



Fridley Public Schools School Board Work Session Agenda

Tuesday, October 5, 2021 at 5:30 PM

Fridley Community Center

6085 7th Street NE

Fridley, MN 55432

-
- A. World's Best Workforce Reports
 - B. Summary of Progress
 - C. Public Forum for Review & Comment at Next Meeting
 - D. Second Reading of Policies - Vote October 19, 2021
 - 1. Policy 501 School Weapons 3
 - 2. Policy 502 Search of Student Lockers, Desks, Personal Possessions and Student's Persons 9
 - 3. Policy 503 Student Attendance 13
 - 4. Policy 504 Student Dress and Appearance 21
 - 5. Policy 602 Organization of School Calendar and School Day 23
 - E. Upcoming Important Dates
 - 1. NE Metro 916 Board Meeting
October 6, 2021 at 6:00 PM
Bellaire School
 - 2. Free Family Movie Night
Raya and the Last Dragon
October 8, 2021 at 7 PM
Fridley Auditorium
 - 3. Fridley Middle School Conferences
October 14, 2021 at 4-8 PM
Fridley Middle School
 - 4. Preschool, Hayes, RLS, FMS, FHS Conferences
October 19, 2021
 - 5. Fridley School Board Meeting
October 19, 2021
Fridley Community Center
5:30 PM - Work Session
7:00 PM - Review & Comment Public Forum
7:30 PM - Business Meeting
 - 6. EL Family Night
October 28, 2021 at 5-7 PM
Fridley Middle School

7. NO SCHOOL - ELECTION DAY
November 2, 2021

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 non-student, including adults and visitors, shall possess, use or distribute a weapon when in a school building or on a School Location except as provided in this policy. Furthermore, no student or non-student, including adults and visitors, 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.

The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, volunteer, or member of the public who violates this policy.

III. DEFINITIONS

A. "Weapon"

1. "Weapon" means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any firearm, whether loaded or unloaded; air guns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; numchucks; throwing stars; explosives; fireworks; mace and other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.
2. "Facsimile Weapon" means 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 which are broken or nonfunctional; look-alike guns; toy guns; and any object that is a fake weapon or facsimile of a real weapon.
3. 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.

4. 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, including school-related child care centers, and anywhere students are under the jurisdiction of the School District.
- C. "Non-student" Any person who is not a student including, but not limited to: teachers, other staff, parents, visitors, students of other public or private schools and any person on or in the school location.
- D. "Possession" means having a weapon on one's person or in an area subject to one's control in a school location.

IV. EXCEPTIONS

- A. A student who finds a weapon on the way to school or in a School Location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the principal's office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the principal's office, a student shall not be considered to possess a weapon if he or she immediately turns control of the weapon over to an administrator, teacher or head coach or immediately notifies an administrator, teacher or head coach of the weapon's location. Any person receiving a weapon during the process of administering this procedure will be exempt from a violation of the procedure.
- B. It shall not be a violation of this policy if a non-student (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 Minn. Stat., §§624.714 or 624.715, or other firearms in accordance with §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 (a) unloaded and in a gun case without any portion of the firearm exposed; (b) unloaded and in the closed trunk; or (c) a handgun carried in compliance with §§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 District Superintendent.
 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 District 14 does not allow the possession, use or distribution of weapons by students, or non-students, such a position is not meant to interfere with instruction or the use of appropriate equipment and tools by students or non-students. Such equipment and tools, when properly possessed, used and stored, shall not be considered in violation of the rule against the possession, use or distribution of weapons. However, when authorized instructional and work equipment and tools are used in a potentially dangerous or threatening manner, such possession and use will be treated as the possession and use of a weapon.

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: 1). Non-student permit-holders authorized under Minn. Stat., § 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 or 2) persons authorized under Minn. Stat, Section 97B.045 transporting unloaded and fully cased firearms in a 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. District 14 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 as soon as is practical; and
5. Recommendation to the Superintendent of dismissal for a period of time not to exceed one year.

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

C. Administrative Discretion

While District 14 does not allow the possession, use or distribution of weapons by students, the Superintendent may use discretion in determining whether, under the circumstances, a course of action other than the minimum consequences specified above is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.

