



South St. Paul School Board Meeting
Monday, June 26, 2023 6:00 PM
Location: CITY HALL
125 THIRD AVENUE NORTH
South St Paul, Minnesota 55075

Agenda

I. ROLL CALL and PLEDGE OF ALLEGIANCE	
II. APPROVAL OF MEETING AGENDA/MINUTES	
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III. QUALITY-IN-ACTION and REPORTS	
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B. Report: Chair John Raasch will highlight the Public Listening Session submissions. (J. Raasch)	
C. Report: School Board members will highlight items from the committee-of-the-whole meeting. (Board)	9
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B. Approval, of the following policy under the emergency clause to meet recent legislation that was passed in the spring of 2023.

1. Overdose Medication Policy 516.5	217
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VI. BUSINESS ITEMS

A. Approval, for the South St. Paul School Board to approve the 2023-24 Independent Employee Agreement. (J. Milteer/B. Hoffman) 223

B. Approval, for the South St. Paul School Board to approve the South Suburban Adult Basic Education Consortium Agreement for the period of July 1, 2023 to June 30, 2028. (J. Zehnder) 224

C. Approval, for the South St. Paul School Board to approve the FY24 Budget. (B. Hoffman)	228
D. Approval, for the South St. Paul School Board to approve the 2023-24 Student Rights and Responsibilities Handbook. (B. Zambreno)	259
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F. Approval, for the South St. Paul School Board to approve the Resolution Establishing Dates for Filing Affidavits of Candidacy. (J. Raasch)	299

VII. INFORMATIONAL ITEMS

- A. **Board Members' Reports/Committee Updates/Where Have You Seen a Passion:** Board members will report on recent educational activities/events in which they have participated as well as other informational items.

VIII. SUPPLEMENTAL AGENDA

IX. ADJOURNMENT

**South St. Paul School Board
Committee-of-the-Whole Meeting Minutes**

June 12, 2023

Chair John Raasch called the June 12, 2023, committee-of-the-whole meeting to order at 5:00 PM with six Board members present: Claflin, T. Felton, W. Felton, Laliberte, Raasch, and Weber. Others present included Superintendent Brian Zambreno and several staff and community members.

Minnesota State High School (MSHSL) Resolution

Each year Minnesota Statute 1993, Section 128C.01, requires individual school boards to authorize membership in the Minnesota State High School League (MSHSL). The Resolution for Membership affirms that (1) that the school board for the school district, delegates control, supervision, and regulation of League-sponsored athletic and fine arts activities to the MSHSL; (2) that the school board adopts the MSHSL Constitution, Bylaws and Rules and Regulations, and (3) that the administration of and the responsibility for supervising your registered activities are assigned to local school officials. The Resolution for MSHSL membership will go before the School Board for approval this evening.

Identified Official with Authority (IOwA)

The Minnesota Department of Education (MDE), Professional Educator Licensing Standards Board (PELSB), and Office of Higher Education (OHE) require annual designation of an Identified Official with Authority (IOwA) for each local educational agency that uses the Education Identity Access Management (EDIAM) system. The IOwA is responsible for authorizing, reviewing, and recertifying user access for their local educational agency in accordance with the State of Minnesota Enterprise Identity and Access Management Standard, which states that all user access rights to Minnesota state systems must be reviewed and recertified at least annually. The IOwA will authorize user access to State of Minnesota Education secure systems in accordance with the user's assigned job duties and will revoke that user's access when it is no longer needed to perform their job duties. This resolution will go before the School Board for approval this evening.

Continuance of Teacher Contracts

As part of the annual staffing process, administration identifies probationary teachers to retain and those who will be granted tenure for the upcoming school year. The first three consecutive years of a teacher's first teaching experience in Minnesota in a single district is deemed to be a probationary period of employment, and, the probationary period in each district in which the teacher is thereafter employed shall be one year. A list of probationary teachers who are recommended to be retained and probationary teachers who would be granted tenure for the 2023-2024 school year will go before the School Board for approval this evening. Tenure status becomes official when the teaching assignment begins in the fall.

2023-24 School Age Care and Preschool Fees

Finance Director Brady Hoffman and Community Education Director Jeanne Zehnder reviewed the proposed 2023-24 fee structure for Kids' Choice and Preschool programming. It is noted that state funding for the Kaposia 4-year-old Voluntary Prekindergarten (VPK) program has been permanent since fiscal year 2016-17. Lincoln Center state funding also became permanent at the end of the 2023 legislative session. The proposed program fees for next year remain at or below comparison districts' fees.

SSPPS Long-Term Facilities Maintenance

During the 2015 legislative session, the Legislature created a new facilities funding program – Long Term Facilities Maintenance (LTFM) revenue. This program replaced the previous Health and Safety and Deferred Maintenance programs.

In order to qualify for this revenue, the Board must approve, annually, a 10-year Long Term Facilities Maintenance plan and submit it to the Minnesota Department of Education by July 31. Finance Director Hoffman reviewed the revenue calculation that shows the estimated revenue for the next ten years as well as the expenditure plan that shows the estimated costs for the next ten years. The Board will be asked to approve the SSPPS LTFM plan this evening.

District 917's Long-Term Facilities Maintenance

Finance Director Brady Hoffman brought forth a resolution that would authorize the district to levy, on behalf of District Intermediate School District 917, our district's portion of Long-Term Facilities Maintenance (LTFM) revenue dollars. As a member of the District 917 collaborative, South St. Paul Public Schools is allowed to levy on their behalf with funds then being paid to District 917 for the services they provide our district.

Fiscal Year 2024

Finance Director Brady Hoffman provided a review of the proposed 2023-24 budget which included the anticipated revenue and expenditures for the General Fund, Food Service Fund, Community Service Fund and Debt Service Fund. The proposed budget reflects a 4% increase to the basic formula allowance as well as other funding increases for special education cross-subsidy, English Learner aid, student support aid and American Indian aid. It is noted that this is the final year of the COVID Federal Relief Funding that will result in a large revenue decrease for FY25.

School Board Candidate Interviews

Chair John Raasch noted the Board would hold a special meeting on Thursday, June 22 to conduct interviews for the current School Board vacancy that resulted from the passing of Director Bernie Beermann. Chair Raasch reviewed a series of questions that will be used for the interviews. Following the interviews, the candidate selected will be appointed by the Board at their June 26 meeting. The appointee will need to wait 30 days before being seated. The first meeting of the new appointee will be Monday, August 14, 2023. The appointment will be effective until a new member is selected at the November 2023 special election. The newly elected member will then fill the remainder of Director Beermann's term which expires in January of 2027.

Public Listening Session Structure

Chair Raasch brought forth a request from Director T. Felton to review and discuss the Board's Public Listening Session structure. The Board engaged in conversation on the current structure and options for change. The Board did not have sufficient time to fully vet the various options and will bring this topic back for further discussion.

The committee-of-the-whole meeting adjourned at 5:56 PM.

Respectfully submitted by:

Lisa Brandecker, Acting Secretary-Clerk
South St. Paul Board of Education



SOUTH ST. PAUL PUBLIC SCHOOLS Special School District No. 6

JUNE 12, 2023

The regular meeting of the School Board, Special School District No. 6, South St. Paul, was held in the city hall council chambers on Monday, June 12, 2023. Chair John Raasch called the meeting to order at 6:02 PM with six Board members present for roll call: Claflin, T. Felton, W. Felton, Laliberte, Raasch, and Weber. Superintendent Dr. Brian Zambreno and several staff and community members were also present.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

MINUTES

By Director Weber

Seconded by Director Claflin

That the South St. Paul School Board approves the June 12, 2023, School Board meeting agenda as well as minutes from the May 22, 2023, committee-of-the-whole and regular meetings.

Motion carried (6-0)

QUALITY-IN-ACTION AND REPORTS

Quality-in-Action – Activities Director Brady Krueger along with the coaches and advisors highlighted the 2023 spring athletic season. Many of the programs were also honored for their high academic achievement.

Public Listening Session Report – Chair Raasch reported there was one listening session submission to discuss concerns regarding student discipline and current policies that are in place.

Committee-of-the-Whole Report – Vice Chair Weber provided a highlight of the School Board’s discussion at their committee-of-the-whole meeting this evening.

Superintendent Report – Superintendent Zambreno provided highlights from around the district.

CONSENT ITEMS

By Director Claflin

Seconded by Director W. Felton

- A. Financial Claims—Bills Payable
- B. Staffing: Appointments, Resignations, Transfers, Retirements, Abolishments, and Leaves.

Motion carried (6-0)

BUSINESS ITEMS

By Director Laliberte
Approval, for the South St. Paul School Board to approve the 2023-24 Resolution for Membership in the Minnesota State High School League (MSHSL).
Motion carried 6 yeas – T. Felton, Weber, W. Felton, Claflin, Laliberte and Raasch
0 nays

By Director Weber
Approval, for the South St. Paul School Board to approve the Education Identity and Access Management Board Resolution that designates Dr. Brian Zambreno as the Identified Official with Authority (IOwA) for Education Identity Access Management for South St. Paul Public Schools 0006-03.
Motion carried 6 yeas – Weber, W. Felton, Claflin, Laliberte, T. Felton and Raasch
0 nays

By Director Claflin
Approval, for the South St. Paul School Board to approve the Long-Term Facility Maintenance 10-Year Plan for South St. Paul Public Schools, Special School District 6.
Motion carried (6-0)

By Director Weber
Approval, for the South St. Paul School Board to approve the Resolution Authorizing Intermediate School District 917's Long-Term Facilities Maintenance Program Budget and Authorizing the Inclusion of a Proportionate Share of those Projects in the District's Application for Long-Term Facility Maintenance Revenue.
Motion carried 6 yeas – Weber, W. Felton, Claflin, Laliberte, T. Felton and Raasch
0 nays

By Director Laliberte
Approval, for the South St. Paul School Board to approve the 2023-2026 Alternative Teacher Professional Pay System (ATPPS) Plan.
Motion carried (6-0)

By Director Claflin
Approval, for the South St. Paul School Board to approve the 2023-24 School Age Care and Preschool Fees.
Motion carried (6-0)

By Director Laliberte
Approval, for the South St. Paul School Board to approve the Continuance of Teacher Contracts.
Motion carried (6-0)

By Director Claflin
Approval, for the South St. Paul School Board to approve scheduling a special meeting to conduct School Board candidate interviews on Thursday, June 22, 2023 at 5:00 PM in the District Office Conference Room.
Motion carried (6-0)

INFORMATIONAL ITEMS

School Board members reported on various educational activities/events in which they have participated as well as other informational items.

CLOSED SESSION

By Director Weber

Seconded by Director Claflin

That the School Board move to a closed session at 6:56 PM per the open meeting law (Minn. Stat. § 13D.03) for the purpose of teacher, principal and paraprofessional negotiations.

Motion carried (6-0)

Closed Session officially started at 7:05 PM with the following members present: Directors Claflin, W. Felton, T. Felton, Laliberte, Weber and Raasch as well as Superintendent of Schools Dr. Brian Zambreno and Human Resource Director Joel Milteer.

By Director Weber

Seconded by Director Claflin

For the School Board to adjourn the closed session and open the meeting up at 8:34 PM.

Motion carried (6-0)

ADJOURN

By Director Weber

Seconded by Director Claflin

Approval, for the School Board to adjourn the June 12, 2023, meeting at 8:35 PM.

Motion carried (6-0)

Official Board Minutes are available in the
District Office at 104 – 5th Ave. So. – So. St. Paul

Respectfully Submitted by:

Lisa Brandecker, Acting Secretary-Clerk
Board of Education



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: June 26, 2023

Place on Agenda: Reports

Action Requested: None

Attachment: None

Topic: Committee-of-the-Whole Meeting Update
Presenter(s): Board
Background: School Board members will highlight items from the committee-of-the-whole meeting.
Recommendation: N/A
Alternatives: N/A



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: June 26, 2023

Place on Agenda: Reports

Action Requested: None

Attachment: None

Topic: Superintendent's Update
Presenter(s): Dr. Brian Zambreno, Superintendent
Background: Superintendent Zambreno will provide highlights from around the District.
Recommendation: N/A
Alternatives: N/A



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: June 26, 2023

Place on Agenda: Consent Items

Action Requested: Approval

Attachment: Financials – Bills Payable

Topic: Financials – Bills Payable
Presenter(s): Chair
Background: It is the policy of the school district to maintain its records so that they will be available for inspection by members of the general public and to provide for the publication of its official proceedings in compliance with law.
Recommendation: Administration recommends the approval of the attached financial statement
Alternatives: N/A

CHECK NUMBER	AMOUNT	DATE	CHECK VENDOR
203010	-402.19	06/08/2023	DS ERICKSON & ASSOCIATES, PLLC
203124	175.43	06/15/2023	DS ERICKSON & ASSOCIATES, PLLC
203125	431.75	06/15/2023	LOCAL #70
203126	154.56	06/15/2023	MIDWEST RESALE SPECIALIST INC
203127	1,766.80	06/15/2023	MINNESOTA CHILD SUPPORT PAYMENT CENTER
203128	250.50	06/15/2023	OFFICE AND PROF EMPLOYEES UNION
203129	5.00	06/15/2023	SOUTH ST PAUL OPEN FOUNDATION
203130	60.00	06/15/2023	SOUTH ST PAUL EDUCATION FOUNDATION
203131	771.88	06/15/2023	SSP EASRP
203132	666.10	06/15/2023	AMAZON CAPITAL SERVICES
203133	24.46	06/15/2023	AVENSON, BRUCE
203134	3,358.01	06/15/2023	CITY OF SOUTH ST PAUL - UTILITIES
203135	14,301.33	06/15/2023	CITY OF SOUTH ST PAUL
203136	110.00	06/15/2023	CITY OF MENDOTA HEIGHTS
203137	79.33	06/15/2023	CULLIGAN-MILBERT COMPANY
203138	75.00	06/15/2023	EIGENHEER, RUSSEL
203139	201.95	06/15/2023	ENABLING DEVICES
203140	19.00	06/15/2023	FLEURY, MATTHEW
203141	158.95	06/15/2023	GOLD, ANNE
203142	75.45	06/15/2023	JOSTENS
203143	500.00	06/15/2023	LEGIONVILLE
203144	83.00	06/15/2023	MORROW, DONALD
203145	537.00	06/15/2023	MRI SOFTWARE LLC
203146	225.00	06/15/2023	MULTI-HEALTH SYSTEMS, INC C/O T60002
203147	4,329.11	06/15/2023	MUSKEGON HEIGHTS SOLAR, LLC
203148	732.60	06/15/2023	NELCO
203149	45.15	06/15/2023	OFFICE OF MN IT SERVICES
203150	75.00	06/15/2023	PETERSEN, BILL
203151	683.94	06/15/2023	PITNEY BOWES, INC
203152	500.00	06/15/2023	PITNEY BOWES, INC
203153	330.26	06/15/2023	PLUNKETT'S PEST CONTROL
203154	76.50	06/15/2023	RICHARDSON, SHARI
203155	362.08	06/15/2023	SCHOOL SPECIALTY, LLC
203156	250.00	06/15/2023	SCHOOLHOUSE EDUCATIONAL SERVICES
203157	45.30	06/15/2023	SCOTT, MEGHAN
203158	83.00	06/15/2023	SCROCCA, JOSEPH
203159	100.00	06/15/2023	SEVERSON, LAUREL
203160	27.44	06/15/2023	ST PAUL PIONEER PRESS
203161	818.50	06/15/2023	STRAUSS SKATES & BICYCLES
203162	17,188.25	06/15/2023	TEACHERS ON CALL
203163	465.00	06/15/2023	THE WANDERING MUG
203164	630.00	06/15/2023	TOAY, GRETCHEN
203165	31,640.23	06/15/2023	XCEL ENERGY
202200443	5,501.50	06/15/2023	MINNESOTA PAYROLL TAXES
202200444	31,017.16	06/15/2023	FEDERAL PAYROLL TAXES
202200445	794.13	06/15/2023	PERA
202200446	6,477.42	06/15/2023	TSA/ACH DEDUCTION
202200447	20,452.98	06/15/2023	TEACHER RETIREMENT ASSOCIATION
202200448	57,778.22	06/12/2023	HEALTH PARTNERS
202200449	40,121.39	06/15/2023	MINNESOTA PAYROLL TAXES
202200450	243,500.00	06/15/2023	FEDERAL PAYROLL TAXES
202200451	587.17	06/15/2023	MN DEPT OF REVENUE
202200452	46,254.00	06/15/2023	PERA
202200453	55,399.98	06/15/2023	TSA/ACH DEDUCTION
202200454	121,028.12	06/15/2023	TEACHER RETIREMENT ASSOCIATION
202200455	0.00	06/15/2023	MINNESOTA PAYROLL TAXES

<u>CHECK</u>		<u>CHECK</u>	
<u>NUMBER</u>	<u>AMOUNT</u>	<u>DATE</u>	<u>VENDOR</u>
202200456	0.00	06/15/2023	FEDERAL PAYROLL TAXES
202200457	506.00	06/15/2023	HEALTH PARTNERS
222300435	55.54	06/13/2023	ANDERSON, JEANE
222300436	946.55	06/13/2023	BINDER, ALLISON
222300437	82.53	06/13/2023	BURK, IAN
222300438	122.99	06/13/2023	CASALENDA, PAULA
222300439	114.76	06/13/2023	CASILLAS, JULIE
222300440	79.99	06/13/2023	DAHLE, LISA
222300441	166.81	06/13/2023	GAMEZ, LESLY
222300442	337.19	06/13/2023	GREFE, TYNE
222300443	74.78	06/13/2023	GUSTILO, CHRISTOPHER
222300444	404.01	06/13/2023	HOLSEN, ERIC
222300445	200.21	06/13/2023	KRUEGER, BRADY
222300446	111.21	06/13/2023	LASKA, KIMBERLY
222300447	59.99	06/13/2023	OWENS, CHRISTINA
222300448	146.19	06/13/2023	SEXAUER, JENNIFER
222300449	4.78	06/13/2023	SHANNON, JODY
222300450	1,002.82	06/13/2023	WESTPFAHL, MARK
222300451	21.78	06/13/2023	WHITE, ANNE-MARIE
222300452	20.96	06/13/2023	WINTER, ALLYSON
222300453	46.51	06/13/2023	WOHLERS, DARI
203166	3,300.00	06/21/2023	METROPOLITAN STATE UNIVERSITY
203167	141.79	06/22/2023	AMAZON CAPITAL SERVICES
203168	5,000.00	06/22/2023	CESO TRANSPORTATION, LLC
203169	65.00	06/22/2023	CITICARGO & STORAGE
203170	58.39	06/22/2023	CULLIGAN-MILBERT COMPANY
203171	241.04	06/22/2023	DAVIS, MAXWELL
203172	4,876.48	06/22/2023	GREAT RIVER PRINTING SERVICES
203173	1,125.00	06/22/2023	GUTZMAN, DEB
203174	1,058.00	06/22/2023	HOLY TRINITY SCHOOL
203175	28,706.77	06/22/2023	INDEPENDENT SCHOOL DISTRICT 199/COMMUNITY ED
203176	112.50	06/22/2023	INFINITE HEALTH COLLABORATIVE
203177	6,875.00	06/22/2023	INVER WOOD GOLF COURSE
203178	1,573.92	06/22/2023	JOSTENS
203179	65.46	06/22/2023	KNOWLAN'S
203180	194.20	06/22/2023	MAC ENTERPRISES, LLC
203181	1,155.00	06/22/2023	MN HISTORICAL SOCIETY
203182	6,932.00	06/22/2023	NORTHLINE TRANSPORTATION
203183	2.60	06/22/2023	ORELLANA, RAMON
203184	10,423.45	06/22/2023	TEACHERS ON CALL
203185	132.00	06/22/2023	WESTERN PSYCHOLOGICAL SERVICES
202200458	80,316.47	06/20/2023	HEALTH PARTNERS
202200459	1,024.50	06/21/2023	MEDSURETY

868,807.91 Totals for checks

FUND SUMMARY

<u>FUND</u>	<u>DESCRIPTION</u>	<u>BALANCE SHEET</u>	<u>REVENUE</u>	<u>EXPENSE</u>	<u>TOTAL</u>
01	GENERAL	676,240.53	0.00	118,204.57	794,445.10
02	FOOD SERVICE	10,640.22	98.10	547.04	11,285.36
04	COMMUNITY EDUCATION	25,792.76	0.00	30,835.49	56,628.25
05	CAPITAL	777.73	0.00	683.94	1,461.67
50	ACTIVITY ACCOUNT	4,987.53	0.00	0.00	4,987.53
***	Fund Summary Totals ***	718,438.77	98.10	150,271.04	868,807.91

***** End of report *****

CHECKRUNS

<u>FUND</u>	<u>DESCRIPTION</u>	<u>June 9, 2023 - June 22, 2023</u>
1	GENERAL	\$794,445.10
2	FOOD SERVICE	\$11,285.36
4	COMMUNITY EDUCATION	\$56,628.25
5	CAPITAL	\$1,461.67
7	DEBT SERVICE	\$0.00
8	TRUST FUND/FLEX	\$0.00
50	ACTIVITY ACCOUNTS	\$4,987.53
	TOTAL	<u>\$868,807.91</u>

Checks 203124 - 203185

Employee ACH 222300435-222300453

Wire Payments 202200443-202200459

PAYROLL

6/15/23

Payroll Direct Deposit	900091093-900091583	\$818,886.63
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SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: June 26, 2023

Place on Agenda: Consent Items

Action Requested: Approval

Attachment: Staffing

Topic: Staffing
Presenter(s): Chair
Background: The staffing report includes the Appointments, Resignations, Transfers, Retirements, Abolishments and Leaves being recommended to the School Board for approval.
Recommendation: Administration recommends approval of the proposed staffing and supplemental staffing as presented.
Alternatives: Amend the motion to remove a certain appointment, resignation, transfer, retirement, abolishment, or leave. Provide administration with directions for next steps.

