 121A.05 (Referral to Police)  
Minn. Stat. § 121A.06 (Report of Dangerous Weapon Incidents in School Zones)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)  
Minn. Stat. § 152.01, subd. 14(a) (Definition of a School Zone)

Minn. Stat. § 609.66 (Dangerous Weapons)  
Minn. Stat. § 609.605 (Trespass)  
Minn. Stat. § 609.02, Subd. 6 (Definition of Dangerous Weapon)  
Minn. Stat. § 97B.045 (Transportation of Firearms)  
Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)  
Minn. Stat. § 624.715 (Exemptions; Antiques and Ornaments)  
18 U.S.C. § 921 (Definition of Firearm)  
*In re C.R.M.*, 611 N.W.2d 802 (Minn. 2000)

***Cross References:*** MSBA/MASA Model Policy 403 (Discipline, Suspension and Dismissal of School District Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 525 (Violence Prevention)f