VI. CONSEQUENCES FOR WEAPON POSSESSION/USE/DISTRIBUTION BY NON-STUDENTS

A. Employees

1. Employees are prohibited from carrying or possessing firearms in school buildings or on school property, while acting in the course and scope of employment.
2. An employee who violates the terms of this policy is subject to disciplinary action, including non-renewal, suspension, or discharge as deemed appropriate by the School Board.

3. Sanctions against employees, including non-renewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and School District policies.
4. When an employee violates the weapons policy, law enforcement may be notified, as appropriate.

B. Other Non-students

1. Any member of the public who violates this policy shall be informed of the policy and asked to leave the school location. Depending on the circumstances, the person may be barred from future entry to school locations. In addition, if the person is a student in another School District, that School District may be contacted concerning the policy violation.
2. If appropriate, law enforcement will be notified of the policy violation by the member of the public and may be asked to provide an escort to remove the member of the public from the school location.

Legal References:

Minn. Stat. § 97B.045 (Transportation of Firearms)
Minn. Stat. § 121A.05 (Referral to Police)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)
Minn. Stat. § 609.02, Subd. 6 (Definition of Dangerous Weapon)
Minn. Stat. § 609.605 (Trespass)
Minn. Stat. § 609.66 (Dangerous Weapons)
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)

School Board Action:

Adopted as Policy 8.302
Revised as Policy 501, July 18, 2002
Revised September 16, 2003
Revised August 15, 2006
Revised February 19, 2013



Fridley Public Schools is committed to creating a welcoming, respectful environment that provides an equitable and inclusive education for each student, staff and community member by ensuring that opportunities, access, and resources are aligned to support the growth and academic achievement of each student.

A World-Class Community of Learners

Revised December 18, 2018

Revised October 16, 2021

Second Reading



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502 SEARCH OF STUDENT LOCKERS, DESKS, PERSONAL POSSESSIONS, AND STUDENT'S PERSON

I. Purpose

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

II. General Statement of Policy

It is the policy of the school board that students shall use lockers and desks only for authorized purposes; unauthorized use, including, but not limited to storage of contraband articles is strictly prohibited. It shall be a violation for students to carry contraband on their persons or in their personal possessions. It shall be a violation for students to assist others in concealing or carrying contraband as well. Seized contraband items will not be returned to students and may be turned over by school administrators to legal authorities for appropriate disposition. School administrators shall establish reasonable directives which address specific needs of the school district, such as, use of tape in lockers, standards of cleanliness and care, posting of pin-ups and posters which may constitute sexual harassment, and other guidelines for use of school equipment and facilities.

A. Lockers and Personal Possessions Inside a Locker

Pursuant to Minnesota statutes, school lockers are the property of the school district. At no time does the school district relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by the school for any reason, at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules.

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

B. Desks

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

C. Personal Possessions and Student's Person



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

- D. A violation of this policy occurs when students use lockers and desks for unauthorized purposes or to store contraband. A violation occurs when students carry contraband on their person or in their personal possessions.

III. Definitions

- A. "Contraband" means any unauthorized article or item that is prohibited by school policy or law and for which possession of such articles or items by students is not allowed at any time in school or on school grounds. Contraband articles or items include, but are not limited to: weapons and look-alike weapons, alcoholic beverages, controlled substances and look-alike substances, stolen property, , and other materials belonging to the school district.
- B. "Personal possessions" includes, but is not limited to purses, backpacks, book bags, packages, and clothing.
- C. "Reasonable suspicion" means that a school official has grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law. Reasonable suspicion may be based on a school official's personal observation, a report from a student, parent or staff member, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- D. "Reasonable scope" means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g. to prevent violence, serious and immediate risk of harm, or destruction of evidence), and the age of the student.

IV. Procedures

- A. School officials may inspect the interiors of lockers and desks for any reason at any time, without notice, without student consent, and without a search warrant.
- B. School officials may inspect the personal possessions of a student and/or a student's person based on a reasonable suspicion that the search will uncover a violation of law or school rules. A search of personal possessions of a student and/or a student's person will be reasonable in its scope and intrusiveness.