VII.A.1 Staff Appointments, Resignations, Retirements, Terminations and Leaves (Joel Milteer)

6-26-23

Certified

A. Appointments/Reassignments

1. Christopher Almen-Sjogren – 1.0 FTE Language Arts Teacher, Middle School, BA15, Step 11, effective August 21, 2023.
2. Candace Burk – 1.0 FTE School Social Worker, Kaposia Education Center, MA00, Step 7, effective August 21, 2023.
3. **Paul Stivender – 1.0 FTE Language Arts Teacher, Community Learning Center, BA00, Step 9, effective August 21, 2023.**

Change of Assignment – Effective for the 2023-24 school year

Diane Boonstra – Change from 1.0 FTE Grade 4 Elementary Teacher to 1.0 FTE Long-Term Substitute Media Technology Teacher, Kaposia Education Center, effective August 28, 2023, through November 1, 2023, and Building Substitute Teacher effective November 2, 2023, through December 22, 2023.

Jill Croonquist – Change from 1.0 FTE Grade 4 Elementary Teacher to .5 FTE Intervention Teacher, Kaposia Education Center (voluntary reduction)

Donald Nihart – Change from .2 FTE Physical Education Teacher and .4 FTE Focus Program Teacher, Middle School, .4 FTE Physical Education Teacher, High School, to 1.0 FTE Intervention Teacher, High School

Jesse Rock – Change from 1.0 FTE Science Teacher to .8 FTE Science and .2 FTE Credit Recovery Teacher, High School (recall)

Nurse Consultant; Community Education Programs – 2022-23 and 2023-24 School Years
(52 hours @ hourly rate of pay; up 80 additional hours as necessary and approved)

Shawnee Krueger – Licensed School Nurse

2023 Summer School (\$31.50 per hour)

Summer Learning Academy – Lincoln Center (June 20 – July 27)

Tejiri Agbamu

Lori Shubat

Paja Yang – Substitute

Leah Young – Substitute

Credit Recovery (Grades 10-12) (June 20 – July 27)

Jessica Kohanek – Substitute

Jody Sielski - Substitute

2022-23 ECA

FOOTBALL

Additional Coach

Kluender, Gus

\$2,237 (Booster Club)

2023-24 ECA**HOCKEY – BOYS**

Head Coach	Palmquist, Zach	\$6,628
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MUSIC

Show Choir Director	Brady, Shelby	\$3,948
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B. Resignations/Retirements/Leaves/Reductions/Other

1. **Geeta Elizabeth Adiani** – Retirement, 1.0 FTE EL Teacher, Middle School, effective September 8, 2023.
2. **Dylan Olson** – Resignation, 1.0 FTE Student Support Specialist, High School, effective June 30, 2023.
3. **Dylan Olson** – Resignation, Head Coach, Baseball, effective June 30, 2023.
4. **Dylan Olson** – Resignation, Varsity and Sophomore Head Coach, Football, effective June 30, 2023.
5. **Thomas Swanson** – Retirement, 1.0 FTE Grade 4 Elementary Teacher, Lincoln Center, effective June 23, 2023.

**VII.A.2 Staff Appointments, Resignations, Retirements, Terminations
and Leaves (Joel Milteer)**

6-26-23

Classified

A. Appointments/Reassignments

1. Clarissa Belmares – Special Education Assistant, Kaposia Education Center, \$20.16 per hour, 32.5 hours per week, effective August 28, 2023.
2. Alyse Boudreau – Gymnastics Assistant, Central Square Community Center, \$12.00 per hour, up to 20 hours per week, effective June 21, 2023.
3. **Danielle Nicholson – Student Support Assistant, Kaposia Education Center, \$19.68 per hour, 32.5 hours per week, effective August 28, 2023.**
4. Jordan Wallin – Special Education Assistant, Lincoln Center, \$20.16 per hour, 32.5 hours per week, effective August 28, 2023.

Change of Assignment – Effective June 11, 2023

Margaret Mickelson – Change from Gymnastics Assistant to Gymnastics Instructor, increase from \$12.00 to \$15.00 per hour, Central Square Community Center

Title Changes – effective July 1, 2023

Lisa Brandecker – Change from Executive Assistant to the Superintendent to Manager of Administrative Services and Communications

Danette Childs – Change from Communications Coordinator to Communications Specialist

Lynne Welsh – Change from Assistant Business Manager to Finance Specialist

2023 Summer School

Early Learning Assistant – ECFE Mixed Ages/Drop-In Play (Family Education Center)

(Wednesdays, June 21 – August 2; \$18.53 per hour; up to 4 hours per day)

Anne Balza

B. Resignations/Retirements/Leaves/Reductions/Other

1. Clarissa Belmares – Resignation, Student Supervisor, Kaposia Education Center, effective June 8, 2023.
2. Clarissa Belmares – Resignation, Part-Time Cleaner, Kaposia Education Center, effective June 8, 2023.
3. **Shauna Bock – Resignation, Director of Student Services, District Office, effective July 14, 2023.**
4. Charlene Coleman – Rescind, Summer Cleaner, Secondary Building, effective June 12, 2023.
5. Charmaine Coleman – Rescind, Summer Cleaner, Secondary Building, effective June 12, 2023.

6. Maricel Kurth – Resignation, Student Supervisor, Lincoln Center, effective June 8, 2023.
7. Diane McKeever – Retirement, Part-Time Cleaner, Lincoln Center, effective May 26, 2023.
8. Princeton Walker – Probationary release, Student Support Assistant, Middle School, effective June 8, 2023.
9. Jordan Wallin – Resignation, Kids’ Choice Assistant, Lincoln Center, effective August 25, 2023.



Adopted: April 17, 1996

MSBA/MASA Model Policy 102

Orig. 1995

Revised: 5/24/04, 6/26/06; 4/13/15

Rev. 2021

7/25/16; 6/10/19; 5/26/20; 6/14/21; 6/27/22

6/26/23

102 EQUAL EDUCATIONAL OPPORTUNITY

I. PURPOSE

- A. 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 school district is to provide equal educational opportunity for all students. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation, including gender identity and expression, or age. The school district also makes reasonable accommodations for students with disabilities.

[Note: Part of the definition of “sexual orientation” within the Minnesota Human Rights Act (MHRA) is “having or being perceived as having a self-image or identity not traditionally associated with one’s biological maleness or femaleness,” which is how gender identity and expression gain protection under the MHRA. Minn. Stat. § 363A.03, Subd. 44.]

- B. The school district prohibits harassment and discrimination of any individual based on any of the protected classification 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. This policy applies to all areas of education including academics, coursework, co-curricular and extracurricular activities, or other rights or privileges of enrollment.
- F. Every school district employee shall be responsible for complying with this policy conscientiously.
- G. Any student, parent or guardian having 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)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
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 (Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process)



Adopted: November 8, 2004

MSBA/MASA Model Policy 104

Orig. 1997

*Revised: 10/24/05; 11/13/06; 10/27/08; 4/13/15
7/25/16; 6/10/19; 5/26/20; 6/14/21; 6/27/22
6/26/23*

Rev. 2004

104 SCHOOL DISTRICT MISSION STATEMENT

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The school board believes that a mission statement should be adopted. The mission statement should be based on the beliefs and values of the community, should direct any change effort, and should be the basis on which decisions are made. The school board, on behalf of and with extensive participation by the community, should develop a consensus among its members regarding the nature of the enterprise the school board governs, the purposes it serves, the constituencies it should consider, including student representation, and the results it intends to produce.

III. MISSION STATEMENT

- A. The mission statement for South St. Paul Public Schools, Special School District 6 is as follows:
- B. Ignite a passion in every learner to inquire, continuously improve and engage in positively changing our world.

IV. REVIEW

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

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



Adopted: January 24 1984

*Revised: 5/19/92, 5/24/04; 2/9/09; 3/26/12; 11/25/13; 10/27/14; 7/25/16;
6/26/17; 9/10/18; 6/24/19; 7/27/20; 9/27/21; 6/27/22; 6/26/23*

307 EMERGENCY CLOSING OF SCHOOLS

I. PURPOSE

The purpose of this policy is to clarify the procedures and public notifications for closing of school district facilities due to hazardous weather or other emergency conditions.

II. GENERAL STATEMENT OF POLICY

The superintendent or designee is empowered to close any or all school district facilities or to alter the start or ending time of a school or program in the event of hazardous weather or conditions that threaten the health and safety of students or district employees.

III. GENERAL FACTORS

Factors to be considered in the decision to close a facility or to alter the start or ending time of a school or program include:

- A. Existing and predicted weather conditions.
- B. Advice of the transportation contractors concerning driving, drivers, traffic and parking conditions affecting all transportation, public and private.
- C. Actual occurrence or imminent possibility of any emergency condition that would make programs or facilities operation difficult or dangerous.
- D. Inability of employees to report to duty, which might result in inadequate operation of district facilities, or deficient supervision or instruction of students.
- E. Discussion with neighboring school districts experiencing similar weather or emergency conditions.

IV. NOTIFICATION

- A. Emergency closing, late start, and early release (“emergency closing”) procedures will be published each school year, and actual emergency closings will be announced through school district communication mediums and local media outlets.
- B. Whenever possible, the decision to close school for the day will be made by 5:30 a.m. and notification to students and families will occur at least two hours prior to normal K-12 school start time. In the event of a school delay or early dismissal, decisions will be made as soon as possible to provide appropriate notification to staff and families.

- C. If a student flex learning day is declared, it will be included in the communication to families, students and staff.
- D. Student and/or staff make-up days may be declared as needed.
- E. When an emergency closing occurs, employees will observe the terms of their respective contracts and/or Appendix I of this policy concerning reporting for work.
- F. Each school or district facility will develop a facility plan detailing procedures for facility-specific emergency closing. The facility plan will be in accordance with overall district procedures and guidelines.

V. EMERGENCY CLOSING IMPLEMENTATION

- A. Late start
 - 1. If a late start is declared (i.e. two-hour delay), staff, students, and parents should continue to monitor media reports and/or district website for additional announcements, change in status or possible closing.
 - 2. When a late start is declared:
 - a. All morning Adult Basic Education (ABE) classes are canceled.
 - b. Kids' Choice will start late, in accordance with the emergency announcement (e.g. two hours late).
 - c. Central Square Community Center/Community Education will start late, in accordance with the emergency announcement (e.g. two hours late).
 - d. All morning Early Childhood (ECSE and ECFE) and Community Preschool classes are canceled.
 - e. After-school and evening activities, including ABE, ECFE, Kids' Choice, and Central Square Community Center/Community Education activities will take place as scheduled.
- B. School Cancellation
 - 1. When conditions are so adverse that travel and normal school operations are most difficult, if not impossible, or other emergencies occur, the schools will be closed for the entire day.
 - 2. In general, all student and public activities in the district buildings will be canceled when schools are closed. Exceptions are to be cleared by the Superintendent of Schools (see Appendix II).
- C. Early dismissal:

1. Whenever possible, the District will avoid calling for an early dismissal that results in sending students home from school early (either by bus or foot), recognizing the additional challenge or burden such a decision can place on families.
2. If it is determined by the Superintendent of Schools that it is a prudent decision to send students home early, it will be done by the advancement of all building dismissal and bus schedules on an hourly time basis.
3. When an early dismissal is declared, the following programs are as noted:
 - a. Afternoon and evening Adult Basic Education (ABE) classes may be canceled
 - b. Afternoon and evening ECFE and preschool programs may be canceled
 - c. After-school Kids' Choice will be canceled.



Appendix I to Policy 307

EMPLOYEE RESPONSIBILITIES AND REPORTING PROCEDURES FOR EMERGENCY SCHOOL CLOSINGS

1. SCHOOLS CLOSED: UP TO SEVEN (7) DAYS

The district may declare up to seven emergency flex learning days based on school closings; five of the possible flex learning days are reserved specifically for weather-related closings and two of the possible flex learning days are reserved for any type of school closing. Employees follow the parameters listed below:

For each of the sites/departments noted below, the district will determine whether or not staff will need to report to work. Possible staff who may be required to report to work include, but are not limited to the following:

- Secondary Building (administrator, clerical, custodial)
- Kaposia Education Center (administrator, clerical, custodial)
- Lincoln Education Center (administrator, clerical, custodial)
- SSP Ed. Center/Community Learning Center (one designee only)
- District Office (one designee only)
- Family Education Center (one designee only)
- Central Square Community Center/Community Education (one designee only)

Custodial and Maintenance Employees

Full-time employees will report to work as designated by their supervisor. Full-time employees who do not report to work will use available time off or take leave without pay. Part-time employees do not report to work and are not paid, unless designated by their supervisor.

Directors, Principals, Assistant Directors/Coordinators, District Support, Technology and 12-month Clerical and 12-month Student Support employees

Employees have the option to report to work, work from home, or use available time off. Employees are to obtain pre-approval from their supervisor, identifying which option they will select and their respective work plans.

Teachers

Employees have the option to report to work or work from home when an emergency flex learning day is declared. Employees who work from home must be able to meet the expectations of the flex learning plan.

Kids' Choice Paraprofessionals (12-month employees)

Employees do not report to work, but have the following options:

- Make-up time by participating in approved professional development within a designated timeframe.
- Use available vacation or personal leave time.
- Take leave without pay.

Paraprofessionals, Clerical, Student Support and Nutrition Services employees who work less than 12-months:

Employees do not report to work, but have the following options:

- Make-up time by participating in approved professional development within a designated timeframe.
- Use available vacation or personal leave time.
- Take leave without pay.

Building Supervisors/Instructors (Central Square Community Center/Community Ed.)

Employees do not report to work and are not paid.

Substitutes

Substitute employees do not report to work and are not paid.

2. **SCHOOLS CLOSED: EIGHT (8) DAYS AND BEYOND**

Student and staff make-up days may be declared in the event of three (3) or more school closings from a combination of non-weather closings (days 1-3) or weather-related closings (days 6-8). The first two of any combination of these closing days will be declared flex learning days. When schools are closed and make-up days are necessary, employees shall follow the parameters listed below:

For each of the sites/departments noted below, the district will determine whether or not staff will need to report to work. Possible staff who may be required to report to work include, but are not limited to the following:

- Secondary Building (administrator, clerical, custodial)
- Kaposia Education Center (administrator, clerical, custodial)
- Lincoln Education Center (administrator, clerical, custodial)
- SSP Ed. Center/Community Learning Center (one designee only)
- District Office (one designee only)
- Family Education Center (one designee only)
- Central Square Community Center/Community Education (one designee only)

Custodial and Maintenance Employees

Full-time employees will report to work as designated by their supervisor. Full-time employees who do not report to work will use available time off or take leave without pay. Part-time employees do not report to work and are not paid, unless designated by their supervisor.

Directors, Principals, Assistant Directors/Coordinators, District Support, Technology and 12-month Clerical and 12-month Student Support employees

Employees have the option to report to work, work from home, or use available time off. Employees are to obtain pre-approval from their supervisor, identifying which option they will select and the respective work plans.

Teachers

Employees do not report to work and will be expected to work on the designated make-up day(s) as determined by the School Board.

Kids' Choice Paraprofessionals (12-month employees)

Employees do not report to work, but have the following options:

- Make-up time by participating in approved professional development within a designated timeframe.
- Use available vacation or personal leave time.
- Take leave without pay.

Paraprofessionals, Clerical, Student Support and Nutrition Services employees who work less than 12-months:

Employees do not report to work and will be expected to work on the designated make-up day(s) as determined by the School Board.

Building Supervisors/Instructors (Central Square Community Center/Community Ed.)

Employees do not report to work and are not paid.

Substitutes

Substitute employees do not report to work and are not paid.

3. LATE START

When a late start is called (i.e. two-hour delay), district staff are to report, unless otherwise noted below, as soon as practical and as conditions allow.

Kids' Choice Paraprofessionals (12-month employees)

Employees report as noted in the announcement (e.g. if a two-hour delay is called, then staff should report two hours later than their usual reporting time).

Building Supervisors/Instructors (Central Square Community Center/Community Ed.)

Employees report as noted in the announcement (e.g. if a two-hour delay is called, then staff should report two hours later than their usual reporting time).



Appendix II to Policy 307

GUIDELINES FOR CANCELING AFTER-SCHOOL ACTIVITIES

1. When the school district is closed prior to the start of the school day due to hazardous weather, all buildings are closed to activities and building use, unless otherwise designated under paragraphs 7 and 8 below. District offices and the district buildings and grounds department may need to be open to facilitate the removal of snow and ice so that school can reopen the following day.
2. When an individual school is closed due to building-related problems, a determination about after-school activities will be made with the principal, superintendent or designee, director of buildings and grounds, and the facility scheduler, as may be necessary.
3. On occasions when school is in session but weather concerns arise after school has begun, a decision must be made about activities and/or building usage scheduled after school. A decision will be made on a district-wide basis by the superintendent or designee. This decision will be made and communicated as early as possible but may not always be made by the close of the school day. Upon closure, notification will be initiated by the Superintendent or designee.
4. All school/building closure announcements will be posted as soon as practical on the district website, distributed via appropriate district communication channels, and sent to local media outlets.
5. For county, state or other multijurisdictional events, a separate determination will be made by the superintendent or designee.
6. Saturday and Sunday events or activities may also need to be ~~canceled~~ due to hazardous weather or building-related problems. The superintendent or designee will make a decision on a district-wide basis. Upon closure, notification will be initiated by the Superintendent or designee.
7. On occasion, the superintendent, in consultation with the principal, activities director, director of buildings and grounds, facility scheduler, and/or designee may decide to hold voluntary varsity extra-curricular activities in an effort to continue with seasonal competitions. Such a decision will be made on a case-by-case basis. In the event that a decision is made to hold a practice or competition on a day in which school or other activities are canceled, coaches/advisors are prohibited from penalizing a player/participant who is not able to attend the voluntary practice or event. Communication about individual activity practices and events will be the responsibility of the activity's coach/advisor.
8. Offsite events and Minnesota High School League sponsored special events (e.g. hockey, skiing, tournaments) need special consideration because the venues have been reserved. The superintendent or designee and activities director will make a determination regarding these events. An announcement will be initiated by the Superintendent or designee if activities are canceled.



Adopted: April 28, 1997

MSBA/MASA Model Policy 404

Revised: 6/14/04; 4/25/11, 12/11/17, 8/13/18
5/26/20; 6/14/21; 6/27/22; 6/26/23

Orig. 1995
Rev. 2022

404 EMPLOYMENT BACKGROUND CHECKS

I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment in the school district in order to promote the physical, social, and psychological well-being of its students. To that end, the school district will seek a criminal history background check for individuals who receive an offer of employment with the school district, athletic or academic coaches regardless of whether compensation is paid, volunteers, independent contractors and student employees in the school district.

II. GENERAL STATEMENT OF POLICY

- A. The school district shall require that applicants for school district positions who receive an offer of employment, volunteers and individuals who are offered the opportunity to provide athletic coaching and services or other extracurricular academic coaching services to the school district, regardless of whether any compensation is paid, submit to a criminal history background check. The offer of employment shall be conditioned upon a determination by the school district that an applicant's criminal history does not preclude the applicant from employment with the school district.
- B. The school district specifically reserves any and all rights it may have to conduct background checks regarding current employees, applicants or service providers without the consent of such individuals.
- C. Adherence to this policy by the school district shall in no way limit the school district's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning employees, applicants, volunteers, independent contractors and student employees.

III. PROCEDURES

- A. Normally an individual will not commence employment or provide service until the school district receives the results of the criminal history background check. The school district may conditionally hire an individual pending completion of the background check, but shall notify the individual that the individual's employment may be terminated based on the result of the background check. Background checks will be performed by a third party vendor that includes a Minnesota Bureau of Criminal Apprehension (BCA) report and meets and/or

exceeds Minnesota Statutes section 13.87. The school district reserves the right to also have criminal history background checks conducted by other organizations or agencies.

- B. In order for an individual to be eligible for employment or to provide athletic coaching services or other extracurricular academic coaching services (paid or volunteer) to the school district, or to volunteer for the district, the individual must sign a criminal history consent form, which provides permission for the school district to conduct a criminal history background check. The employee will pay an amount for the criminal history background check that does not exceed the actual cost of the service. An employee who accepts employment will be responsible for paying the cost of the criminal background check with the amount deducted out of one of the first paychecks the employee receives or paid by the employee at the time the criminal background check is completed. School or program volunteer criminal background checks may be paid by the district.
- C. The school district, in its discretion, may elect not to request a criminal history background check on an individual who holds an initial entrance license issued by the Minnesota Professional Educator Licensing and Standards Board (PELSB) or the Minnesota Commissioner of Education within the 12 months preceding an offer of employment due to PELSB performing background checks for new applications and renewal applications for teacher licensure.
- D. The school district may use the results of a criminal background check conducted at the request of another school hiring authority if:
 - 1. the results of the criminal background check are on file with the other school hiring authority or otherwise accessible;
 - 2. the other school hiring authority conducted a criminal background check within the previous 12 months;
 - 3. the individual executes a written consent form giving the school district access to the results of the check; and
 - 4. there is no reason to believe that the individual has committed an act subsequent to the check that would disqualify the applicant for employment.
- E. When required, individuals must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the individual are unusable, the individual will be required to submit another set of prints.
- F. For all non-state residents who are offered employment with or the opportunity to provide athletic coaching services or other extracurricular academic coaching services to the school district, the school district shall request a criminal history

background check on such individuals from the superintendent of the BCA and from the government agency performing the same function in the resident state or, if no government entity performs the same function in the resident state, from the Federal Bureau of Investigation. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by the school district that an individual's criminal history does not preclude the individual from employment with, or provision of services to, the school district. Such individuals must provide an executed criminal history consent form.

- G. Copies of this policy shall be available on the school district's website and will be distributed to applicants for employment school/program volunteers and individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching or services, upon request. The need to submit to a criminal history background check may be included with the basic criteria for employment in the position posting and position advertisements.
- H. The individual will be informed of the results of the criminal background check(s) to the extent required by law.
- I. Criminal Background Screening Standards are included with this policy.
- J. If the criminal history background check precludes employment with the school district, the applicant will be so advised.
- K. The school district may apply these procedures to volunteers, independent contractors or adult student employees.
- L. At the beginning of each school year or when a student enrolls, the school district will notify parents and guardians about this policy and identify those positions that are subject to a background check and the extent of the school district's discretion in requiring a background check. The school district may include this notice in its student handbook, a school policy guide, or other similar communication.

Legal References: Minn. Stat. § 13.04, Subd. 4 (Rights of Subjects of Data)
Minn. Stat. § 1387, Subd. 1 (Criminal Justice Data)
Minn. Stat. § 123B.03 (Background Checks)
Minn. Stat. §§ 299C.60-299C.64 (Minnesota Child, Elder, and Individuals with Disabilities Protection Background Check Act)
Minn. Stat. § 364.09(b) (Exception for School Districts)

Cross References: None



Criminal Background Screening Standards

The South St. Paul School District seeks to maintain a safe and healthy educational environment that promotes the physical, social and psychological well-being of all students. All new employees and volunteers must receive a criminal background check prior to starting employment or a volunteer assignment with the School District. An individual will be disqualified and prohibited from serving as an employee or volunteer if that individual has been found guilty or entered a plea of non-contender (no contest), regardless of the adjudication for any of the following disqualifying offenses:

1. Sex Offenses

A. All Sex offenses - regardless of the amount of time since the offense

Examples: Child molestation, rape, sexual assault, sexual battery, sodomy, prostitution, solicitation, indecent exposure, possession or distribution of child pornography etc.

2. Felonies

A. All Violent Felony offenses - regardless of the amount of time since the offense

Examples: Murder, manslaughter, rape, aggravated assault, kidnapping, robbery, aggravated burglary, etc.

B. Any other Felony offenses within the past ten (10) years.

Examples: Drug offenses, theft, embezzlement, fraud, child endangerment, etc.

3. Misdemeanors

A. All Violent Misdemeanor offenses, including those involving probation or open cases, within the past five (5) years, or multiple offenses within the past seven (7) years.

Examples: Simple drug possession, drunk and disorderly conduct, public intoxication, possession of drug paraphernalia, etc.

B. Any other Misdemeanor offense, including those involving probation or open cases, within the past five (5) years that would be considered a potential danger to children, or is directly related to the functions of that employee or volunteer.

Examples: Contributing to the delinquency of a minor, providing alcohol to a minor, theft (if person is handling monies), etc.

The district reserves the discretion to consider factors and information, including whether the nature of the offense implicates a behavior that is contradictory to an individual's job description, when making employment decisions.



Adopted: September 8, 1997

MSBA/MASA Model Policy 413

Orig. 1995

Revised: 4/26/04; 8/28/06; 11/23/09; 11/25/13
11/23/15; 12/10/18; 6/10/19; 5/26/20; 6/14/21
6/27/22; 6/26/23

Rev. 2021

413 HARASSMENT AND VIOLENCE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. It is the policy of the school district to maintain a learning and working environment free from harassment and violence on the basis of Protected Class. The school district prohibits any form of harassment or violence on the basis of Protected Class.
- B. A violation of this policy occurs when any student, teacher, administrator or other school district personnel harasses a student, teacher, administrator or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a Protected Class. (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 for any student, teacher, administrator or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's Protected Class.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's Protected Class, and may discipline or take appropriate action against any student, teacher, administrator or other school district personnel found to have violated this policy.
- E. Because there are multiple, overlapping laws governing the school district's response to allegations of sexual harassment, all allegations of sexual harassment are subject to policy 522.

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’ Protected Class, when the conduct:
1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
 2. has the purpose or effect of substantially or unreasonably interfering with an individual’s work or academic performance; or
 3. otherwise adversely affects an individual’s employment or academic opportunities.
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
1. “Disability” means, with respect to an individual who:
 - a) has a physical, sensory, or mental impairment that materially limits one or more major life activities of such individual;
 - b) has a record of such an impairment; or
 - c) is regarded as having such an impairment.
 2. “Familial status” means the condition of one or more minors being domiciled with:
 - a) their parent or parents or the minor’s legal guardian; or
 - b) the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment or discrimination on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.

3. “Marital status” means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment or discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
 4. “National origin” means the place of birth of an individual or of any of the individual’s lineal ancestors.
 5. “Sex” includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
 6. “Sexual orientation” means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one’s biological maleness or femaleness. “Sexual orientation” does not include a physical or sexual attachment to children by an adult.
 7. “Status with regard to public assistance” means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. “Remedial response” means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.
- F. Sexual Harassment; Definition
1. Sexual harassment includes unwelcomed 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 or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual’s employment or education; or
 - c) that conduct or communication has the purpose or effect of substantially interfering with an individual’s employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
 2. Sexual harassment may include, but is not limited to:

- a) unwelcome verbal harassment or abuse
- b) unwelcome pressure for sexual activity
- c) unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
- d) unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
- e) unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression

G. Sexual Violence; Definition

- 1. Sexual violence is a physical act of aggression or force or the threat thereof that involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minnesota Statutes section 609.341, includes the primary genital area, groin, inner thigh, buttocks or breast, as well as the clothing covering these areas.
- 2. Sexual violence may include, but is not limited to:
 - a) touching, patting, grabbing, or pinching another person's intimate parts;
 - b) coercing, forcing or attempting to coerce or force the touching of anyone's intimate parts;
 - c) coercing, forcing or attempting to coerce or force sexual intercourse or a sexual act on another; or
 - d) threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence; Definition

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

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of a person's Protected Class by a student, teacher, administrator or other school district personnel, or any person with knowledge or belief of conduct that may constitute harassment or violence prohibited by this

policy toward a student, teacher, administrator or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct that may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal’s designee, or 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 receive 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 school district’s 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 fails 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 will result in disciplinary action against the building report taker.

- G. In the District. The school board hereby designates the Director of Human Resources as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.
- 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 targets or victims and alleged perpetrators of harassment or violence, the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

VII. RETALIATION OR REPRISAL

- A. 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

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

IX. HARASSMENT OR VIOLENCE AS ABUSE

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

X. DISSEMINATION OF POLICY AND TRAINING

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

Legal References:

Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious and Racial Harassment and Violence Policy)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Minn. Stat. § 609.341 (Definitions)
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
20 U.S.C. § 1681-1688 (Title IX of the Education Amendments of 1972)
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 1201 *et seq.* (Americans with Disabilities Act)

Cross References:

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



HARASSMENT AND VIOLENCE REPORT FORM

General Statement of Policy Prohibiting Harassment and Violence

Special School District No. 6 maintains a firm policy prohibiting all forms of discrimination.

Harassment or violence against students or employees or groups of students or employees on the basis of race, color, creed, religion, national origin, sex, age, marital status, status with regard to public assistance, sexual orientation, including gender identity and expression, or disability is strictly prohibited. All persons are to be treated with respect and dignity. 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 and expression, or disability by any pupil, teacher, administrator, or other school personnel, which create an intimidating, hostile, or offensive environment will not be tolerated under any circumstances.

Complainant _____

Home Address _____

Work Address _____

Home Phone _____ Work Phone _____

Date of Alleged Incident(s) _____

Basis of Alleged Harassment/Violence - circle as appropriate: race \ color \ creed \ religion \ national origin \ sex \ age \ marital status \ familial status \ status with regard to public assistance \ sexual orientation, including gender identity and expression \ disability

Name of person you believe harassed or was violent toward you or another person or group. _____

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

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

Where and when did the incident(s) occur? _____

List any witnesses that were present _____

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

(Complainant Signature)

(Date)

Received by: _____

(Date)



Adopted: October 28, 1996

MSBA/MASA Model Policy 418

Orig. 1995

Revised: 6/14/04; 10/27/08, 11/23/15; 11/26/18
6/10/19; 5/26/20; 6/14/21; 6/27/22; 4/26/23
6/26/23

Rev. 2022

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 (including edible cannabinoid products), and controlled substances without a physician's prescription.

II. GENERAL STATEMENT OF POLICY

- A. Use of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids (including 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. A violation of this policy occurs when any student, teacher, administrator, other school district personnel, or member of the public uses or possesses alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids (including edible cannabinoid products), or controlled substances in any school location.
- 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 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 by any route of administration.
- 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; or (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. “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.
- I. “Use” includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids (including edible cannabinoid products), and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.

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, 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).

V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, 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, 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. New employees shall be provided with written summary of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy summary. Policies are accessible to all employees on the school districts' website.
- 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 in a school location except with the express permission of the superintendent.
- F. No person is permitted to possess or use medical cannabis on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any childcare 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.
- G. Possession of alcohol on school grounds pursuant to the exceptions of Minnesota Statutes 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. 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, and electronic cigarettes, and nonintoxicating cannabinoids (including 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 counselling service. which may be provided 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. Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
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. § 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. § 152.22, subd. 6 (Definitions; Medical Cannabis)
- Minn. Stat. § 152.23 (Limitations; Medical Cannabis)
- 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. § 609.684 (Abuse of Toxic Substances)
- Minn. Stat. § 624.701 (Alcohol in Certain Buildings or Grounds)
- 41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)
- 20 U.S.C. § 7101-7122 (Student Support and Academic Enrichment Grants)
- 21 U.S.C. § 812 (Schedules of Controlled Substances)
- 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)



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Rev. 2022

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district or person smokes or uses tobacco or tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco or tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for 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.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.
- D. The school district will not solicit or accept any contributions or gifts of money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, tobacco-related devices, or electronic delivery devices. The school district will not promote or allow promotion of tobacco products or electronic delivery devices on school property or at school-sponsored events.

III. DEFINITIONS

- A. “Electronic delivery device” means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption through inhalation of aerosol or vapor from the product. Electronic delivery devices include but are 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. An electronic delivery device includes any component part of a product, whether or not marketed or sold separately. An 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 aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marked or sold separately.
- E. “Smoking” means inhaling, exhaling, burning or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. “Vaping” means using an activated electronic delivery device or heated tobacco product.

IV. EXCEPTIONS

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

V. VAPING PREVENTION INSTRUCTION

- A. The school district must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The school district may use instructional materials based upon the Minnesota Department of Health's school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the school district's locally developed health standards.

VI. ENFORCEMENT

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.

- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

VII. DISSEMINATION OF POLICY

- A. A summary of 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. § 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)



Adopted: November 26, 2007

*Revised: 9/22/08; 12/11/17; 6/10/19; 5/26/20; 6/14/21
6/27/22; 6/26/23*

437 STUDENT TEACHING

I. PURPOSE

- A. This policy defines and supports the student teacher program in South St. Paul Public Schools.

II. GENERAL STATEMENT OF POLICY

- A. The school district is committed to advancing the future of educators by participating in student teaching with cooperating colleges, universities and technical schools. The district's teachers are encouraged to serve in a supervisory role for future educators. District teachers will remain accountable for the learning, assessment and grading that occurs in the classroom when a student teacher is present.

III. DEFINITIONS

- A. Observation is defined as a student conducting observations in a school setting.
- B. Field Experience is defined as student tutors individuals or small groups and provides assistance as requested in a school setting
- C. Student Teaching/Advanced Practicum is defined as a student who provides tutoring, completes classroom duties, and develops or delivers lesson plans. Counselors or school psychologists perform specific duties based on course requirements. Student teachers are those who have completed at least two years of an approved teacher preparation program. The building principal and/or department leader will determine the number of student teachers to be placed in the schools at any one time.

IV. COOPERATIVE AGREEMENTS

- A. Colleges, universities and technical schools are required to regularly renew their district cooperative agreement (Appendix II) for student teaching supervision with South St. Paul Public Schools. The director of human resources will bring such agreements to the school board for action.

- B. The director of human resources will ensure the agreement requirements are met and give district approval for the mutual agreements with the college, university or technical school.
- C. For the school district to participate in a cooperative agreement, the postsecondary institution’s teacher preparation program must meet the standards established by the State of Minnesota. Exceptions to this requirement maybe considered based on the recommendation of the Minnesota Department of Education.
- D. Requests from postsecondary institutions are processed through the Human Resources Department. The district will follow all terms of the cooperative’s agreement that do not conflict with district policies.

V. OTHER TEACHER PREPARATION EXPERIENCES IN SCHOOLS

A. Approval of Other Experiences

The building administrator may approve other classroom experiences with postsecondary institutions’ teacher education programs for other teacher preparation opportunities in the classroom. These experiences may include, but are not limited to:

- Classroom observation
- Field experience

B. Teacher Supervision

The district supervising teacher is responsible at all times for the supervision of the classroom and has the responsibility to advise and guide the student from the postsecondary institution. During those times the student teacher is to have lead teaching responsibilities in class, the district supervising teacher is required to remain in the classroom. The district teacher is responsible for all learning, assessment and grading that occurs in the classroom.

Legal References:

Minn. Stat. § 122A.09 (Duties)

Minn. Stat. § 122A.40 (Employment, Contracts, Termination)

Minn. Stat. § 122A.69 (Practice or Student Teachers)

Cross Reference:

MSBA/MASA Model Policy 403 (Employee-Student Relationship)

MSBA/MASA Model Policy 404 (Employee Background Checks)

Appendix I to Policy 437 - Student Teaching

I. ROLES & RESPONSIBILITIES

- A. Building administrator approval is required for all placements and will notify families when a classroom has been assigned a student teacher. Building administrators will conduct a formal observation with student teachers.
- B. Teachers are responsible at all times for supervision of the classroom and have responsibility to guide student teachers in their work. The teachers are also responsible for learning, assessment and grading that occurs in the classroom. Teachers may supervise student teachers only once each year.
- C. The sponsoring postsecondary institution must have a supervisor who will remain in regular contact with the student teacher and supervising teacher throughout the student teaching experience.
- D. Criminal background checks must be completed through the Human Resources Department on all student teachers at the expense of the student teacher or the postsecondary institution. The criminal background check must be completed no more than six months prior to the student teaching assignment. All student teaching candidates must submit their background information at least two weeks prior to their teaching experience in the school setting.

II. TEACHER STIPEND

- A. Teachers may accept a stipend directly from a postsecondary institution for the extra effort in supervising student teachers, as set forth in the cooperative agreement.
- B. This stipend and any requirements to receive the stipend are set by each institution and teachers must be able to document the additional time beyond the regular workday for receiving this stipend.

III. PLACEMENT

- A. Student teacher placement will be coordinated through the postsecondary institution and the Human Resources Department. Placement requests are not to be completed by the supervising teacher. The Human Resources Department will coordinate placements with the building administrator/designee.
- B. A student teacher must be placed with a cooperating licensed teacher who has at least three years of teaching experience and is not in the improvement process under section 122A.40, subdivision 8.
- C. The building principal, the designee of the principal, the district teacher who has accepted a student teacher, or the teacher preparation program has the right and

responsibility to terminate placement if the well-being of South St. Paul Schools is not served.

D. Procedure

Except in a team teaching situation, the following conditions control the placement of student teachers during the course of the year:

1. No class should have more than one student teacher during the course of a school year.
2. Teachers who have completed the “Preparing for a Student Teacher” staff development course will be eligible to be considered to supervise student teachers. Completion of the course does not guarantee the assignment of a student teacher. Teachers must update themselves every five years with the refresher version of this course to be considered to supervise student teachers.
3. All student teachers will receive an orientation conducted by the Human Resources Department and the Department of Educational Services, unless school district administration, at its discretion, determines that such an orientation is not necessary due to the length of the placement.

E. Length of Placement

Student teachers will be placed with a supervising teacher for a period of time to be determined by the cooperating agreement.

Appendix II to Policy 437 – Student Teaching

MUTUAL AGREEMENT FOR STUDENT TEACHING BETWEEN COLLEGE/UNIVERSITY EDUCATION DEPARTMENT CITY, STATE AND SOUTH ST. PAUL PUBLIC SCHOOLS 20XX-20XX

This agreement is entered into between South St. Paul Public Schools, South St. Paul, Minnesota (the “District”) and COLLEGE/UNIVERSITY, CITY, STATE (the “College/University”). The purpose of this Agreement is to outline the terms of the training/student teaching experience for the student of the College/University and to identify the responsibilities of the College/University and the District.

The following conditions are made a part of the agreement:

(College/University) agrees to:

1. Place at the District only student teachers who are eligible for such placement under state and College/University rules, and School Board regulations. All student teacher placements will be initiated through and approved by the District through its department of human resources.
2. Inform its faculty and students of the District’s policies and regulations that relate to the placement at the District.
3. Provide District with College/University student teaching expectations/requirements.
4. Pay stipend to the cooperating teacher of the District based on College/University policy for each student teacher placed.
5. Provide regular student teaching supervision by a qualified designee(s) of the College/University.
6. Cooperate with the District in the development and implementation of the District’s Student Teaching Program.
7. Notify the District in the event a student teacher placed at the District is no longer enrolled in the College/University’s program.

The District agrees to:

1. Supply to the student teacher so placed by College/University an opportunity to work in a teaching-learning situation under the supervision of a practicing teacher who holds a continuing license and has at least three years total teaching experience.
2. Cooperate with College/University in the development and implementation of the District's Student Teaching Program.
3. Ensure that all student teachers placed at the District complete a criminal background check, at the expense of the student teacher or College/University, prior to the student teacher beginning at the District.
4. Provide appropriate supervision of the student teacher while at the District pursuant to rules promulgated by its Board. Such rules may not conflict with any minimum requirements established by the State or College/University with regard to the Student Teaching Program.
5. Immediately notify College/University if there is a change in the licensure status of any cooperating teacher providing supervision to any student teacher assigned hereunder.
6. Not replace any of its employees nor fill any vacancies normally filled by an employee with a student teacher assigned under this agreement. Therefore, a student teacher will not act as a substitute teacher.
7. Provide the College/University with copies of all policies and regulations applicable to student teachers.
8. Provide emergency medical care to the student teacher or College/University faculty member, at the District (if available) in case of injury or illness, or obtain other appropriate treatment as they choose. Any hospital or medical costs arising from such injury or illness will be the sole responsibility of the College/University faculty member or student teacher who received the treatment and not the District.
9. Reserve the right to deny a student teaching opportunity to an applicant and to terminate a student teaching assignment at any time, due to a lack of funding or for any other reason.
10. Recognize that it is the policy of both the District and the College/University to prohibit discrimination and ensure equal opportunities in its educational programs, activities, and all aspects of employment for all individuals regardless of race, color, creed, religion, gender, national origin, sexual orientation, veteran's status, marital status, age, disability, status with regard to public assistance, or inclusion in any group or class against which discrimination is prohibited by federal, state, or local laws and regulations. The District agrees to adhere to this policy in implementing this agreement.

Liability:

Each party agrees that it will be responsible for its own acts and the results thereof to the extent authorized by law and will not be responsible for the acts of the other party and the results thereof. The College/University's liability will be governed by the Minnesota Tort Claims Act, Minnesota Statutes Section 3.736, as amended, and by this Agreement or any other laws applicable to the College/University. The District's liability will be governed by Minnesota Statutes Section 466.04, as amended.