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- C. As soon as practicable after a search of personal possessions within a locker pursuant to this policy, the school officials must provide notice of the search to students whose possessions were searched unless disclosure would impede an ongoing investigation by police or school officials.
 - D. Whenever feasible, a search of a person shall be conducted in private by a school official of the same sex. A second school official of the same sex shall be present as an observer during the search of a person whenever feasible.
 - E. A strip search is a search involving the removal of coverings or clothing from private areas. Mass strip searches, or body cavity searches, are prohibited. Strip searches will be conducted only in circumstances involving imminent danger and only by school administrators or law enforcement authorities.
 - F. A school official conducting any other search may determine when it is appropriate to have a second official present as an observer.
 - G. A copy of this policy will be printed in the student handbook and may also be disseminated in any other way which school administrators deem appropriate. The school district shall provide a copy of this policy to a student when the student is given use of a locker.
- V. Directives and Guidelines**
School administration may establish reasonable directives and guidelines which address specific needs of the school district, such as use of tape in lockers, standards of cleanliness and care, posting of pin-ups and posters which may constitute sexual harassment, etc.
- VI. Seizure or Contraband**
If a search yields contraband, school officials will seize the item and, where appropriate, turn it over to legal officials for ultimate disposition.
- VII. Violations**
A student found to have violated this policy and/or the directives and guidelines implementing this policy shall be subject to discipline in accordance with the school district policies, which may include suspension, exclusion, or expulsion. When deemed appropriate, school administrators may refer the student to legal authorities.

Legal References:

U.S. Const., amend. IV



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Minn. Const., art. I, § 10

Minn. Stat. 121A.72 (School Locker Policy)

New Jersey v. T.L.O., 469 U.S. 325, 105 S.Ct. 733, 83 L.Ed.2d 720 (1985)

G.C. v. Owensboro Public Schools, 711 F.3d 623 (6th Cir. 2013)

Cross References:

MSBA/MASA Model Policy 417 (Chemical Use and Abuse)

MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)

MSBA/MASA Model Policy 501 (School Weapons)

MSBA/MASA Model Policy 506 (Student Discipline)

School Board Action:

Revised as Policy 8.300 August, 1995

Revised as Policy 502 June 18, 2002

Revised April 21, 2015

Revised October 16, 2021

Second Reading



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503 Student Attendance

I. Purpose

- A. The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.
- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher and administrators. This policy will assist students in attending class.

II. General Statement of Policy

A. Responsibilities

1. Student's Responsibility

Students shall read the student handbook to become aware of and follow the attendance rules. It is the student's right to be in school, to attend classes, and to learn. It is also the student's responsibility to attend all assigned classes and/or study halls every day that school is in session as well as to be aware of and follow the correct attendance procedures when absent from an assigned class or study hall. It is also the student's responsibility to request and collect any missed assignments due to an absence.

2. Parent or Guardian's Responsibility

It is the responsibility of the student's parent or guardian to ensure that the student is attending school, to inform the school in the event of a student absence, and to work cooperatively with the school and the student to solve any attendance problems that may arise.

3. Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and/or study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly and fairly. The teacher is responsible to provide any student who has been absent with any missed assignments within a reasonable time period upon request. Finally, it is the teacher's responsibility to work cooperatively



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with the student and the student's parent or guardian to solve any attendance problems and to re-establish positive student attendance behaviors.

4. Administrator's Responsibility

- a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance, to apply these procedures uniformly and fairly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.
- b. In accordance with the Minnesota Compulsory Instruction Law, Minn. Stat. § 120A.22, the students of the school district are **REQUIRED** to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

The School Board attendance policy and any additional school attendance procedures shall be summarized annually in the student handbook and distributed each year to students. The handbook will be presented to the School Board for review and approval each year.

1. Excused absences

- a. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- b. The following reasons shall be sufficient to constitute excused absences:
 - 1) Illness.
 - 2) Serious illness in the student's immediate family.
 - 3) A death or funeral in the student's immediate family or of a close friend or relative.
 - 4) Medical, dental or orthodontic treatment, or a counseling appointment.