Term of Agreement:

This agreement will commence on July 1, 20XX and end on June 30, 20XX. This Agreement may be terminated by either party at any time upon 60 days' written notice to the other party. Termination by the District will not automatically become effective with respect to student teachers then participating in the learning experience program, and said student teachers may be allowed to continue at the sole option of the District.

General Provisions:

1. Neither the District nor the College/University will assign or transfer any rights or obligations under this agreement without the prior written consent of the other party.
2. Any amendments to this agreement will be in writing and signed by authorized representatives from each party.
3. The parties agree that in fulfilling the duties of this agreement, they are responsible for complying with the Americans with Disabilities Act, 42 U.S.C. Chapter 12101, et seq., and any regulations promulgated by the Act.
4. Student teachers are participants in an educational program, and for purposes of this agreement, shall not be considered employees of either the College/University or the District, except as provided for in Minnesota Statutes Section 122A.69. Student teachers shall not be entitled or eligible to participate in any benefits or privileges given or extended to employees of the College/University or the District, except as provided by Minnesota Statutes Section 122A.69.
5. The State of Minnesota has laws (the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13 (the "MGDPA")) that classify the College/University's written and electronic information as public, private, or confidential. Except as otherwise provided in law or College/University policy, data on students is private and may not be shared with any other party. If the District receives a request from a third party for any data provided to the District by the College/University, the District agrees to immediately notify the College/University. The parties additionally acknowledge that the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g and 34 C.F.R. § 99, apply to the use and disclosure of education records that are created or maintained under this agreement.
6. Student teachers assigned to the learning experience program at the District under this agreement will be required to sign a Student Teaching Program Agreement before the student teacher begins the Student Teaching Program at the District.

Approved:

Signed for (Insert College/University)

Date: _____

Name: _____

Title: _____

Signed for South St. Paul Public Schools

Date: _____

Name: _____

Title: _____

Adopted: October 23, 2000

*Revised: 6/28/04; 3/12/07; 10/27/08; 1/11/10; 8/24/15; 7/25/16; 8/13/18
6/10/19; 5/26/20; 6/14/21; 6/27/22; 6/26/23*

474 STAFF INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY

I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for staff access to district and school information technology, known in this document as “District Information Technology,” including but not limited to district computers, devices, printers and other accessories, networks, internet access, electronic communications, and third-party systems the district licenses and makes available to employees and students. For the purposes of this policy, “staff” includes all employees, volunteers, contractors and other outside agencies working on the district’s behalf who are granted access to District Information Technology.

II. GENERAL STATEMENT OF POLICY

In making decisions regarding student and staff access to District Information Technology, the school district considers its own stated educational mission, goals and objectives. Electronic information research skills are fundamental to preparation of citizens and future employees. Access to the school district computer system and to the internet enables the school community 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 District Information Technology throughout the curriculum and will provide guidance and instruction to students in their use.

III. PURPOSE LIMITED TO EDUCATION

The school district provides staff with access to District Information Technology. District Information Technology has a limited educational purpose, which includes its use for classroom activities, educational research, professional or career development, and the general operation of the district and its schools. Staff are expected to use District Information Technology to further educational and professional goals consistent with the school district’s mission, strategic plan and 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 DISTRICT TECHNOLOGY RESOURCES IS A PRIVILEGE

The use of District Information Technology and its access to 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 District Information Technology or the internet may result in one or more of the following consequences: suspension, cancellation or restriction of use or access privileges, payments for damages and repairs, discipline under other appropriate school district policies, including termination of employment or civil or criminal liability under other applicable laws.

V. ACCEPTABLE USE EXPECTATIONS

- A. The following Acceptable Use Expectations apply to all staff using District Information Technology:
1. Staff will not use District Information Technology to access, review, create, upload, download, store, print, post, distribute or otherwise publish any content that:
 - a) is pornographic;
 - b) promotes domestic violence;
 - c) promotes crimes against children;
 - d) promotes illegal drugs;
 - e) threatens physical harm to another person;
 - f) incites violence at school;
 - g) creates, or could reasonably be predicted to create, a material and substantial disruption to school operations;
 - h) creates, or could reasonably be predicted to create, an environment that is not conducive to learning;
 - i) significantly interferes with the learning of students;
 - j) ridicules, maligns, disparages, unlawfully discriminates, harasses, or otherwise expresses bias based on race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, familial status, disability, sexual orientation, or age; or
 - k) jeopardizes the security or safety of students or staff at school.
 2. Staff will not use District Information Technology to engage in any illegal act or violate any local, state or federal statute or law.

3. Staff will not use District Information Technology to vandalize, damage or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software or system performance by spreading computer viruses or by any other means, will not tamper with, modify or change the school district system software, hardware or wiring or take any action to violate the school district system's security, and will not use District Information Technology in such a way as to disrupt the use of the system by other users.
4. Staff will not use District Information Technology to gain unauthorized access to information resources or to access another person's materials, information or files without direct permission of that person.
5. Staff will not use the District Information Technology to post private information about another person or to post personal contact information about themselves or other persons including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, 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 staff 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) Staff creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, staff 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, staff shall obtain written approval of the content of the postings from the building administrator.

- c) These prohibitions specifically prohibit staff from using the District Information Technology to post personal information about staff members or students on social media networks.
6. Staff will protect and secure District Information Technology and the confidential information it stores and makes available by:
 - a) Keeping their user account information, including usernames and passwords, private;
 - b) Not attempting to gain unauthorized access to District Information Technology or use District Information Technology to gain unauthorized access to any other system;
 - c) Not using another person's account, or use computer accounts, access codes or network identification other than those assigned to them by the district;
 - d) Not allowing anyone other than themselves to use their login credentials to access District Information Technology;
 - e) Always locking or logging off district computers and devices connected to district resources before leaving them unattended, including the use of personal devices offsite that access District Information Technology;
 - f) Not attempting to encrypt messages and records on District Information Technology with tools other than those provided or approved by the district.
 7. Staff will observe and comply with copyright laws, license agreements, and other intellectual property rights.
 8. Staff will not use District Information Technology, including their district email address, for personal purposes, including personal shopping, personal social networking, personal subscriptions and other activities not related to their job duties or the district mission, vision and strategic plan.

9. Staff will not use District Information Technology for the conduct of a business, for unauthorized commercial purposes or for financial gain unrelated to the mission of the school district. Staff will not use the school district system to offer or provide goods or services or for product advertisement.
 10. Staff will not use District Information Technology to engage in bullying or cyberbullying as defined in Policy (514 Bullying Prohibition). This prohibition includes using any technology or other electronic communication off district premises to the extent that student learning or the school environment is substantially and materially disrupted.
- B. Staff engaging in unacceptable uses of District Information Technology when off district premises may also be in violation of this and other school district policies. 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.
 - C. If Staff using District Information Technology inadvertently access unacceptable materials or an unacceptable internet site, they will immediately disclose the inadvertent access to their direct supervisor and/or 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 a building or district administrator.

VI. CONSISTENCY WITH OTHER SCHOOL POLICIES

Use of District Information Technology and use of the internet shall be consistent with school district policies and the mission of the school district.

VII. LIMITED EXPECTATION OF PRIVACY

- A. By authorizing use of District Information Technology, 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 for their actions and content stored on District Information Technology.
- B. Routine maintenance and monitoring of District Information Technology may lead to 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. School district employees should be aware that data and other materials in files maintained on District Information Technology may be subject to review, disclosure or discovery under Minnesota Statutes, Chapter 13 (the Minnesota Government Data Practices Act) and may be subject to Freedom of Information Act requests.
- E. 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 District Information Technology.

VIII. INFORMATION TECHNOLOGY ACCEPTABLE USE AGREEMENT

- A. The proper use of District Information Technology systems and the educational value to be gained from proper use, is the joint responsibility of students, parents and employees of the school district.
- B. The Staff Information Technology Acceptable Use Agreement must be signed by staff at the start of employment, and periodically thereafter as Information Technology changes require.

IX. LIMITATION ON SCHOOL DISTRICT LIABILITY

Use of District Information Technology 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.

X. 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 removable media, 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; and
 - 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 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) and Policy 515 (Protection and Privacy of Pupil Records).
5. Notification that, even though the school district may use technical means to limit student and staff internet access, these limits do not provide a foolproof means for enforcing the provisions of this Acceptable Use policy.
6. Notification that staff are personally responsible for unauthorized financial obligations incurred over the Internet or other electronic means.
7. Notification that should the user violate the school district's Acceptable Use Policy, the employee's access privileges may be revoked, and appropriate disciplinary and/or legal action may be taken.
8. Notification that all provisions of the Acceptable Use Policy are subordinate to local, state and federal laws.

XI. IMPLEMENTATION AND POLICY REVIEW

- A. The school district administration will develop appropriate guidelines and procedures necessary to implement this policy.
- B. This policy will be reviewed annually, and the administration will recommend changes as necessary.

XII. INTERNET CONTENT FILTERING

- 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. Pornographic; or
 - 3. Harmful to minors.

- B. The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:
 - 1. When taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, 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. When taken as a whole, lacks serious literary, artistic, political, or scientific value to minors.

- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

- D. When used by an adult, an administrator, supervisor or other person authorized by the Superintendent may disable the technology protection measure to enable access for bona fide research or other lawful purposes.

XIII. STAFF PERSONAL EQUIPMENT USE

- A. All staff are provided access to dedicated or shared computing devices as needed for the performance of their duties.

- B. Staff may connect personal devices to the district’s guest network.

- C. The district may restrict connection bandwidth of some or all personal devices or otherwise block access in order to prioritize the district’s learning and other operations, and to protect District Information Technology.

- D. Staff are responsible for ensuring that any connected personal device has been updated with all applicable security updates for its operating system and software, and has appropriate virus and malware protection installed and activated.
- E. Use of personal devices brought onto school property must adhere to the policies and guidelines of this policy.
- F. Staff are prohibited from using personal computing devices as wireless hotspots to circumvent the district wireless network and content filters.
- G. District Technology staff cannot provide direct assistance with the configuration, installation or use of personal computing devices.

XIV. STAFF SOCIAL MEDIA USE

- A. **Social Media** is defined as the variety of online resources that allow people to communicate, share information, photos, videos and audio, and exchange text and other multimedia files with others through an online or cellular network platform. Examples of social media include, but are not limited to, websites, blogs, wikis, social networks, online forums, virtual worlds, and such social networks as Facebook, Twitter, LinkedIn, Flickr, YouTube, Snapchat, and Instagram.
- B. **Personal Social Media Use** is defined as the use of social media to communicate with friends and family, advance one's employment or career beyond the scope of one's district duties, engage in business activities, or publicly express personal opinions.
- C. **Professional Social Media Use** is defined as use of social media that is directly related to job duties and is performed with a supervisor's permission. Examples include but are not limited to use that is integrated into classroom instruction, tied directly to professional learning, or needed to communicate with partner agencies or job-related networks.
- D. **Establishment and Regulation of Social Media Sites.** The district may establish social media sites and accounts for the district and its schools and may monitor and regulate the content of information on its sites and accounts. The district's Facebook, Twitter and Instagram accounts are examples of a district social media site. The Superintendent or their designee, must approve the establishment of all district social media sites and school media sites.

E. **General Guidelines**

1. **Speaking on Behalf of the District.** The Superintendent or their designee is the authorized spokesperson for the district. Without prior written authorization from the Superintendent, employees may not use social media during the duty day or outside the duty day to state or imply:
 - a) that they are speaking for, or on behalf of, the district;
 - b) that they are authorized to speak for, or on behalf of, the district; or
 - c) that their views represent the views of the district.

2. **Branding of Personal Social Media Accounts with District Logos, Names or Trademarks.**
 - a) Staff will not brand their personal accounts in such a way that they may be mistaken as officially representing the district or its schools. Staff are additionally encouraged to include disclaimers on their personal social media profiles to eliminate any confusion and clarify that they are speaking as private individuals, and not as district employees, and that their views do not necessarily reflect the views of the district.

3. **Non-Protected Speech**
 - a) As a general matter, public employees have a First Amendment right to use personal social media to express their views on matters of public interest. However, this right is not absolute. When public employees make statements pursuant to their official job duties, they are not speaking as private citizens for First Amendment purposes and, therefore, their speech is not constitutionally protected. When employees are speaking pursuant to their official job duties, they must follow their supervisor's directives and the district approved curriculum. Employees may be disciplined for speech that is not protected under the Constitution or a federal or state law.

4. **Prohibition of Speech that Interferes with Efficient.**

- a) Even when speech touches on a matter of public concern and is not pursuant to an employee's job duties, an employee's free speech rights must be balanced against the district's right to maintain efficient operations and an environment that is conducive to working and learning. When balancing these rights, the courts have held that a public employee's speech is not protected if it would create disharmony in the workplace, impede the employee's ability to perform his or her job duties, significantly impair the working relationship with other employees who work closely with the speaker, or significantly harm the employer's image. Accordingly, employees may be disciplined for speech that creates disharmony in the workplace, impedes the employee's ability to perform his or her job duties, significantly impairs the working relationship with other employees who work closely with the speaker, or significantly harms the district's image.

5. **Maintaining Appropriate Boundaries.**

- a) All employees must maintain professional boundaries with students. Employees may not engage in communications with students that give the impression of peer-to-peer communications, unless the employee and student are related. Additionally, employees may not have extensive social involvement or develop personal or private relationships with individual students through social media, unless they are closely related.

F. **Social Media Use During the Duty Day**

1. Staff may engage in Professional Social Media Use during work hours.
2. Staff are encouraged to create separate professional social media accounts using their district email addresses for work purposes only. Personal accounts may not be used when using social media with students.
3. Personal Social Media Use using District Information Technology is prohibited during work hours.
4. Incidental Personal Social Media Use on personal devices is allowed during work hours to the extent that it does not interfere with job duties or responsibilities as determined by supervisors.

Legal References:

15 U.S.C. § 6501 *et seq.* (Children's Online Privacy Protection Act)
17 U.S.C. § 101 *et seq.* (Copyrights)
47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))
47 C.F.R. § 54.520 (FCC rules implementing CIPA)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 125B.15 (Internet Access for Students)

Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
United States v. Amer. Library Assoc., 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221 (2003)
Doninger v. Niehoff, 527 F.3d 41 (2nd Cir. 2008)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, No. 12-588, 2012 WL 3870868 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), aff'd on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee's Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
Kowalski v. Berkeley County Sch., 652 F.3d 565 (4th Cir. 2011)
Layshock v. Hermitage Sch. Dist., 650 F.3d 205 (3rd Cir. 2011)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)

Cross References:

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)
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)



Adopted: June 30, 1997

MSBA/MASA Model Policy 501

Orig. 1995

Revised: 4/26/04; 8/14/06; 10/27/08; 9/9/13
3/14/16; 5/22/17; 6/10/19; 5/26/20; 6/14/21
6/27/22; 6/26/23

Rev. 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 nonstudent, including adults and visitors, shall possess, use or distribute a weapon when in a school location except as provided in this policy. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, volunteer, or member of the public who violates this policy.

III. DEFINITIONS

A. “Weapon”

1. A “weapon” means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict -injury to self or others including, but not limited to, any firearm, whether loaded or unloaded; air guns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; numchucks; throwing stars; explosives; fireworks; mace and other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.
2. No person shall possess, use or distribute any object, device or instrument having the appearance of a weapon and such objects, devices or instruments shall be treated as weapons including, but not limited to, weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.
3. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.), to inflict bodily harm and/or intimidate and such use will be treated as the possession and use of a weapon.

- B. “School Location” includes any school building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the school district.
- C. “Possession” means having a weapon on one’s person or in an area subject to one’s control in a school location.
- 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 Statute sections 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 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, 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 willfully 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, a course of action other than the minimum consequences specified above is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.

VI. CONSEQUENCES FOR WEAPON POSSESSION/USE/DISTRIBUTION BY NONSTUDENTS

- A. Employees
1. An employee who violates the terms of this policy is subject to disciplinary action, including 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. REPORTS 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 (Reports of Dangerous Weapon Incidents in School Zones)
 Minn. Stat. § 12.01, 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)
In re A.D., 833 N.W.2d 251 (Minn. 2016)

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)
 MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)



Adopted: February 9, 1998

MSBA/MASA Model Policy 502

Orig. 1995

Revised: 10/25/04; 3/14/16; 5/22/17; 6/10/19; 5/26/20
6/14/21; 6/27/22; 6/26/23

Rev. 1999

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

A. Lockers and Personal Possessions Within a Locker

Pursuant to Minnesota statutes, school lockers are the property of the school district. At no time does the school district relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school officials 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 officials have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules.

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 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

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 item possession of which is prohibited by school district policy and/or law. It includes but is not limited to weapons and “look-alikes,” alcoholic beverages, controlled substances and “look-alikes,” overdue books and other materials belonging to the school district, and stolen property.
- B. “Personal possessions” includes but is not limited to purses, backpacks, bookbags, 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.
- 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.
- 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 or disseminated in any other way which school officials deem appropriate. The school district shall provide a copy of this policy to a student when the student is given 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 OF 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 it shall be subject to discipline in accordance with the school district’s Student Discipline Policy, which may include suspension, exclusion, or expulsion, and the student may, when appropriate, be referred to legal officials.

Legal References: U. S. Const., amend. IV
 Minn. Const., art. I, § 10
New Jersey v. T.L.O., 469 U.S. 325, 105 S.Ct. 733, 83 L.Ed.2d 720 (1985)
 Minn. Stat. § 121A.72 (School Locker Policy)
G.C. v. Owensboro Public Schools, 711 F.3d 623 (6th Circ.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)



Adopted: May 31, 1972

MSBA/MASA Model Policy 503

Orig. 1995

Revised: 7/21/76, 4/9/85, 3/15/88, 5/7/91, 1/24/05
6/26/06; 5/12/14; 3/14/16; 8/14/17; 6/10/19
5/26/20; 6/14/21; 6/27/22; 6/26/23

Rev. 2022

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

It is the student's right to be in school. It is also the student's responsibility to attend all assigned classes every day that school is in session and to be aware of and follow the correct procedures when absent from an assigned class. Finally, it is the student's responsibility to request 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 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. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility to provide any student who has been absent with any missed assignments upon request. Finally, it is the teacher's responsibility to work

cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

4. Administrator's Responsibility

- a. It is the administrator's responsibility to require students to attend all assigned classes. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students and maintain accurate records on student attendance. 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, Minnesota Statute, section 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 Guidelines

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.
- 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 in the student's immediate family or of a close friend or relative.
 - (4) Medical, dental or orthodontic treatment, or counseling appointment.
 - (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) Pre-approved college visits.
- (11) Religious Holiday.
- (12) Family emergencies.
- (13) Active duty in any military branch of the United States.

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up assignments as deemed appropriate by the classroom teacher.
- (2) The student, family, and staff will engage in a conversation to determine how students will access standards and practice skills that were missed during the absence.

2. Unexcused Absences

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

- (1) Truancy. An absence by a student, which was not approved by the parent and/or the school district.
- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (3) Chores at home.
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Personal trips to schools or colleges.
- (6) Any other absence not included under the attendance procedures set out in this policy.

b. Consequences of Unexcused Absences

- (1) 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.
- (2) Students with unexcused absences shall be subject to discipline in the following manner:
 - (a) After 7 cumulated unexcused absences in a [quarter or semester], the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior

to loss of credit, an administrative conference must be held among the principal, student and parent.

c. Suspensions

- (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minn. Statutes sections 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.

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 or dental 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.

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 participation permitted.
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.

III. RELIGIOUS OBSERVANCE OF ACCOMMODATION

Reasonable efforts will be made by the school district to accommodate any student who wishes to be excused from a curricular activity for a religious observance. Requests for accommodations should be directed to the building principal.

IV. DISSEMINATION OF POLICY

Copies of this policy shall be available to all students and parents at the commencement of each school year. This policy shall also be available upon request in each principal's office.

V. REQUIRED REPORTING

A. Continuing Truant

Minnesota Statutes, section 260A.02 provides that a continuing truant is a student who is subject to the compulsory instruction requirements of Minnesota Statutes section 120A.22 and is absent from instruction in a school, as defined in Minnesota Statutes section 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, junior high school, or high school.

B. Reporting Responsibility

When a student is initially classified as a continuing truant, Minnesota Statutes section 260A.03 provides that the school attendance officer or other designated school official shall notify the student's parent or legal guardian, by phone or other reasonable means, of the following:

1. That the child is truant;
2. That the parent or guardian should notify the school if there is a valid excuse for the child's absences;
3. That the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minnesota Statutes section 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minnesota Statutes section 120A.34;
4. That this notification serves as the notification required by Minnesota Statutes section 120A.34;
5. That alternative educational programs and services may be available in the child's enrolling or resident district;
6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
7. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minnesota Statutes Chapter 260;
8. That 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 Minnesota Statutes section 260C.201; and
9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

Nothing in this section shall prevent a school district from notifying a truant child's parent or legal guardian of the child's truancy or otherwise addressing a child's attendance problems prior to the child becoming a continuing truant.

C. Habitual Truant

1. A habitual truant is a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one

or more class periods on seven school days per school year and who has not lawfully withdrawn from school under Minn. Stat. § 120A.22.

2. An administrator or their designee shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minnesota Statutes Chapter 260A.

Legal References:

Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 120A.24 (Reporting)
Minn. Stat. § 120A.26 (Enforcement and Prosecution)
Minn. Stat. § 120A.28 (School Boards and Teachers, Duties)
Minn. Stat. § 120A.34 (Violations; Penalties)
Minn. Stat. § 120A.35 (Absence from School for Religious Observance)
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)
Goss v. Lopez, 419 U.S. 565 (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, 38 Ill. App. 3d 603, 348 N.E.2d 299 (1976)
Dorsey v. Bale, 521 S.W.2d 76 (Ky. 1975)

Cross References:

MSBA/MASA Model Policy 506 (Student Discipline)



Adopted: October 25, 2004

MSBA/MASA Model Policy 504

Orig. 1995

*Revised: 6/26/06; 10/27/08; 10/26/09; 6/13/11
9/9/13; 5/9/16; 8/14/17; 6/10/19; 5/26/20
6/14/21; 6/27/22; 6/26/23*

Rev. 2022

504 STUDENT DRESS AND APPEARANCE

I. PURPOSE

- A. The purpose of this policy is to enhance the education of students by establishing expectations of dress and grooming that are related to educational goals and a learning environment.

II. GENERAL STATEMENT OF POLICY

- A. The policy of this school district is to encourage students to be dressed appropriately for school activities and is in keeping with the needs of the learning environment. 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 classroom).
- C. Inappropriate clothing includes, but is not limited to, the following:
1. Clothing that is not in keeping with educational goals and a learning environment. Refer to student handbooks for detailed information.
 2. Clothing bearing a message that is lewd, vulgar, or obscene.
 3. Apparel promoting products or activities that are illegal for use by minors.
 4. 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 MSBA/MASA Model Policy 413.
 5. Any apparel or footwear that would damage school property.

- D. 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.
- E. “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.

III. PROCEDURES

- A. When, in the judgment of the administration, a student’s appearance, grooming, or mode of dress interferes with or disrupts the educational process or school activities or poses a threat to the health or safety of the student or others, the student will be directed to make modifications or will be sent home for the day. Parents/guardians will be notified.
- B. The administration may recommend a form of dress considered appropriate for a specific event and communicate the recommendation to students and parents/guardians.
- C. Likewise, an organized student group may recommend a form of dress for students considered appropriate for a specific event and make such recommendation to the administration for approval.

Legal References:

- U. S. Const., amend. I
- Tinker v. Des Moines Indep. Sch. Dist.*, 393 U.S. 503, (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 (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)



Adopted: October 28, 1996

MSBA/MASA Model Policy 505

Orig. 1995

Revised: 10/25/04; 10/27/08; 4/25/11; 5/9/16

Rev. 2002

7/25/16; 8/14/17; 3/12/18; 1/14/19; 6/10/19; 5/26/20

6/14/21; 6/27/22; 6/26/23

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

I. PURPOSE

The purpose of this policy is to protect the exercise of students' and employees' free speech rights, taking into consideration the educational objectives and responsibilities of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The school district recognizes that students and employees have the right to express themselves on school property. This protection includes the right to distribute, at a reasonable time and place and in a reasonable manner, 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 or offering materials or copies of materials ("materials"), selling or offering materials for sale, accepting donations for materials, posting or displaying materials, placing materials in internal staff or student mailboxes, or staff, student or parent emails.
- B. "Non-school-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 and websites, blogs, wikis, podcasts or other online resources.

- 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.
 3. Where the normal activity uses the district’s electronic technologies, “material and substantial disruption” is defined as deliberately attempting to disrupt the computer network and/or destroying data by spreading computer viruses or malware.
 4. 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, fine arts concerts, presentations and productions, in-school lunch periods, school and teacher websites, blogs, wikis, podcasts or school-sponsored online resources.

- 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, non-school-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, or via digital or electronic manner, 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.
8. whether or not the distribution of the materials takes advantage of the district's communication system for personal gain;
9. unless otherwise provided by law, announcements and informational materials regarding school or youth-related activities, organizations and agencies are clearly known to be non-sectarian devoted to community interests or child welfare, non-discriminatory and totally committed to equal opportunity, and generally recognized as owning their existence to serving the broad public and general interests.

V. TIME, PLACE, AND MANNER OF DISTRIBUTION

- A. No non-school-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 non-school-sponsored material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the district site and parking lots. Distribution shall not impede entrance to or exit from district premises in any way.
- C. No one shall coerce a student or staff member to accept any material.
- D. The time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.
- E. Distribution that results in a "spamming" or disruption of staff, student or parent email services is prohibited.

VI. PROCEDURES

- A. All requests for distribution of materials in or through the schools by non-school persons or organizations must be submitted for approval at least five days in advance of desired distribution date, together with the following information:

1. Name and phone number of the person submitting the request.
 2. Date(s) and time(s) of day of requested distribution.
 3. To whom the distribution is intended (i.e. students, grade level, or school, etc.)
- B. All requests for materials distribution are to be screened individually as follows:
1. All requests for district-wide distribution must be approved by the Superintendent's Office.
 2. All requests for distribution for an individual school or classroom must be approved by the building principal and by the Superintendent's Office.
 3. In any instance of serious question as to appropriateness of distribution, final determination is to be made by the Superintendent of Schools.
 4. At all levels, a continuing log of distribution approvals and denials is to be maintained.
 5. Distribution of materials may be limited to the district's digital and electronic management system accessible by parents, students and district employees, or as copies made available at school and district offices, or for students and parents to take home.
 6. Employee mailboxes and the School District's internal mail systems are reserved for school district related business and the facilitation of internal communication of school related matters to school district employees.
 7. Employee mailboxes and the District's internal electronic communication and mail systems shall be open to the exclusive representatives of the School District employees on matters within the scope of the official representational duties of school district employees.
- C. The front of all non-school sponsored materials must include a prominent disclaimer indicating, "The activities, viewpoints, or events promoted in these materials are not sponsored, endorsed, approved or disapproved by the South St. Paul Public Schools."
- D. In the event permission to distribute the materials is denied or limited, the persons submitting the request shall be informed of the reasons for the denial or limitation. Permission or denial does not imply approval or disapproval of its contents by the school, administration, the school board, or the individual reviewing the material submitted.
- 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.

VIII. NOTICE OF POLICY TO STUDENTS AND EMPLOYEES

A copy of this policy will be published in student handbooks.

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 review. 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 (8th Cir. 1987)
Roark v. South Iron R-1 School District., 573 F.3d 556 (8th Cir. 2009)
Victory Through Jesus Sports Ministry Foundation v. Lee's Summit R-7 School Dist., 640 F.3d 329 (8th 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)
Appendix to District Policy 904 (Distribution Process of Materials by Nondistrict Sponsored Persons and Organizations)



MSBA/MASA Model Policy 506

Orig. 1995

Rev. 2022

Adopted: October 5, 1993

*Revised: 1/24/05; 10/10/05; 11/28/11; 9/9/13; 4/28/14; 5/9/16; 5/22/17; 9/10/18;
1/13/20; 6/26/23*

506 STUDENT DISCIPLINE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

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

In view of the foregoing and in accordance with Minnesota Statutes section 121A.55, the school board, with the participation of school district administrators, teachers, employees, students, parents, community members, and such other individuals and organizations as

appropriate, has developed this policy which governs student conduct and applies to all students of the school district.

III. AREAS OF RESPONSIBILITY

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.
- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.
- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the behavior of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

IV. STUDENT RIGHTS

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

V. STUDENT RESPONSIBILITIES

All students have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;

- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

VI. CODE OF STUDENT CONDUCT

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; 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 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 unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.

The School Board considers the following behaviors to be unacceptable behaviors that may be subject to disciplinary action. These behaviors are defined more thoroughly in the Student Handbook, and will be reviewed annually.

1. Acts of dishonesty.
2. Any criminal activity or violation of the law.
3. Attendance issues, including failure to attend class, tardiness, and leaving class without permission.
4. Cheating and plagiarism.
5. Damage to or misuse of property, including misuse of technology or use of technology in a way that causes property damage
6. Failing to follow the instructions of an administrator, teacher, or other School District representative.
7. Gang activity.
8. Inappropriate physical contact with another person, as well as acts of physical aggression, fighting, horseplay and play fighting.
9. Possession, distribution, or use of alcohol, drugs, and tobacco (including look alike substances and synthetic substances) or paraphernalia.
10. Possessions of weapons (as defined in School Board Policy 501) explosives, incendiary devices, or any type of combustible substances.
11. Substantially interrupting the learning environment.
12. Sexual misconduct and sexual assault.
13. Theft.
14. Threats of violence.
15. Trespassing.
16. Using language that is not appropriate in a school setting or possessing materials containing language that is not appropriate in a school setting. Inappropriate language includes abusive, profane, obscene, or threatening language. Inappropriate language also includes language that constitutes cyberbullying, bullying, discrimination, harassment, or hazing. Teasing and name-calling may also be considered inappropriate language.

17. Violations of other School Board Policies setting forth expectations for student behavior including:
- a) School Board Policy 102, Equal Educational Opportunity;
 - b) School Board Policy 413, Harassment and Violence;
 - c) School Board Policy 417, Chemical Use and Abuse
 - d) School Board Policy 419, Tobacco-Free Environment;
 - e) School Board Policy 501, Weapons;
 - f) School Board Policy 502, Search of Student Lockers, Desks, Personal Possessions, and Student's Person
 - g) School Board Policy 503, Student Attendance;
 - h) School Board Policy 504, Student Dress and Appearance;
 - i) School Board Policy 505, Distribution of Non-School Sponsored Materials on School Premises by Students and Employees
 - j) School Board Policy 514 Bullying Prohibition;
 - k) School Board Policy 521, Student Disability Nondiscrimination
 - l) School Board Policy 526, Hazing Prohibition;
 - m) School Board Policy 527, Student Use and Parking of Motor Vehicles, Patrols, Inspections, and Searches;
 - n) School Board Policy 528, Student Parental, Family and Marital Status Nondiscrimination;
 - o) School Board Policy 536, Student Internet Acceptable Use and Safety Policy;
 - p) School Board Policy 627, Academic Honesty;
 - q) School Board Policy 709, Student Transportation Safety

VII. DISCIPLINARY ACTION OPTIONS

The general policy of the school district is to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. At a minimum, violation of school district rules, regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The school district shall, however, impose more severe disciplinary sanctions for any violation, including exclusion or expulsion, if warranted by the student's misconduct, as determined by the school district. Disciplinary action may include, but is not limited to, one or more of the following:

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be

released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.

- C. Parent contact;
- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;
- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Expulsion under the Pupil Fair Dismissal Act;
- S. Exclusion under the Pupil Fair Dismissal Act; and/or
- T. Other disciplinary action as deemed appropriate by the school district.

VIII. REMOVAL OF STUDENTS FROM CLASS

- A. The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive

student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, a teacher will consult with the building principal or principal designee about the potential removal of the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

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

1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn;
2. Willful conduct that endangers surrounding persons, including school district employees, the student or other students, or the property of the school;
3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or
4. Other conduct, which in the discretion of the teacher or administration, requires removal of the student from class.
5. A student must be removed from class immediately if the student engages in assault or violent behavior. "Assault" is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict, bodily harm upon another. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

C. Procedures for Removal from Class

1. A student will be removed from class only upon agreement of the appropriate teacher and Principal or Principal's designee after an informal administrative conference with the pupil. The decision to remove a student will ultimately be the responsibility of the Principal or Principal's designee.
2. The length of time of the removal will be at the discretion of the Principal or the Principal's designee after consultation with the teacher, but will not exceed five (5) class or activity periods per incident.

3. Removal from class may be imposed without an informal administrative conference when a student is causing and/or appears to be causing a serious disruption or appears to be creating an immediate and substantial danger to himself/herself or to person(s) or property.
 4. In removing a student from class, a District employee may use reasonable force, if necessary, in compliance with Minnesota Statutes section 121A.582 and other laws.
- D. Responsibility for and Custody of a Student Removed From Class Students who are removed from class will be supervised by a District staff member.
- E. Return to Class after Removal
1. Students will return to class upon completion of the terms of the removal established at the informal administrative conference referenced in section II.B.3.
- F. Procedures for Notification
1. The principal or principal's designee will determine the need for and method of notification to parent or guardian.
 2. After the student has been removed from class more than ten (10) times in one school year, the principal or designee will notify the student's parent and guardian and request that the parent or guardian meet with the site administrators to discuss the problem that is causing the student to be removed from class.
- G. Students on an Individual Education Plan (IEP) The principal or designee will determine whether the student's removal from class requires a meeting to review the adequacy of the student's current Individual Education Plan (IEP) or whether there is a need for further assessment. If it is determined such a meeting is necessary, the student's case manager will schedule and provide appropriate notices of such meeting.
- H. Early Intervention
1. The principal or designee will review the following:
 2. Any procedures or services appropriate for encouraging early involvement of parents or guardians to improve the student's behavior;
 3. Any procedures or services determined appropriate for encouraging early detection of behavioral problems;

4. Whether the student may need special education services in order to benefit from his or her education;
5. The appropriateness of referring the student to the District chemical abuse preassessment team;
6. The appropriateness of addressing the student's behavior through a crisis intervention plan; and
7. The appropriateness of any other interventions to improve the student's conduct and behavior.

IX. DISMISSAL

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

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

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

- B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:
1. Willful violation of any reasonable school board regulation, including those found in this policy;
 2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or
 3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.
- C. Suspension Procedures
1. "Suspension" means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending

school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.

2. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the pupil's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to

progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6th) consecutive day of suspension or the tenth (10th) cumulative day of suspension has elapsed.

5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under 123A.05 selected to allow the pupil to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.
6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
7. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
 - a) strongly encourage a parent or guardian of the student to attend school with the student for one day;
 - b) assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
 - c) petition the juvenile court that the student is in need of services under Minn. Stat. Ch. 260C.
8. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian

by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)

9. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
10. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
11. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

D. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes section 121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minnesota Statutes section 121A.40-121A.56; describe

alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE).

6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.

13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of Education (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minnesota Statutes section 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender,

race, and special education status. The dismissal report must include state student identification numbers of affected students.

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

X. ADMISSION OR READMISSION PLAN

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

XI. NOTIFICATION OF POLICY VIOLATIONS

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

In addition, the school district must report, through the MDE electronic reporting system, each physical assault of a school district employee by a student within thirty (30) days of the assault. This report must include a statement of the alternative educational services or other sanction, intervention, or resolution given to the student in response to the assault and the reason for, the effective date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the student's age, grade, gender, race, and special education status.

XII. STUDENT DISCIPLINE RECORDS

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

XIII. STUDENTS WITH DISABILITIES

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

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the child's IEP team and the child's parent shall, consistent with federal law, conduct a manifestation determination and determine whether the child's behavior was (i) caused by or had a direct and substantial relationship to the child's disability and (ii) whether the child's conduct was a direct result of a failure to implement the child's IEP. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

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

XIV. OPEN ENROLLED STUDENTS

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

XV. DISTRIBUTION OF POLICY

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

XVI. REVIEW OF POLICY

The principal and representatives of parents, students and staff in each school building shall confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any

recommended changes shall be submitted to the superintendent for consideration by the school board, which shall conduct an annual review of this policy.

Legal References:

- Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
- Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota Students)
- Minn. Stat. § 120B.232 (Character Development Education)
- Minn. Stat. § 121A.26 (School Preassessment Teams)
- Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)
- Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
- Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)
- Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
- Minn. Stat. § 121A.60 (Definitions)
- Minn. Stat. -121A.61 (Discipline and Removal of Students from Class)
- Minn. Stat. §§ 122A.42 (General Control of Schools)
- Minn. Stat. § 123A.05 (State-Approved Alternative Program Organization)
- Minn. Stat. § 124D.03 (Enrollment Options Program)
- Minn. Stat. § 124D.08 (School Boards' Approval to Enroll in Nonresident District; Exceptions)
- Minn. Stat. Ch.125A (Special Education and Special Programs)
- Minn. Stat. § 152.22 Subd. 6 (Definitions)
- Minn. Stat. § 152.23 (Limitations)
- Minn. Stat. Ch. 260A (Truancy)
- Minn. Stat. Ch. 260C (Juvenile Safety and Placement)
- 20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Act)
- 29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
- 34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

Cross References:

- MSBA/MASA Model Policy 413 (Harassment and Violence)
- MSBA/MASA Model Policy 501 (School Weapons)
- MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
- MSBA/MASA Model Policy 503 (Student Attendance)
- MSBA/MASA Model Policy 505 (Distribution of Non-School-Sponsored Materials on School Premises by Students and Employees)
- MSBA/MASA Model Policy 514 (Bullying Prohibition 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 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)
- MSBA/MASA Model Policy 610 (Field Trips)
- 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)



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MSBA/MASA Model Policy 512

Orig. 1995

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Rev. 2002

8/14/17; 1/13/20; 6/14/21; 6/27/22; 6/26/23

512 SCHOOL-SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES

I. PURPOSE

The purpose of this policy is to protect students' rights to free speech in production of official school publications and activities while at the same time balancing the school district's role in supervising student publications and the district's mission.

II. GENERAL STATEMENT OF POLICY

- A. Students producing official school publications and activities shall be under the supervision of a faculty advisor and the school principal. Official publications and activities shall be subject to the guidelines set forth below.
- B. The school district may exercise editorial control over the style and content of student expression in school-sponsored publications and activities.
- C. Expressions and representations made by students in school-sponsored publications and activities are not expressions of official school district policy or views. Faculty advisors shall supervise student writers and producers to ensure compliance with the law and school district policies.
- D. Students who believe their right to free expression has been unreasonably restricted in an official student publication or activity may seek review of the decision by the building principal. The principal shall issue a decision no later than three (3) school days after review is requested.
- E. Official school publications may be distributed at reasonable times and locations.

III. DEFINITIONS

- A. "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 materials in internal staff or student mailboxes or through electronic distribution.
- B. "Official school publications" means material intended for distribution from print or electronic sources including, but not limited to school newspapers, yearbooks or material produced in classes as a part of the curriculum, or school-sponsored activities.

- 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 school 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 of students sponsored by the school including, but not limited to, classroom work, media activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, music concerts, fine arts presentations and 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. Expression in an official school publication or school-sponsored activity is prohibited when the material:
1. is obscene to minors;
 2. is libelous or slanderous;
 3. advertises or promotes any product or service not permitted for minors by law;
 4. encourages students to commit illegal acts or violate school regulations or substantially disrupts the orderly operation of school or school activities;
 5. expresses or advocates sexual, racial or religious harassment or violence or prejudice;
 6. is distributed or displayed in violation of time, place and manner regulations.
- B. Expression in an official school publication or school-sponsored activity is subject to editorial control by the school district over the style and content so long as the school district’s actions are reasonably related to legitimate pedagogical concerns. These may include, but are not limited to, the following:
1. assuring that participants learn whatever lessons the activity is designed to teach;
 2. assuring that readers or listeners are not exposed to material that may be inappropriate for their level of maturity;
 3. assuring that the views of the individual speaker are not erroneously attributed to the school;
 4. assuring that the school is not associated with any position other than neutrality on matters of political controversy;
 5. assuring that the sponsored student speech cannot reasonably be perceived to advocate conduct otherwise inconsistent with the shared values of a civilized social order;

6. assuring that the school is not associated with expression that is, for example, ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.

C. Time, Place and Manner of Distribution

Students shall be permitted to distribute publications at school as follows:

1. Time: Distribution shall be limited to the hours before the school day begins, during lunch hour and after school is dismissed.
2. Place: Publications may be distributed in locations so as not to interfere with the normal flow of traffic within the school hallways, walkways, entryways and parking lots. Distribution shall not impede entrance to or exit from school premises in any way.
3. Manner: No one shall induce or coerce a student or staff member to accept a student publication.

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)
Bystrom v. Fridley High School, I.S.D. No. 14, 822 F.2d 747 (8th Cir. 1987)
Morse v. Frederick, 551 U.S. 393, 127 S. Ct. 2618, 168 L.Ed. 2d 290 (2007)

Cross References:

MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 506 (Student Discipline)



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MSBA/MASA Model Policy 513

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Rev. 2016

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6/14/21; 6/27/22; 6/26/23

513 STUDENT PROMOTION, RETENTION, AND PROGRAM DESIGN

I. PURPOSE

- A. The purpose of this policy is to provide guidance to professional staff, parents and students regarding student promotion, retention and program design.

II. GENERAL STATEMENT OF POLICY

The school board expects all students to achieve at an acceptable level of proficiency. Parental assistance, tutorial and remedial programs, counseling and other appropriate services shall be coordinated and utilized to the greatest extent possible to help students succeed in school.

A. Promotion

1. Students who achieve at levels deemed acceptable by local and state standards shall be promoted to the next grade level at the completion of each school year.

B. Retention

1. Kindergarten – 8th Grade

Retention of a student will occur when professional staff feels that it is in the best interest of the student. Prior to the retention of the student, the professional staff must have multiple consultations with the parents and consider the student's physical development, maturity, and emotional factors, along with the student's academic achievement.