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- 5) Court appearances occasioned by family or personal action.
 - 6) Religious instruction not to exceed three hours in any week.
 - 7) Physical emergency conditions such as fire, flood, storm, etc.
 - 8) Official school field trip or other school-sponsored outing.
 - 9) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
 - 10) Family emergencies.
 - 11) Active duty in any military branch of the United States.
 - 12) A student's condition that requires ongoing treatment for a mental health diagnosis.
 - 13) Vacations with family.
 - 14) Personal trips to schools or colleges.
 - 15) Other reasons as listed in the approved student handbook.
- c. Consequences of Excused Absences
- 1) Students are permitted and required to make-up work missed due to excused absences. This work will include all assignments missed or the completion of alternative assignments as deemed appropriate by the classroom teacher.
 - 2) Class work missed because of absence must be made up within a reasonable time period as listed in the teacher's written attendance procedures, starting from the date of the student's return to school. Any work not completed within this period shall result in "no credit" for the missed assignment. However, the building principal or the classroom teacher may decide to extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

- a. The following are examples of absences which will not be excused:

- 1) Truancy is defined as a student absence not approved by the parent and/or the school official
 - 2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures
 - 3) Work at home
 - 4) Work at a business, except under a school-sponsored work release program
 - 5) Absences resulting from cumulated unexcused tardies (2 tardies equal one unexcused absence)
 - 6) Any other absences as listed in the approved student handbook.
- b. Consequences of Unexcused Absences
- 1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act.
 - 2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
 - 3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota Statutes.
 - 4) Students with unexcused absences shall be subject to discipline in the following manner:
 - a. Parents will be contacted each time their child has an unexcused absence.
 - b. After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences. The notification will strongly urge the student's parent or guardian to request such a conference.
 - c. After three unexcused absences, a student's parent or guardian will be notified by mail that his or her child is nearing a total which may result in a loss of credit for that course, as determined by the teacher and/or administrator.
 - d. The teacher and/or administration may impose the loss of academic credit in the class or classes from which the student has had unexcused absences exceeding the number specified in each school's student handbook. However, prior to loss of credit, an administrative conference must be held between the principal, student and parent.

- a. If the result of a grade reduction or loss of credit has the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair Dismissal Act.

C. Tardiness

1. **Definition:** Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness.
2. Procedures for Reporting Tardiness
 - a. Students tardy at the start of school must report to the school office for an admission slip
 - b. Tardiness between periods will be handled by the teacher.

3. Excused Tardiness

Valid excuses for tardiness are:

- a. Illness
- b. Serious illness in the student's immediate family;
- c. A death in the student's immediate family or of a close friend or relative;
- d. Medical, dental, orthodontic, or mental health treatment;
- e. Court appearances occasioned by family or personal action;
- f. Physical emergency conditions such as fire, flood, storm, etc;
- g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.

4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
- b. Consequences of tardiness may include detention after a school-specified number of unexcused tardies, or other consequences as listed above for unexcused absences. School procedures may specify that a certain number of unexcused tardies will be considered equivalent to one unexcused absence.

D. Participation in Extracurricular Activities and School-Sponsored On-the-Job Training Programs

1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
2. School-initiated absences will be accepted and student participation permitted for that day.

3. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
4. If a student is suspended from any class, he or she may not participate in any activity or program that day.
5. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program. If the coach or advisor determines that the note does not meet a reasonable standard for excusing the student's absence, he/she may restrict or exclude the student from that day's activity.

III. Required Reporting of Student Truancies

A. Continuing Truant

Minn. Stat. § 260A.02 provides that a continuing truant is a student who is subject to the compulsory instruction requirements of Minn. Stat. § 120A.22 and is absent from instruction in a school, as defined in Minn. Stat. § 120A.05, without valid excuse within a single school year for:

1. Three days if the child is in elementary school; or
2. Three or more class periods on three days if the child is in middle school or high school.

B. Reporting Responsibility

When a student is initially classified as a continuing truant, Minn. Stat. 260A.03 provides that the school attendance officer or other designated school official shall notify the student's parent or legal guardian, by first class mail or other reasonable means, of the following information:

1. The child is truant;
2. The parent or guardian should notify the school if there is a valid excuse for the child's absences;
3. The parent or guardian is obligated to compel the attendance of the child at school pursuant to Minn. Stat. 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minn. Stat. 120A.34;
4. This notification serves as the notification required by Minn. Stat. 120A.34;
5. Alternative educational programs and services may be available in the child's enrolling or resident district;

6. The parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
7. If the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minn. Stat. Ch. 260;
8. If the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to Minn. Stat. 260C.201; and
9. It is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

C. Habitual Truant

1. A habitual truant is a child under that age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per year and who has not lawfully withdrawn from school.
2. A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minn. Stat. Ch. 260A.

Legal References:

Minn. Stat. 120A.05 (Definitions)
Minn. Stat. 120A.22 (Compulsory Instruction)
Minn. Stat. 120A.24 (Reporting)
Minn. Stat. 120A.26 (Enforcement and Prosecution)
Minn. Stat. 120 A.34 (Violations; Penalties)
Minn. Stat. 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. 260A.02 (Definitions)
Minn. Stat. 260A.03 (Notice to Parent or Guardian when Child is Continuing Truant)
Minn. Stat. 260C.007, Subd. 19 (Habitual Truant defined)
Minn. Stat. 260C.201 (Dispositions; Children in Need of Protection or Services or Neglected and in Foster Care)
Goss v. Lopez, 419 U.S. 565, 95 S.Ct. 729 (1975)
Slocum v. Holton Board of Education, 429 N.W.2d 607 (Mich. App. Ct. 1988)
Campbell v. Board of Education of New Milford, 475 A.2d 289 (Conn. 1984)
Hamer v. Board of Education of Township High School District No. 113, 66 Ill. App.3d 7 (1978)
Gutierrez v. School District R-1, 585 P.2d 935 (Co. Ct. App. 1978)
Knight v. Board of Education, 348 N.E.2d 299 (1976)
Dorsey v. Bale, 521 S.W.2d 76 (Ky. 1975)



A World-Class Community of Learners

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Cross References:

MSBA/MASA Model Policy 506 Student Discipline

SCHOOL BOARD ACTION:

Adopted as Policy 8.101

Revised as Policy 503 June 18, 2002

Revised February 16, 2016

Revised October 19, 2021

Second Reading

504 Student Dress and Appearance

I. Purpose

The purpose of this policy is to enhance the education of students by establishing expectations for dress and grooming that are related to educational goals and community standards.

II. General Statement of Policy

- A. The policy of the school district to encourage students to dress appropriately for school activities and in keeping with community standards. This is a joint responsibility of the student and the student's parent(s) or guardian(s).
- B. Appropriate clothing includes, but is not limited to, the following:
1. Clothing appropriate for the weather.
 2. Clothing that does not create a health or safety hazard.
 3. Clothing appropriate for the activity (i.e., physical education or the classroom).
- C. Inappropriate clothing includes, but is not limited to, the following:
1. Clothing bearing a message that is lewd, vulgar, or obscene.
 2. Apparel promoting products or activities that are illegal for use by minors.
 3. Objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves, advances or provokes any form of religious, racial or sexual harassment and/or violence against other individuals as defined in Policy 413..
 4. Any apparel or footwear that would damage school property.
- D. Headgear, including hats or head coverings is not to be worn in the building, except with approval of the building administrator (i.e., student undergoing chemotherapy, medical situations, student religious practice or belief).
- E. The intention of this policy is not 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, or do not advocate violence or harassment against others.

- F. "Gang," as defined 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. "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.

Legal References:

U. S. Constitution, amendment I.

Tinker v. Des Moines Indep. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)

B.W.A. v. Farmington R-7 Sch. Dist., 554 F.3d 734 (8th Cir. 2009)

Lowry v. Watson Chapel Sch. Dist., 540 F.3d 752 (8th Cir. 2008)

Stephenson v. Davenport Cmty. Sch. Dist., 110 F.3d 1303 (8th Cir. 1997)

B. H. ex rel. Hawk v. Easton Area School Dist., 725 F.3d 293 (3rd Cir. 2013)

D.B. ex rel. Brogdon v. Lafon, 217 Fed.Appx. 518 (6th Cir. 2007)

Hardwick v. Heyward, 711 F.3d 426 (4th Cir. 2013)

Madrid v. Anthony, 510 F.Supp.2d 425 (S.D. Tex. 2007)

McIntire v. Bethel School, Indep. Sch. Dist. No. 3, 804 F.Supp. 1415 (W.D. Okla. 1992)

Hicks v. Halifax County Bd. of Educ., 93 F.Supp.2d 649 (E.D. N.C. 1999)

Olesen v. Bd. of Educ. of Sch. Dist. No. 228, 676 F.Supp. 820, 205 (N.D. Ill. 1987)

Cross References:

MSBA/MASA Model Policy 413 (Harassment and Violence)

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 525 (Violence Prevention)

School Board Action:

Approved as Policy 504 June 18, 2002

Revised December 18, 2018

Revised October 19, 2021



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602 ORGANIZATION OF SCHOOL CALENDAR AND SCHOOL DAY

I. PURPOSE

The purpose of this policy is to provide for a timely determination of the school calendar and school day.