2. 9th – 12th Grade Students

These students are on a credit system that requires the completion of a specified number of credits to be eligible for a South St. Paul High School diploma.

C. Intervention Process

1. Intervention will occur when a student fails to meet grade level benchmarks. The district supports a multi-tiered system of intervention including, but not limited to:

- a) Teacher/Parent Contact
- b) Access to Intervention Courses
- c) Enrollment in Targeted Services (school year & summer school)
- d) Referral to Student Intervention Team
- e) Referral to Child Study

D. Program Design

1. The superintendent, with participation of the professional staff and parents, shall develop and implement programs to challenge students that are consistent with the needs of students at every level. A process to assess and evaluate students for program assignment shall be developed in coordination with such programs. Opportunities for special programs and placement outside of the school district shall also be developed as additional options. All programs will be aligned with creating the world's best workforce.
2. The school district will adopt guidelines for assessing and identifying students for participation in gifted and talented programs. The guidelines should include the use of:
 - a) Multiple objective criteria; and
 - b) Assessments and procedures that are valid and reliable, fair, and based on current theory and research. Assessments and procedures should be sensitive to under-represented groups, including, but not limited to, low-income, minority, twice exceptional, and English Learners.
3. The school district will adopt procedures for the academic acceleration of gifted and talented students. These procedures will include how the school district will:
 - a) Assess a student's readiness and motivation for acceleration; and
 - b) Match the level, complexity, and pace of the curriculum to a student to achieve the best type of academic acceleration for that student.
4. The school district will adopt procedures, which describe the comprehensive evaluation in cognitive, social, and emotional development domains to help determine a child's ability to meet kindergarten grade expectations and progress to first grade in the subsequent year for early admission to kindergarten or first grade of gifted and talented learners. The comprehensive evaluation must use valid and reliable instrumentation, be aligned with state kindergarten expectations, and include a parental report and teacher observations of the child's knowledge, skills, and abilities. The procedures must be sensitive to under-represented groups.

Legal References: Minn. Stat. § 120B.15 (Gifted and Talented Students Program)
Minn. Stat. § 123B.143, Subd. 1 (Superintendent)

Cross References: MSBA/MASA Model Policy 613 (Graduation Requirements)
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
MSBA/MASA Model Policy 615 (Testing, Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
MSBA/MASA Model Policy 617 (School District Ensurance of Preparatory and High School Standards)
MSBA/MASA Model Policy 618 (Assessment of Student Achievement)
MSBA/MASA Model Policy 620 (Credit for Learning)



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MSBA/MASA Model Policy 514
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514 BULLYING PROHIBITION POLICY

I. PURPOSE

- A. 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 student's ability to learn and/or a teacher's ability to educate students in a safe environment. The school district cannot monitor the activities of students at all times and eliminate all incidents of bullying between students, particularly when students are not under the direct supervision of school personnel. However, to the extent such conduct affects the educational environment of the school district and the rights and welfare of its students and is within the control of the school district in its normal operations, the school district intends to prevent bullying and to take action to investigate, respond to, and to remediate and discipline for those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the school district in its goal of preventing and responding to acts of bullying, intimidation, violence, reprisal, retaliation, and other similar disruptive and detrimental behavior.

II. GENERAL STATEMENT OF POLICY

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, on school district property at school-functions, or activities, or on school transportation. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyber bullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.
- C. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.

- D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- E. False accusations or reports of bullying against another student are prohibited.
- F. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures, including the school district's discipline policy #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.

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

III. DEFINITIONS

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

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

1. An actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
2. Materially and substantially interferes with a student’s educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

The term, “bullying,” specifically includes cyberbullying as defined in this policy.

- B. “Cyberbullying” means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- 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. “On school premises, on school district property, at school functions or activities, or on school transportation” means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure

from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student’s walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.

- F. “Prohibited conduct” means bullying or cyberbullying as defined in this policy or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.
- G. “Remedial response” means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.
- H. “Student” means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

- A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.
- C. The building principal, the principal’s designee, or the building supervisor (hereinafter the “building report taker”) is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

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

- D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel, who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner, may be subject to disciplinary action.
- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.
- F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.
- G. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. SCHOOL DISTRICT ACTION

- A. Within three days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others

pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.

- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy #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

- A. The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged bullying or prohibited conduct, who provides information about bullying or prohibited conduct, who testifies, assists, or participates in an investigation of alleged bullying or prohibited conduct, or who testifies, assists, or participates in a proceeding or hearing relating to such bullying or prohibited conduct. Retaliation includes, but

is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

VII. TRAINING AND EDUCATION

- A. The school district shall discuss this policy with school personnel and volunteers and provide appropriate training to school district personnel regarding this policy. The school district shall establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.
- B. The school district shall require ongoing professional development, consistent with Minnesota Statute, 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 cyber bullying.
- C. The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.
- D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does

not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.

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

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

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

1. Engage all students in creating a safe and supportive school environment;
2. Partner with parents and other community members to develop and implement prevention and intervention programs;
3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
5. Teach students to advocate for themselves and others;
6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
7. Foster student collaborations that, in turn, foster a safe and supportive school climate.

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

- G. The school district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data

related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (See MSBA/MASA Model Policy 515) in the student handbook.

VIII. NOTICE

- A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. This policy or a summary thereof must be conspicuously posted in the administrative offices of the school district and the office of each school.
- C. This policy must be given to each school employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See MSBA/MASA Model Policy 506) distributed to parents at the beginning of each school year.
- E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school district's or a school's website.
- F. The school district shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

IX. POLICY REVIEW

- A. 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 section 121A.031 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definitions)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.03 (Model Policy)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. § Ch. 124E (Charter 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)
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)



SOUTH ST. PAUL PUBLIC SCHOOLS

104 – 5th Avenue South
South St. Paul, MN 55075

Bullying/Harassment Report Form

District policy 514 states that a safe and civil environment is necessary for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with students' ability to learn and teachers' ability to educate students in a safe environment. The school district cannot monitor the activities of students at all times and eliminate all incidents of bullying between students, particularly when students are not under the direct supervision of school personnel. The purpose of this form is to document alleged incidents and 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.

Complainant Name: _____

Home Address: _____ **Home Phone:** _____

Date of Alleged Incident(s): _____

Type of Bullying/Harassing: Physical Verbal Relational

Name of person(s) you believe was bullying toward you or another person: _____

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

When and Where did the incident(s) occur? _____

List the names and contact information of any witnesses that were present: _____

List the names of any trusted adult that you reported this incident to (i.e. teacher, principal, police liaison, office staff, parent/guardian, etc.): _____

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

Complainant Signature: _____ **Date:** _____

Received By: _____ **Date:** _____



Adopted: February 9, 1998

MSBA/MASA Model Policy 515

Orig. 1995

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Rev. 2022

3/26/12; 11/25/13; 6/23/14; 5/9/16; 6/26/17; 6/10/19; 1/13/20
6/14/21; 6/27/22; 6/26/23

515 PROTECTION AND PRIVACY OF PUPIL RECORDS

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. The school district will ensure all student data collected, created, received, maintained or disseminated by the district, which is classified by statute or federal law as public, is accessible to the public pursuant to the procedures established by the district. All other data on students is private or confidential.

III. DEFINITIONS

- A. Authorized Representative
“Authorized representative” means any entity or individual designated by the school district, state, or an agency headed by an official of the Comptroller of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or state and local educational authorities to conduct, with respect to federal or state supported education programs, any audit or evaluation or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.
- B. Biometric Record
“Biometric record” as referred to in “Personally Identifiable,” means a record of one or more measureable biological or behavioral characteristics, that can be used for automated recognition of an individual (i.e., fingerprints, retina and iris patterns, voice prints, DNA sequence, facial characteristics, and handwriting).
- C. Dates of Attendance
“Dates of attendance,” as referred to in “Directory Information,” means the period of time during which a student attends or attended a school or schools in the school district, including attendance in person or by paper correspondence, video conference, satellite, Internet or other electronic information and telecommunication technologies for students who are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student’s attendance at a school or schools in the school district.

D. Directory Information

“Directory information” means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to: the student’s name, address, telephone listing, district provided electronic mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, enrollment status (i.e. full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and the most recent educational agency or institution attended. It also includes the name, address and telephone number of the student’s parent/guardian(s).

Directory information does not include:

1. a student’s social security number
2. a student’s identification number (“ID”), user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems if the identifier may be used to access education records without use of one or more factors that authenticate the student’s identity such as a personal identification (PIN), password, or other factor known or possessed only by the authorized user.
3. a student ID or other unique personal identifier that is displayed on a student ID badge if the identifier can be used to gain access to educational records when used in conjunction with one or more factors that authenticate the student’s identity, such as a PIN, password, or other factor known or possessed only by the student;
4. personally identifiable data which references religion, race, color, social position, or nationality; or
5. data collected from nonpublic school students, other than those who receive shared time educational services, unless written consent is given by the student’s parent or guardian.

E. Education Records

1. What constitutes “education records”. Education records mean those records that are: (1) directly related to a student; and (2) maintained by the school district or by a party acting for the school district.
2. What does not constitute education records. The term “education records” does not include:
 - a) Records of instructional personnel that are:
 - 1) Kept in the sole possession of the maker of the record; and
 - 2) Used only as a personal memory aid;

- 3) not accessible or revealed to any other individual except a temporary substitute teacher; and
 - 4) destroyed at the end of the school year.
- b) Records of a law enforcement unit of the school district, provided educational records maintained by the school district are not disclosed to the unit, and the law enforcement records are:
- 1) maintained separately from education records;
 - 2) maintained solely for law enforcement purposes; and
 - 3) disclosed only to law enforcement officials of the same jurisdiction.
- c) Records relating to an individual, including a student, who is employed by the school district which:
- 1) are made and maintained in the normal course of business;
 - 2) relate exclusively to the individual in that individual's capacity as an employee; and
 - 3) are not available for use for any other purpose.

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

- d) Records relating to an eligible student, or a student attending an institution of post-secondary education, that are:
- 1) made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;
 - 2) made, maintained, or used only in connection with the provision of treatment to the student; and
 - 3) disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the school district.

- e) Records created or received by the school district after an individual is no longer a student at the school district and that are not directly related to the individual's attendance as a student.
- f) Grades on peer-related papers before the papers are collected and recorded by a teacher.

F. Educational Support Services Data

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

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

G. Eligible Student

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

H. Juvenile Justice System

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

I. Legitimate Educational Interest

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

1. Perform an administrative task required in the school or employee's contract or position description approved by the school board;
2. Perform a supervisory or instructional task directly related to the student's education;
3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement or student financial aid; or
4. Perform a task directly related to responding to a request for data.

J. Parent

“Parent” means a parent of a student and includes a natural parent, a guardian, or

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

K. Personally Identifiable

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

L. Record

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

M. Responsible Authority

“Responsible authority” means superintendent or designee.

N. Student

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

- O. School Official
“School official” includes: (a) a person duly elected to the school board; (b) a person employed by the school board in an administrative, supervisory, instructional or other professional position; (c) a person employed by the school board as a temporary substitute in a professional position for the period of his or her performance as a substitute; and (d) a person employed by, or under contract to, the school board to perform a special task such as a secretary, school resource officer, a clerk, as public information officer or data practices compliance official, an attorney or an auditor for the period of his or her performance as an employee or contractor.
- P. Summary Data
“Summary data” means statistical records and reports derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify the individual is ascertainable.
- Q. Other Terms and Phrases
All other terms and phrases shall be defined in accordance with applicable state and federal law or ordinary customary usage.

IV. GENERAL CLASSIFICATION

- A. State law provides that all data collected, created, received or maintained by a school district are public unless classified by state or federal law as not public or private or confidential. State law classifies all data on individuals maintained by a school district, which relates to a student as private data on individuals. This data may not be disclosed to parties other than the parent or eligible student without consent, except pursuant to a valid court order, certain state statutes authorizing access, and the provisions of 20 U.S.C. §1232g and the regulations promulgated there under.

V. STATEMENT OF RIGHTS

- A. Rights of Parents and Eligible Students
Parents and eligible students have the following rights under this policy:
1. The right to inspect and review the student’s education records;
 2. The right to request the amendment of the student’s education records to ensure that they are not inaccurate, misleading or otherwise in violation of the student’s privacy or other rights;
 3. The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that such

consent is not required for disclosure pursuant to this policy, state or federal law, or the regulations promulgated there under;

4. The right to refuse release of names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions;
5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the federal law and the regulations promulgated there under;
6. The right to be informed about rights under the federal law; and
7. The right to obtain a copy of this policy at the location set forth in Section XXI of this policy.

B. Eligible Students

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

C. Students with a Disability

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

VI. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure

1. The school district shall obtain a signed and dated written consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the student, except as provided herein.
2. The written consent required by this subdivision must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:

- a) a specification of the records to be disclosed;
 - b) the purpose or purposes of the disclosure;
 - c) the party or class of parties to whom the disclosure may be made; and
 - d) if appropriate, a termination date for the consent.
3. When a disclosure is made under this subdivision:
- a) if the parent or eligible student so requests, the school district shall provide him or her with a copy of the records disclosed; and
 - b) if the parent of a student who is not an eligible student so requests, the school district shall provide the student with a copy of the records disclosed.
4. A signed and dated written consent may include a record and signature in electronic form that:
- a) identifies and authenticates a particular person as the source of the electronic consent; and
 - b) indicates such person's approval of the information contained in the electronic consent.
5. If the responsible authority seeks an individual's informed consent to the release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:
- a) in plain language;
 - b) dated;
 - c) specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject;
 - d) specific as to the nature of the information the subject is authorizing to be disclosed;
 - e) specific as to the persons or agencies to which the subject is authorizing information to be disclosed;
 - f) specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and
 - g) specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for (i) life

insurance or non-cancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under Minnesota Statutes Chapter 256B or Minnesota Care under Minnesota Statutes Chapter 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a school district that are subject to third party reimbursement.

6. Eligible Student Consent

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

B. Prior Consent for Disclosure Not Required

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

1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;
2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:
 - a) performs an institutional service or function for which the school district would otherwise use employees;
 - b) is under the direct control of the school district with respect to the use and maintenance of education records; and
 - c) will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made.
3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (See Section XIX.), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act, 20 United

States Code section 7917 and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minnesota Statutes section 260B.171, unless the data are required to be destroyed under Minnesota Statutes section 120A.22, subdivision. 7(c) or section 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records that have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with Section XV. of this policy;

4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;
5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:
 - a) determine eligibility for the aid;
 - b) determine the amount of the aid;
 - c) determine conditions for the aid; or
 - d) enforce the terms and conditions of the aid.

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

6. To state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state statute adopted:
 - a) before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve the student whose records are released; or
 - b) after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the school district shall disclose the following information to the juvenile justice system under this paragraph: a student's full name, home address,

telephone number, and date of birth; a student's school schedule, attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers;

7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating or administering predictive tests, administering student aid programs or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization and the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy or return to the school district all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be returned or destroyed. For purposes of this provision, the term "organizations" includes, but is not limited to, federal, state and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.
8. To accrediting organizations in order to carry out their accrediting functions;
9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes;
10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the school district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in

response to the subpoena not be disclosed, or the disclosure is in compliance with an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. § 2332b(g)(5)(B) or an act of domestic or international terrorism as devised in 18 United States Code section 2331, or a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of the proceeding. If the school district initiates legal action against a parent or student it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff. Also, if a parent or eligible student initiates a legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself.

11. To appropriate parties including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health and safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the educational records of a student, appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;
12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;
13. Information the school district has designated as "directory information" pursuant to Section VII. of this policy

14. To military recruiting officers and post-secondary educational institutions pursuant to Section XI. of this policy;
15. To the parent of a student who is not an eligible student or to the student himself or herself;
16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;
17. To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students; or
18. To the juvenile justice system, on written request that certifies that the information will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student:
 - a) the following information about a student must be disclosed: a student's full name, home address, telephone number, date of birth; a student's school schedule, daily attendance record, and photographs, if any; and any parents' names, home addresses, and telephone numbers;
 - b) the existence of the following information about a student, not the actual data or other information contained in the student's educational record, may be disclosed provided that a request for access must be submitted on the statutory form and it must contain an explanation of why access to the information is necessary to serve the student: (1) use of a controlled substance, alcohol, or tobacco; (2) assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act; (3) possession or use of weapons or look-alike weapons; (4) theft; or (5) vandalism or other damage to property. Prior to releasing this information, the principal or chief administrative officer of a school who receives such a request must, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information. If the student's parent or guardian notifies the school official of an objection to the disclosure within ten (10) days of receiving certified notice, the school official must not disclose the information and instead must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the school official must respond to the

request for information.

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

19. To the principal where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition order received by a superintendent under Minnesota Statutes section 260B.171, subdivision. 3. The principal must notify the counselor immediately and must place the disposition order in the student's permanent education record. The principal also must notify immediately any teacher or administrator who directly supervises or reports on the behavior or progress of the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other school district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individual need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student, outline the offense, and describe any conditions of probation about which the school must provide information if this information is provided in the disposition order. Disposition order information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information may not be further disseminated by the counselor, teacher, administrator, staff member, substitute, or volunteer except as necessary to serve the student, to protect students and staff, or as otherwise required by law, and only to the student or the student's parent or guardian.
20. To the principal where the student attends if it is information from a peace officer's record of children received by a superintendent under Minnesota Statutes section 260B.171, Subdivision. 5. The principal must place the information in the student's educational record. The principal also must notify immediately any teacher, counselor, or administrator directly supervising the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student and describe the

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

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

21. Information provided to the school district concerning sex offenders and other individuals required to register in accordance with the Violent Crime Control and Law Enforcement Act of 1994. 42 U.S.C. § 14071, and applicable federal guidelines; or
22. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Services Department, for the purpose of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measures.
23. To agency caseworker or other representative of State or local child welfare agency, or tribal organizations (as defined 25 United States Code section 5304 in), who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the

student's education needs and authorized by such agency or organization to receive such disclosure is consistent with the State or tribal laws applicable to protecting confidentiality of a student's educational record.

C. Nonpublic School Students

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

1. Pursuant to court order;
2. Pursuant to a statute specifically authorizing access to the private data; or
3. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiological investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted.

VII. RELEASE OF DIRECTORY INFORMATION

A. Classification

Directory information is public except as provided herein.

B. Former Students

Unless a former student validly opted out of the release of directory information, while the student was in attendance and has not rescinded the opt out request at any time, the school district may disclose directory information from the education records generated by it regarding the former student without meeting the requirements of Paragraph C. of this section. In addition, under an explicit exclusion from the definition of an "education record," the school district may release records that only contain information about an individual obtained after he or she is no longer a student at the school district and that are not directly related to the individual's attendance as a student (e.g., a student's activities as an alumnus of the school district).

C. Present Students and Parents

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

1. Annually give public notice by any means that are reasonably likely to inform the parents and eligible students of:

- a) the types of personally identifiable information regarding students and/or parents that the school district has designated as directory information;
 - b) the parent's or eligible student's right to refuse to let the school district designate any or all of those types of information about the student and/or the parent as directory information; and
 - c) the period of time in which a parent or eligible student has to notify the school district in writing that he or she does not want any or all of those types of information about the student and/or the parent designated as directory information.
2. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the school district, in writing, that any or all of the information so designated should not be disclosed without the parent's or eligible student's prior written consent, except as provided in the DISCLOSURE OF EDUCATION RECORDS section of this policy.
 3. A parent or eligible student may not opt out of the directory information disclosures to:
 - a) prevent the school district from disclosing or requiring the student to disclose the student's name, ID, or school district e-mail address in a class in which the student is enrolled; or
 - b) prevent the school district from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that may be designated as directory information and that has been properly designated by the school district as directory information.
 4. The school district shall not disclose or confirm directory information without meeting the written consent requirements contained in Section VI.A. of this policy if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.
- D. Procedure for Obtaining Nondisclosure of Directory Information
The parent's or eligible student's written notice shall be directed to the responsible authority and shall include the following:

1. Name of the student and/or parent, as appropriate;
2. Home address;
3. School presently attended by student;
4. Parent's legal relationship to student, if applicable; and
5. Specific categories of directory information to be made not public without the parent's or eligible student's prior written consent, which shall only be applicable for that school year.

E. Duration

The designation of any information as directory information about a student or parents will remain in effect for the remainder of the school year unless the parent or eligible student provides the written notifications provided herein.

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

For the purposes herein, education records are records which are classified as private data on individuals by state law and which are accessible only to the student who is the subject of the data and the student's parent if the student is not an eligible student. The school district may not disclose private records or their contents except as summary data, or except as provided in Section VI. of this policy, without the prior written consent of the parent or the eligible student. The school district will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other party to whom personally identifiable information from education records is disclosed.

B. Private Records Not Accessible to Parent

In certain cases state law intends, and clearly provides, that certain information contained in the education records of the school district pertaining to a student be accessible to the student alone, and to the parent only under special circumstances, if at all.

The responsible authority may deny access to private data by a parent when a minor student who is the subject of that data requests that the responsible authority deny such access. The minor student's request must be submitted in writing setting forth the reasons for denying access to the parent and must be signed by the minor. Upon receipt of such request the responsible authority shall determine if honoring the request to deny the parent access would be in the best interest of the minor data subject. In making this determination the responsible authority shall consider the following factors:

1. whether the minor is of sufficient age and maturity to be able to explain the reasons for and understand the consequences of the request to deny access;

2. whether the personal situation of the minor is such that denying parental access may protect the minor data subject from physical or emotional harm;
3. whether there are grounds for believing that the minor data subject's reasons for precluding parental access are reasonably accurate;
4. whether the data in question is of such a nature that disclosure of it to the parent may lead to physical or emotional harm to the minor data subject; and
5. whether the data concerns medical, dental or other health services provided pursuant to Minnesota Statutes sections 144.341-144.347, in which case the data may be released only if the failure to inform the parent would seriously jeopardize the health of the minor.

C. Private Records Not Accessible to Student

Students shall not be entitled to access to private data concerning financial records and statements of the student's parent or any information contained therein.

D. Military-Connected Youth Identifier

When a school district updates its enrollment forms in the ordinary course of business, the school district must include a box on the enrollment form to allow students to self-identify as a military-connected youth. For purposes of this section, a "military-connected youth" means having an immediate family member, including a parent or sibling, who is currently in the armed forces either as a reservist or on active duty or has recently retired from the armed forces. Data collected under his provision is private data on individuals, but summary data may be published by the Department of Education.

IX. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential Records

Confidential records are those records and data contained therein which are made not public by state or federal law, and which are inaccessible to the student and the student's parents or to an eligible student.

B. Reports Under the Maltreatment of Minors Reporting Act

Pursuant to Minnesota Statutes Chapter 260E, written copies of reports pertaining to a neglected and/or physically and/or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies. In respect to other parties, such data shall be confidential and will not be made available to the parent or the subject individual by the school district. The subject individual, however, may obtain a copy of the report from either the local welfare agency, county sheriff or the local police department subject to the provisions of Minnesota Statutes Chapter 260E.

Regardless of whether a written report is made under Minnesota Statutes Chapter 260E, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.

C. Investigative Data

Data collected by the school district as part of an active investigation undertaken for the purpose of the commencement or defense of pending civil legal action, or are retained in anticipation of a pending civil legal action are classified as protected nonpublic data in the case of data not on individuals, and confidential data in the case of data on individuals.

1. The school district may make any data classified as protected non-public or confidential pursuant to this subdivision accessible to any person, agency or the public if the school district determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.
2. A complainant has access to a statement he or she provided to the school district.
3. Parents or eligible students may have access to investigative data of which the student is the subject, but not only to the extent the data is not inextricably intertwined with data about other school district students, school district employees, an/or attorney data as defined by Minnesota Statutes sections 13.393.
4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of this provision, a civil investigation becomes inactive upon the occurrence of any of the following events:
 - a) a decision by the school district, or by the chief attorney for the school district, not to pursue the civil legal action. However, such investigation may subsequently become active if the school district or its attorney decides to renew the civil legal action;
 - b) the expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action; or

c) the exhaustion or expiration of rights of appeal by either party to the civil legal action.

5. A “pending civil legal action” for purposes of this subdivision is defined as including, but not limited to, judicial, administrative or arbitration proceedings.

D. Chemical Abuse Records

To the extent the school district maintains records of the identity, diagnosis, prognosis, or treatment of any student which are maintained in connection with the performance of any drug abuse prevention function conducted, regulated, or directly or indirectly, assisted by any department or agency of the United States, such records are classified as confidential and shall be disclosed only for the purposes and under the circumstances expressly authorized by law.

X. DISCLOSURE OF SCHOOL RECORDS PRIOR TO EXCLUSION OR EXPULSION HEARING

A. At a reasonable time prior to any exclusion or expulsion hearing, the student and the student’s parent or guardian or representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the action proposed by the school district may be based, pursuant to the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes sections 121A.40, *et seq.*

XI. DISCLOSURE OF DATA TO MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS

A. The School District will release the names, addresses, electronic mail address (which shall be the electronic mail addresses provided by the school district, if available, that may be released to military recruiting officers only) and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data to pursuant to Paragraph C. below.

B. Data released to military recruiting officers under this provision:

1. may be used only for the purpose of providing information to students about military service, state and federal veterans’ education benefits, and other career and educational opportunities provided by the military;
2. cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces; and

C. A parent or eligible student has the right to refuse the release of the name, address, electronic mail address (which shall be the electronic mail addresses provided by the school district, if available, that may be released to military

recruiting officers only), or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the district MARSS specialist in writing, by October 1 of the school year or within 30 days of enrollment in school each year. The written request must include the following information:

1. Name of student and parent, as appropriate;
2. Home address;
3. Student's grade level;
4. School presently attended by student;
5. Parent's legal relationship to student, if applicable;
6. Specific category or categories of information which are not to be released to military recruiters and post-secondary educational institutions; and
7. Specific category or categories of information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.

- D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.
- E. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, home phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

XII. LIMITS ON REDISCLOSURE

- A. Re-disclosure
Consistent with the requirements herein, the school district may only disclose personally identifiable information from the education records of a student on the condition that the party to whom the information is to be disclosed will not

disclose the information to any other party without the prior written consent of the parent of the student or the eligible student, except that the officers, employees and agents of any party receiving personally identifiable information under this section may use the information, but only for the purposes for which the disclosure was made.

B. Re-disclosure Not Prohibited

1. Subdivision A. of this section does not prevent the school district from disclosing personally identifiable information under Section VI. of this policy with the understanding that the party receiving the information may make further disclosures of the information on behalf of the school district provided:
 - a) The disclosures meet the requirements of the Section VI. of this policy; and
 - b) The school district has complied with the record-keeping requirements of the Section XIII. of this policy.
2. Subdivision A. of this section does not apply to disclosures made pursuant to court orders or lawfully issued subpoenas or litigation, to disclosures of directory information, to disclosures to a parent or student, or to parents of dependent students or to disclosures concerning sex offenders and other individuals required to register under 42 United States Code section 14071. However, the school district must provide the notification required in Section XII.D. of this policy if a re-disclosure is made based upon a court order or lawfully issued subpoena.

C. Classification of Disclosed Data

The information disclosed shall retain the same classification in the hands of the party receiving it as it had in the hands of the school district.

D. Notification

The school district shall, except for disclosures made pursuant to court orders or lawfully issued subpoenas, disclosure of directory information under the Section VII. of this policy, disclosures to a parent or student, disclosures to parents of a dependent student In the event that the Family Policy Compliance Office determines that a state or local educational authority, or federal agency headed by an official listed in 34 Code of Federal Regulations section 99.31(a)(3), or an authorized representative of a state local educational authority or federal reserve agency headed by an official listed in sections 99.31(a)(3), or a third party outside of the school district improperly re-discloses personally identifiable information from education records or fails to provide notification required under this section of this policy, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.

XIII. RESPONSIBLE AUTHORITY, RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

The responsible authority shall be responsible for the maintenance and security of student records.

B. Record Security

The principal of each school subject to the supervision and control of the responsible authority shall be the records manager of the school, and shall have the duty of maintaining and securing the privacy and/or confidentiality of student records.

C. Plan for Securing Student Records

The building principal shall submit to the responsible authority a written plan or securing student records by September 1 of each school year. The written plan shall contain the following information:

1. A description of records maintained;
2. Titles and addresses of person(s) responsible for the security of student records;
3. Location of student records, by category, in the buildings;
4. Means of securing student records; and
5. Procedures for access and disclosure.

D. Review of Written Plan for Securing Student Records

The responsible authority shall review the plans submitted pursuant to Paragraph C. of this section for compliance with the law, this policy and the various administrative policies of the school district. The responsible authority shall then promulgate a chart incorporating the provisions of Paragraph C. which shall be attached to and become a part of this policy.

E. Record Keeping

1. The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record with the education records of the student that indicates:
 - a) the parties who have requested or received personally identifiable information from the education records of the student; and
 - b) the legitimate interests these parties had in requesting or obtaining the information; and
 - c) the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.

2. In the event the school district discloses personally identifiable information from an education record of a student pursuant to Section XII.B. of this policy, the record of disclosure required under this section shall also include:
 - a) the names of the additional parties to which the receiving party may disclose the information on behalf of the school district; and
 - b) the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information; and
 - c) a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 Code of Federal Regulations section 99.32 and to whom the school district disclosed information from an education record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to which education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.
3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B.1. of this policy, to requests for disclosures of directory information under the Section VII. of this policy, or to a party seeking or receiving the records as directed by a Federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 United States Code section 2332b(g)(5)(B) or an act of domestic or international terrorism.
4. The record of requests of disclosures may be inspected by:
 - a) the parent of the student or the eligible student;
 - b) the school official or his or her assistants who are responsible for the custody of the records; and

- c) the parties authorized by law to audit the record-keeping procedures of the school district.
5. The school district shall record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:
- a) the articulable and significant threat to the health and safety of a student or other individual that formed the basis for the disclosure; and
 - b) The parties to whom the school district disclosed information.
6. The record of requests and disclosures shall be maintained with the education records of the student as long as the school district maintains the student's education records.

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

A. Parent of a Student, an Eligible Student or the Parent of an Eligible Student Who is Also a Dependent Student

The school district shall permit the parent of a student, an eligible student or the parent of an eligible student who is also a dependent student who is or has been in attendance in the school district to inspect or review the education records of the student, except those records which are made confidential by state or federal law or as otherwise provided in Section VIII. of this policy.

B. Response to Request for Access

The school district shall respond to any request pursuant to Subdivision A. of this section immediately, if possible, or within ten (10) days of the date of the request, excluding Saturdays, Sundays and legal holidays.

C. Right to Inspect and Review

The right to inspect and review education records under Subdivision A. of this section includes:

- 1. The right to a response from the school district to reasonable requests for explanations and interpretations of records; and
- 2. If circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the education records, the school district shall provide the parent or eligible student with a copy of the records requested, or make other arrangements for the parent or eligible student to inspect and review the requested records.
- 3. Nothing in this policy shall be construed as limiting the frequency of inspection of the educational records of a student with a disability by the

student's parent or guardian or by the student upon the student reaching the age of majority.

D. Form of Request

Parents or eligible students shall submit to the school district a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect.

E. Collection of Student Records

If a student's education records are maintained in more than one location, the responsible authority may collect copies of the records or the records themselves from the various locations so they may be inspected at one site. However, if the parent or eligible student wishes to inspect these records where they are maintained, the school district shall attempt to accommodate those wishes. The parent or eligible student shall be notified of the time and place where the records may be inspected.

F. Records Containing Information on More Than One Student

If the education records of a student contain information on more than one student, the parent or eligible student may inspect and review or be informed of only the specific information which pertains to that student.

G. Authority to Inspect or Review

The school district may presume that either parent of the student has authority to inspect or review the education records of a student unless the school district has been provided with evidence that there is a legally binding instrument or a state law or court order governing such matters as marriage dissolution, separation or custody which provides to the contrary.

H. Fees for Copies of Records

1. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the school district shall consider the following:
 - a) the cost of materials, including paper, used to provide the copies;
 - b) the cost of the labor required to prepare the copies;
 - c) any schedule of standard copying charges established by the school district in its normal course of operations;
 - d) any special costs necessary to produce such copies from machine based record-keeping systems, including but not limited to computers and microfilm systems; and

- e) mailing costs.
- 2. If 100 or fewer pages of black and white, letter or legal sized paper copies are requested, actual cost shall not be used, and, instead, the charge shall be no more than 25 cents for each page copied.
- 3. The cost of providing copies shall be borne by the parent or eligible student.
- 4. The responsible authority, however, may not impose a fee for a copy of an education record made for a parent or eligible student if doing so would effectively prevent or, in the case of a student with a disability, would impair the parent or eligible student from exercising their right to inspect or review the student's education records.

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

The parent of a student or an eligible student who believes that information contained in the education records of the student is inaccurate, misleading or violates the privacy rights of the student may request that the school district amend those records.

- 1. The request shall be in writing, shall identify the item the requestor believes to be inaccurate, misleading or in violation of the privacy or other rights of the student, shall state the reason for this belief, and shall specify the correction the requestor wishes the school district to make. The request shall be signed and dated by the requestor.
- 2. The school district shall decide whether to amend the education records of the student in accordance with the request within thirty (30) days after receiving the request.
- 3. If the school district decides to refuse to amend the education records of the student in accordance with the request, it shall inform the parent of the student or the eligible student of the refusal and advise the parent or eligible student of the right to a hearing under Subdivision B. of this section.

B. Right to a Hearing

If the school district refuses to amend the education records of a student, the school district, on request, shall provide an opportunity for a hearing in order to challenge the content of the student's education records to ensure that information in the education records of the student is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. A hearing shall be conducted in accordance with Subdivision C. of this section.

1. If, as a result of the hearing, the school district decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing.
2. If, as a result of the hearing, the school district decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school district, or both.
3. Any statement placed in the education records of the student under Subdivision B. of this section shall:
 - a) be maintained by the school district as part of the education records of the student so long as the record or contested portion thereof is maintained by the school district; and
 - b) if the education records of the student or the contested portion thereof is disclosed by the school district to any party, the explanation shall also be disclosed to that party.

C. Conduct of Hearing

1. The hearing shall be held within a reasonable period of time after the school district has received the request, and the parent of the student or the eligible student shall be given notice of the date, place and time reasonably in advance of the hearing.
2. The hearing may be conducted by any individual, including an official of the school district who does not have a direct interest in the outcome of the hearing. The school board attorney shall be in attendance to present the school board's position and advise the designated hearing officer on legal and evidentiary matters.
3. The parent of the student or eligible student shall be afforded a full and fair opportunity for hearing to present evidence relative to the issues raised under Subdivisions A. and B. of this section and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.

4. The school district shall make a decision in writing within a reasonable period of time after the conclusion of the hearing. The decision shall be based solely on evidence presented at the hearing and shall include a summary of evidence and reasons for the decision.

D. Appeal

The final decision of the designated hearing officer may be appealed in accordance with the applicable provisions of the Minnesota Statutes chapter 14 relating to contested cases.

XVI. PROBLEMS ACCESSING DATA

- A. The data practices compliance official is the designated employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.
- B. Data practices compliance official means the Director of Communications
- C. Any requests by an individual with a disability for reasonable modifications of the school district's policies or procedures for purposes accessing records shall be made to the data practices compliance official.

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

A. Where to File Complaints

Complaints regarding alleged violations of rights accorded parents and eligible students by FERPA, and the rules promulgated there under, shall be submitted in writing to the U.S. Department of Education, Student Privacy Policy Office 400 Maryland Avenue, S.W., Washington, D.C. 20202-8520.

B. Content of Complaint

A complaint filed pursuant to this section must contain specific allegations of fact giving reasonable cause to believe that a violation of FERPA and the rules promulgated there under has occurred.

XVIII. WAIVER

A parent or eligible student may waive any of his or her rights provided herein pursuant to FERPA. A waiver shall not be valid unless in writing and signed by the parent or eligible student. The school district may not require such a waiver.

XIX. ANNUAL NOTIFICATION OF RIGHTS

A. Contents of Notice

The school district shall give parents of students currently in attendance and eligible students currently in attendance annual notice by such means as are reasonably likely to inform the parents and eligible students of the following:

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;
2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;
3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated there under authorize disclosure without consent;
4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA, and the rules promulgated there under;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the school district has determined to have legitimate educational interests; and
6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal Every Student Succeeds Act and, if applicable, a student's history of violent behavior.

B. Notification to Parents of Students Having a Primary Home Language Other Than English

The school district shall provide for the need to effectively notify parents of students identified as having a primary or home language other than English.

C. Notification to Parents or Eligible Students Who are Disabled

The school district shall provide for the need to effectively notify parents or eligible students identified as disabled.

XX. DESTRUCTION AND RETENTION OF RECORDS

- A. Destruction and retention of records by the school district shall be controlled by state and federal law.

XXI. COPIES OF POLICY

- A. Copies of this policy may be obtained by parents and eligible students at the Superintendent's office.

Legal References:

- Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
- Minn. Stat. § 13.393 (Attorneys)
- Minn. Stat. Ch. 14 (Administrative Procedures Act)
- Minn. Stat. § 120A.22 (Compulsory Instruction)
- Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)
- Minn. Stat. § 121A.75 (Receipt of Records; Sharing)
- Minn. Stat. § 127A.852 (Military-Connected Youth Identifier)
- Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)
- Minn. Stat. Ch. 256B (Medical Assistance for Needy Persons)
- Minn. Stat. Ch. 256L (MinnesotaCare)
- Minn. Stat. § 260B.171, subs. 3 and 5 (Disposition Order and Peace Officer Records of Children)
- Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
- Minn. Stat. § 363A.42 (Public Records; Accessibility)
- Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)
- Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
- 10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)
- 18 U.S.C. § 2331 (Definitions)
- 18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)
- 20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
- 20 U.S.C. § 6301 *et seq.* (Every Student Succeeds Act)
- 20 U.S.C. § 7908 (Armed Forces Recruiting Information)
- 20 U.S.C. § 7917 (Transfer of School Disciplinary Records)
- 25 U.S.C. § 5304 (Definitions – Tribal Organization)
- 26 U.S.C. §§ 151 and 152 (Internal Revenue Code)
- 42 U.S.C. § 1711 *et seq.* (Child Nutrition Act)
- 42 U.S.C. § 1751 *et seq.* (Richard B. Russell National School Lunch Act)
- 34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)
- 34 C.F.R. § 300.610-300.627 (Confidentiality of Information)
- 42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)
- Gonzaga University v. Doe*, 536 U.S. 273 309 (2002)
- Debt of Admin. Advisory Op. No. 21-08 (December 8, 2021)

Cross References:

- MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
- MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
- MSBA/MASA Model Policy 506 (Student Discipline)
- MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
- MSBA/MASA Model Policy 520 (Student Surveys)
- MSBA/MASA Model Policy 711 (Video Recording on School Buses)

MSBA/MASA Model Policy 722 (Public Data Requests)
MSBA/MASA Model Policy 906 (Community Notification of Predatory Offenders)
MSBA Law Bulletin “I” (School Records – Privacy – Access to Data)

Student Information Release Agreement

South St. Paul
Public Schools



NOTE TO PARENTS

This is an "opt out" form for the 2023-24 school year for parents/guardians who DO NOT want a student's name, photograph, or directory information to be included in school directories, yearbooks, on school and district websites, social media, or in news releases. If you have no objection to your student's information and photograph potentially appearing in internal and external publications, such as the SixTimes newsletter, social media, and the district's websites you do not need to do anything.

If you wish to prohibit the use of your student's information and photograph in any capacity, please read through and complete this form.
Return to your student's school by Friday, September 29, 2023.

LIMITATION ON DISTRICT RELEASE OF STUDENT INFORMATION

South St. Paul Public Schools recognizes its responsibilities in regard to the collection, maintenance, and dissemination of students' educational records and data. Businesses, organizations, and/or any member of the public can request information, known as "directory information," about students attending South St. Paul Public Schools. District Policy 515 defines the procedures and practices for protecting the privacy of student information in accordance with state and federal law. Completion of this form is to prohibit the release of student directory information.

STUDENT DIRECTORY INFORMATION

Directory information regarding a student is public information under state and federal law. Directory information as defined in District Policy 515 includes, but is not limited to, a student's name, address, telephone number, email address, photograph, date and place of birth, attendance dates, grade level, participation in activities and sports, degrees and awards received, and weight/height of athletic team participants. It also includes the name, address and telephone number of the student's parent(s). Directory information does not include personally identifiable data, such as social security number, student ID, or data that references religion, race, color, social position, or nationality.

A parent/guardian may refuse to have any or all of the directory information made public by notifying the building principal in writing by the date listed above or 30 days after enrollment in South St. Paul Public Schools. Submission of the bottom of this form to the building principal satisfies this notice requirement and will remain valid until August 1, 2024. At which point you will need to submit a new agreement for the 2024-25 school year.

PHOTOGRAPHY

As noted above, a student's photograph/image/recording is also directory information and may be released. A student may be photographed or recorded while at school or participating in school activities and events. Care is taken to ensure that the student and learning/activity/event environment is portrayed appropriately and that student's last names do not appear in photos. If you choose not to have your child photographed or recorded by the district, please notify the building principal in writing by the date listed above. Submission of the bottom of this form to the building principal satisfies this notice requirement and will remain valid until August 1, 2024.

In accordance with District Policy 515, the above-noted designations or refusals will remain valid until August 1, 2024. At which point you will need to file a new agreement form for the 2024-25 school year. If you have any additional questions please contact your student's building principal.

I, as parent/guardian of the below named student(s), elect that the district is not able to disclose directory information for the 2023-24 school year.
(Please select one of the following options.)