II. GENERAL STATEMENT OF POLICY

The school calendar and schedule of the school day are important to parents, students, employees, and the general public for advance, effective planning of the school year.

III. CALENDAR RESPONSIBILITY

A. The school calendar shall be adopted annually by the school board. It shall meet all provisions of Minnesota statutes pertaining to minimum number of school days and other provisions of law. The school calendar shall establish student days, workshop days for staff, provide for emergency closings and other information related to students, staff, and parents.

B. Except for learning programs during summer and flexible learning year programs, the school district will not commence an elementary or secondary school year before Labor Day, except as provided in Section III.B.1., III.B.2., or III.B.3. Days devoted to teacher's workshops may be held before Labor Day.

1. The school district may begin the school year on any day before Labor Day to accommodate a construction or remodeling project of \$400,000 or more affecting a school district school facility.

2. The school district may begin the school year on any day before Labor Day if the school district has agreement under Minn. Stat. § 123A.30, § 123A.32, or § 123A.35 with a school district that qualifies under Section III.B.1.

3. The school district may begin the school year on any day before Labor Day if the school district agrees to the same schedule with a school district in an adjoining district.

IV. SCHOOL DAY RESPONSIBILITY

A. The superintendent shall be responsible for developing a schedule for the student day, subject to review by the school board. All requirements and provisions of Minnesota Statutes and Minnesota Department of Education Rules shall be met.

- B. In developing the student day schedule, the superintendent shall consider such factors as school bus schedules, cooperative programs, differences in time requirements at various grade levels, effective utilization of facilities, cost effectiveness, and other concerns deserving of attention.
- C. Proposed changes in the school day shall be subject to review and approval by the school board.

V. E-LEARNING DAYS

- A. An "e-learning day" is a school day where a school offers full access to online instruction provided by students' individual teachers due to inclement weather.
- B. A school district may designate up to five e-learning days in one school year.
- C. An e-learning day is counted as a day of instruction and included in the hours of instruction pursuant to Section III.A., above.
- D. The e-learning day plan developed by the school district will include accommodations for students without Internet access at home and for digital device access for families without the technology or with an insufficient amount of technology for the number of children in the household. The plan must also provide accessible options for students with disabilities.
- E. The school district must notify parents and students of its e-learning day plan at the beginning of each school year.
- F. When an e-learning day is declared by the school district, notice must be provided to parents and students at least two hours prior to the normal school start time that students will need to follow the e-learning day plan for that day.
- G. On an e-learning day, each student's teacher must be accessible both online and by telephone during normal school hours to assist students and parents.

Legal References:

- Minn. Stat. § 120A.40 (School Calendar)
- Minn. Stat. § 120A.41 (Length of School Year; Days of Instruction) Minn. Stat. § 120A.415 (Extended School Calendar)
- Minn. Stat. § 120A.42 (Holidays)
- Minn. Stat. § 122A.40, Subds. 7 and 7a (Employment; Contracts; Termination)
- Minn. Stat. § 122A.41, Subds. 4 and 4a (Teacher Tenure Act; Cities of the First Class; Definitions)
- Minn. Stat. § 123A.30 (Agreements for Secondary Education)
- Minn. Stat. § 123A.32 (Interdistrict Cooperation)
- Minn. Stat. § 123A.35 (Cooperation and Combination)
- Minn. Stat. § 124D.126 (Powers and Duties of Commissioner; Flexible Learning Year Programs)
- Minn. Stat. § 124D.151 (Voluntary Prekindergarten Program)
- Minn. Stat. § 124E.25 (Payment of Aids to Charter Schools)



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Minn. Stat. § 127A.41, Subd. 7 (Distribution of School Aids; Appropriation)

Cross References:

MSBA/MASA Model Policy 425 (Staff Development)

School Board Action

Adopted as Policy 602 – December 17, 2019

Revised October 19, 2021

Second Reading