- Keep directory information/photos/images/recordings regarding the child(ren) listed below private except for use in yearbooks, school/athletic/activity programs, and class photos.
- Do not release any directory information/photographs/images/recordings of the child(ren) listed below except to school officials or as provided under federal law. I understand my student will not appear in yearbooks, school/athletic/activity programs, or class photos.

Student's Name: _____ Grade: _____ School: _____

Student's Name: _____ Grade: _____ School: _____

Student's Name: _____ Grade: _____ School: _____

Parent/Guardian Name (please print): _____

Parent/Guardian Signature: _____ Date: _____



Adopted: January 24, 2005

MSBA/MASA Model Policy 516

Orig. 1995

*Revised: 7/11/05; 10/23/06; 10/27/08; 11/10/14
8/8/16; 6/26/1; 6/10/19; 5/26/20; 6/14/21
6/27/22; 6/26/23*

Rev. 2022

516 STUDENT MEDICATION

I. PURPOSE

The purpose of this policy is to set forth the provisions that must be followed when administering non-emergency prescription and nonprescription over-the-counter (OTC) medication to students during the school day.

II. GENERAL STATEMENT OF POLICY

The school district acknowledges that some students may require medication during the school day. The school district's licensed school nurse, trained health clerk, principal, or teacher will administer medications, except any form of medical cannabis, in prescription and OTC, in accordance with law and school district procedures.

III. REQUIREMENTS

- A. The administration of Food and Drug Administration (FDA) prescription and non-prescription (OTC) medication or drugs at school requires a completed signed request from the student's parent and licensed prescriber. An oral request must be reduced to writing within two school days, provided that the school district may rely on an oral request until a written request is received.
- B. A "Medication Administration Consent" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs. Prescription medication as used in this policy does not include any form of medical cannabis as defined in Minnesota Statutes section 152.22, Subd. 6.
- C. All medication must come to school in the original container labeled. Further, prescription medication must be labeled for the student by a pharmacist in accordance with law. It must be administered in a manner consistent with the instructions on the label.
- D. The licensed school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.
- E. Medications are not to be carried by the student, but will be left with the appropriate school district personnel. Exceptions to this requirement are:

prescription asthma medications self-administered with an inhaler (See Part J.5. below), prescribed anaphylaxis medications self-administered with an epinephrine auto-injector (See part J.8 below), medications administered as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan) and nonprescription pain relief medicine for secondary students (see J.7).

- F. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization and container label with new pharmacy instructions shall be required immediately as well.
 - G. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.
 - H. The licensed school nurse, or other designated person, shall be responsible for the filing of the Medication Administration Consent form in the health records section of the student file. The licensed school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.
- +
- I. Procedures for administration of drugs and medicine at school and school activities shall be developed in consultation with a licensed school nurse, or a public or private health organization or other appropriate party (if appropriately contracted by the school district under Minnesota Statutes section 121A.21). The school district administration shall submit these procedures and any additional guidelines and procedures necessary to implement this policy to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.
 - J. If the administration of a drug or medication described in this section requires the school district to store the drug or medication, the parent or legal guardian must inform the school if the drug or medication is a controlled substance. For a drug or medication that is not a controlled substance, the request must include a provision designating the school district as an authorized entity to transport the drug or medication for the purpose of destruction if any unused drug or medication remains in the possession of school personnel. For a drug or medication that is a controlled substance, the request must specify that the parent or legal guardian is required to retrieve the drug or controlled substance when requested by the school.
 - K. Specific Exceptions:
 - 1. Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine;

2. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy;
3. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy;
4. Drugs or medicines used at school in connection with services for which a minor may give effective consent are not governed by this policy;
5. Drugs or medicines that are prescription asthma or reactive airway disease medications can be self-administered by a student with an asthma inhaler if:
 - a) the school district has received a written authorization from the pupil's parent and licensed prescriber permitting the student to self-administer the medication;
 - b) the inhaler is properly labeled for that student; and
 - c) the parent has not requested school personnel to administer the medication to the student.

The parent must submit written authorization for the student to self-administer the medication each school year. In a school that does not have a licensed school nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

If the school district employs a licensed school nurse or provides school nursing services under another arrangement, the licensed school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers;

6. Medications:
 - a) that are used off school grounds;
 - b) that are used in connection with athletics or extracurricular activities; or
 - c) that are used in connection with activities that occur before or after the regular school dayare not governed by this policy.

7. Nonprescription Medication. A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the school district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The school district may revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients.
8. At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed epinephrine auto-injectors that enables the student to:
 - a) possess epinephrine auto-injectors; or
 - b) if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to epinephrine auto-injectors in close proximity to the student at all times during the instructional day.

The plan must designate the school staff responsible for implementing the student's health plan, including recognizing anaphylaxis and administering epinephrine auto-injectors when required, consistent with state law. This health plan may be included in a student's § 504 plan.

9. A student may possess and apply a topical sunscreen product during the school day while on school property or at a school-sponsored event without a prescription, physician's note, or other documentation from a licensed health care professional. School personnel are not required to provide sunscreen or assist students in applying sunscreen.
- L. An adult student (age 18 or older) is not required to submit parent/guardian signatures but instead may provide signature for self.

- M. Districts and schools may obtain and possess epinephrine auto-injectors to be maintained and administered by school personnel to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine auto-injector. The administration of an epinephrine auto-injector in accordance with this section is not the practice of medicine.

A district or school may enter into arrangements with manufacturers of epinephrine auto-injectors to obtain epinephrine auto-injectors at fair-market, free, or reduced prices. A third party, other than a manufacturer or supplier, may pay for a school's supply of epinephrine auto-injectors.

- N. Procedures regarding unclaimed drugs or medications
1. The school district has adopted the following procedure for the collection and transport of unclaimed or abandoned prescription drugs or medications remaining in the possession of school personnel in accordance with this policy. Before the transportation of any prescription drug or medication under this policy, the school district shall make a reasonable attempt to return unused prescription drug or medication to the student's parent or legal guardian. Transportation of unclaimed or unused prescription drugs or medications will occur at least annually, but may occur more frequently at the discretion of the school district.
 2. If the unclaimed or abandoned prescription drug is not a controlled substance as defined under Minnesota Statutes sections 152.01 subdivision 4, or is an over-the-counter medication, the school district will either designate an individual who shall be responsible for transporting the drug or medication to a designated drop-off box or collection site or request that a law enforcement agency transport the drug or medication to a drop-off box or collection site on behalf of the school district.
 3. If the unclaimed or abandoned prescription drug is a controlled substance as defined in Minnesota Statutes sections 152.01, subdivision 4, the school district or school personnel is prohibited from transporting the prescription drug to a drop-off box or collection site for prescription drugs identified under this paragraph. The school district must request that a law enforcement agency transport the prescription drug or medication to a collection bin that complies with Drug Enforcement Agency regulations, or if a site is not available, under the agency's procedure for transporting drugs.

Legal References:

Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.21 (Hiring of Health Personnel)
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine Auto-Injectors; Model Policy)

Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine Auto-Injectors)

Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)

Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)

Minn. Stat. § 121A.223 (Possession and Use of Sunscreen)

Minn. Stat. § 151.212 (Label of Prescription Drug Containers)

Minn. Stat. § 152.01 (Definitions)

Minn. Stat. § 152.22 (Medical Cannabis; Definitions)

Minn. Stat. § 152.23 (Medical Cannabis; Limitations)

20 U.S.C. § 1400 *et seq.* Individuals with Disabilities Education Act)

29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

Cross References:

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



Adopted: October 6, 1992

MSBA/MASA Model Policy 518

Orig. 1995

Revised: 11/8/04; 8/8/16; 8/14/17; 6/10/19
5/26/20; 6/14/21; 6/27/22; 6/26/23

Rev. 2003

518 DNR-DNI ORDERS

I. PURPOSE

The school district recognizes that it is serving students with complex health needs. The school district also recognizes that school district staff may be confronted with requests to withhold emergency care of a student in the event of a life-threatening situation at school or school activities or be presented with Do Not Resuscitate/Do Not Intubate (DNR-DNI) orders. The purpose of this policy is to provide guidance to school district staff and parents or guardians in these situations.

II. GENERAL STATEMENT OF POLICY

- A. The primary mission of the school district is education. DNR-DNI orders are medical documents. School district staff will not accept or honor requests to withhold emergency care or DNR-DNI orders. The school district will not convey such orders to emergency medical personnel.
- B. School district staff will provide reasonable emergency care and assistance when a student is undergoing a medical emergency during school or school activities.
- C. School district staff will activate emergency medical services (911) as soon as possible when a student is undergoing a medical emergency during school or school activities.
- D. The parent/guardian will be notified of the emergency as soon as possible.
- E. Notwithstanding this school district policy, IEP and Section 504 teams must develop individualized medical emergency care plans for students when appropriate in accordance with state and federal law.
- F. Parents/guardians who request that emergency care be withheld for their child or who present DNR-DNI orders, shall be advised of and shall be given a copy of this policy.

Legal References: 29 U.S.C. § 794 *et seq.* (Section 504 of the Rehabilitation Act of 1973)
42 U.S.C. §§ 12101-12213 (Americans with Disabilities Act)

Cross References:



Adopted: October 25, 2004

MSBA/MASA Model Policy 521

Orig. 1995

*Revised: 11/10/14; 7/25/16; 8/14/17; 6/10/19
5/26/20; 6/14/21; 6/27/22; 6/26/23*

Revised 2022

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, 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 school district 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 major life activities, including learning; or
 - 2. has a record of such impairment; or
 - 3. is regarded as having such impairment.
- 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 Director of Student Services, 104 – 5th Avenue South, South St. Paul, Minnesota 55075, (651) 552-5594. This person is the school district's Americans with Disabilities Act/504 Coordinator. Persons who wish to make a complaint regarding a disability discrimination matter may use the accompanying Student Disability Grievance Report Form. The form should be given to the ADA/Section 504 coordinator.

Legal References: 42 U.S.C. Ch. 126 (Equal Opportunity for Individuals with Disabilities)
29 U.S.C. § 794 *et seq.* (§ 504 of Rehabilitation Act of 1973)
34 C.F.R. Part 104 (Implementing Regulations)

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination)



SPECIAL SCHOOL DISTRICT 6

STUDENT DISABILITY DISCRIMINATION GRIEVANCE REPORT FORM

General Statement of Policy Prohibiting Disability Discrimination

Special School District 6 maintains a firm policy prohibiting all forms of discrimination on the basis of a disability. All persons are to be treated with respect and dignity. Discrimination on the basis of a disability will not be tolerated under any circumstances.

Complainant: _____

Home Address: _____

Work Address: _____

Home Phone: _____ Work Phone: _____

I have been discriminated against based on (choose one or more):

[my disability] / [a record of my disability] / [being regarded as having a disability]

because _____

Date of alleged incident(s): _____

Name of person you believe discriminated against you or another person: _____

If the alleged discrimination was toward another person, identify that person: _____

Describe the incident(s) as clearly as possible, including such things as: any verbal statements; what, if any, physical contact was involved; etc. (attach additional pages if necessary): _____

Location of the incident(s): _____

List any witnesses that were present: _____

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

(Complainant Signature)

(Date)

Received by: _____

(Date)



Adopted: February, 1998

MSBA/MASA Model Policy 526

Orig. 1997

Revised: 4/26/04; 9/9/13; 7/25/16; 6/26/17
6/10/19; 5/26/20; 6/14/21; 6/27/22; 6/26/23

Rev. 2014

526 HAZING PROHIBITION

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. No student, teacher, administrator, volunteer, contractor or other employee of the school district shall plan, direct, encourage, aid or engage in hazing.
- B. No teacher, administrator, volunteer, contractor or other employee of the school district shall permit, condone or tolerate hazing.
- C. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.
- E. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited.
- F. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, or tolerates hazing shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, tolerate, or are a party to prohibited acts of hazing may range from remedial responses or positive behavioral interventions up to and including suspensions 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 for engaging in prohibited acts of hazing may include, but not 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 and/or staff member, or coercing a student and/or staff member into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to:
 - 1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking or placing a harmful substance on the body.
 - 2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 - 3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 - 4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
 - 5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.
- B. “Immediately” means as soon as possible but in no event, longer than 24 hours.

- C. “On school premises or school district property, or at school functions or activities, or on school transportation” means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approve 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 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 procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.

- C. A teacher, administrator, volunteer, contractor, and other school district 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 report taker 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 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 in 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 report and confirmed hazing incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or 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 provides information about hazing, who testifies, assists, or participates in an investigation, or against any person who testifies, assists or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment, 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

This policy shall appear in each school's student handbook and in each school's Building and Staff handbooks. The school district will develop a method for discussing this policy with students.

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 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 525 (Violence Prevention [Applicable to Students and Staff])



Adopted: January 24, 2005

MSBA/MASA Model Policy 528

Revised: 6/26/06; 8/14/17; 6/14/21; 6/27/22; 6/26/23

Orig. 1999

Rev. 2003

528 STUDENT PARENTAL, FAMILY, AND MARITAL STATUS NONDISCRIMINATION

I. PURPOSE

Students are protected from discrimination on the basis of sex and marital status pursuant to Title IX of the Education Amendments of 1972 and the Minnesota Human Rights Act. This includes discrimination on the basis of pregnancy. The purpose of this school district policy is to provide equal educational opportunity for all students and to prohibit discrimination on the grounds of sex, parental, family, or marital status.

II. GENERAL STATEMENT OF POLICY

- A. The school district provides equal educational opportunity for all students, and will not apply any rule concerning a student's actual or potential parental, family, or marital status which treats students differently on the basis of sex.
- B. The school district will not discriminate against any student, or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery there from, unless the student requests voluntarily to participate in a separate portion of the program or activity of the recipient.
- C. The school district may require such a student to obtain the certification of a physician that the student is physically and emotionally able to continue participation in the normal education program or activity so long as such a certification is required of all students for other physical or emotional conditions requiring the attention of a physician.
- D. The school district will ensure that any separate and voluntary instructional program is comparable to that offered to non-pregnant students.
- E. It is the responsibility of every school district employee to comply with this policy.
- F. The school district's Title IX Coordinator is:

Title IX Coordinator
Human Resource Director
104 – 5th Avenue South, South St. Paul, MN 55075
(651) 457-9473

This employee coordinates the school district's efforts to comply with and carry out its responsibilities under Title IX.

- G. Any student, parent or guardian having questions regarding the application of Title IX and its regulations and/or this policy should discuss them with the Title IX coordinator. Questions relating solely to Title IX and its regulations may be referred to the Assistant Secretary for Civil Rights of the United States Department of Education. In the absence of a specific designee, an inquiry or complaint should be referred to the superintendent or the school district human rights officer.
- H. Any reports of unlawful discrimination under this policy will be handled, investigated and acted upon in the manner specified in Policy 522.

Legal References: Minn. Stat. § 363A (Minnesota Human Rights Act)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
34 C.F.R. Part 106 (Implementing Regulations of Title IX)

Cross References: MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process)



Adopted: November 22, 2004

MSBA/MASA Model Policy 530

Orig. 1999

*Revised: 7/11/05; 6/25/07; 8/8/16; 6/26/17; 6/10/19
5/26/20; 6/14/21; 6/27/22; 6/26/23*

Rev. 2022

530 IMMUNIZATION REQUIREMENTS

I. PURPOSE

- A. The purpose of this policy is to require that all students receive the proper immunizations as mandated by law to ensure the health and safety of all students.

II. GENERAL STATEMENT OF POLICY

- A. All students are required to provide proof of immunization, or appropriate documentation exempting the student from such immunization, and such other data necessary to ensure that the student is free from any communicable diseases, as a condition of enrollment.

III. STUDENT IMMUNIZATION REQUIREMENTS

- A. No student may be enrolled or remain enrolled, on a full-time, part-time, or shared-time basis, in any elementary or secondary school within the school district until the student or the student's parent or guardian has submitted to the designated school district administrator the required proof of immunization. Prior to the student's first date of attendance, the student or the student's parent or guardian shall provide to the designated school district administrator one of the following statements:
1. a statement, from a physician, advanced practice registered nurse, physician assistant, or a public clinic which provides immunizations (hereinafter "medical statement"), affirming that the student received the immunizations required by law, consistent with medically acceptable standards; or
 2. a medical statement, affirming that the student received the primary schedule of immunizations required by law and has commenced a schedule of the remaining required immunizations, indicating the month and year each immunization was administered, consistent with medically acceptable standards.
- B. The statement of a parent or guardian of a student or an emancipated student may be substituted for the medical statement. If such a statement is substituted, this statement must indicate the month, day and year each immunization was administered. Upon request, the designated school district administrator will provide information to the parent or guardian of a student or an emancipated student of the dosages required for each vaccine according to the age of the student.

- C. The parent or guardian of persons receiving instruction in a home school shall submit one of the statements set forth in Section III.A. or III.B., above, or statement of immunization set forth in Section IV., below, to the superintendent of the school district by October 1 of the first year of their home schooling in Minnesota and the grade 7 year.
- D. When there is evidence of the presence of a communicable disease, or when required by any state or federal agency and/or state or federal law, students and/or their parents or guardians may be required to submit such other health care data as is necessary to ensure that the student has received any necessary immunizations and/or is free of any communicable diseases. No student may be enrolled or remain enrolled in any elementary or secondary school within the school district until the student or the student's parent or guardian has submitted the required data.
- E. The school district may allow a student transferring into a school a maximum of 30 days to submit a statement specified in Section III.A. or III.B., above, or Section IV., below. Students who do not provide the appropriate proof of immunization or the required documentation related to an applicable exemption of the student from the required immunization within the specified time frames shall be excluded from school until such time as the appropriate proof of immunizations or exemption documentation has been provided.
- F. If a person who is not a Minnesota resident enrolls in a school district online learning course or program that delivers instruction to the person only by computer and does not provide any teacher or instructor contact time or require classroom attendance, the person is not subject to the immunization, statement, and other requirements of this policy.

IV. EXEMPTIONS FROM IMMUNIZATION REQUIREMENTS

Students will be exempt from the foregoing immunization requirements under the following circumstances:

- A. The parent or guardian of a minor student or an emancipated student submits a signed medical statement affirming that the immunization of the student is contraindicated for medical reasons or that laboratory confirmation of the presence of adequate immunity exists; or
- B. The parent or guardian of a minor student or an emancipated student submits his or her notarized statement stating the student has not been immunized because of the conscientiously held beliefs of the parent, guardian or student.

V. NOTICE OF IMMUNIZATION REQUIREMENTS

- A. The school district will develop and implement a procedure to:

1. notify parents and students of the immunization and exemption requirements and the consequences for failure to provide the required documentation regarding immunizations;
 2. review student health records to determine whether the required information has been provided; and
 3. make reasonable arrangements to send a student home when the immunization requirements have not been met and advise the student and/or the student's parent or guardian of the conditions for re-enrollment.
- B. The notice provided shall contain written information describing the exemptions from immunization as permitted by law. The notice shall be in a font size at least equal to the font size and style as the immunization requirements and on the same page as the immunization requirements.

VI. IMMUNIZATION RECORDS

- A. The school district will maintain a file containing the immunization records for each student in attendance at the school district for at least five years after the student attains the age of majority.
- B. Upon request, the school district may exchange immunization data with persons or agencies providing services on behalf of the student. Immunization data is private student data and disclosure of such data shall be governed by Policy 515 Protection and Privacy of Pupil Records.
- C. The designated school district administrator will assist a student and/or the student's parent or guardian in the transfer of the student's immunization file to the student's new school within 30 days of the student's transfer.
- D. Upon request of a public or private post-secondary educational institution, the designated school district administrator will assist in the transfer of the student's immunization file to the post-secondary educational institution.

VII. OTHER

- A. Within 60 days of the commencement of each new school term, the school district will forward a report to the Commissioner of the Department of Education stating the number of students attending each school in the school district, including the number of students receiving instruction in a home school, the number of students who have not been immunized, and the number of students who received an exemption. The school district also will forward a copy of all exemption statements received by the school district to the Commissioner of the Department of Health.

Legal References:

Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.15 (Health Standards; Immunizations; School Children)
Minn. Stat. § 121A.17 (School Board Responsibilities)
Minn. Stat. § 144.29 (Health Records; Children of School Age)
Minn. Stat. § 144.3351 (Immunization Data)
Minn. Stat. § 144.441 (Tuberculosis Screening in Schools)
Minn. Stat. § 144.442 (Testing in Schools)
Minn. Rules Parts 4604-0100-4604 1020 (Immunization)
McCarthy v. Ozark Sch. District., 359 F.3d 1029 (8th Cir. 2004)
Op. Atty. Gen. 169-W (Jan. 17, 1968)
Op. Atty. Gen. 169-W (July 23, 1980)

Cross References:

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



Adopted: April 26, 2004

MSBA/MASA Model Policy 531
Orig. 2003

Revised: 6/26/06; 9/13/10; 8/8/16; 9/11/17
6/10/19; 5/26/20; 6/14/21; 6/27/22; 6/26/23

Rev. 2003

531 THE PLEDGE OF ALLEGIANCE

I. PURPOSE

- A. The school board recognizes the need to display an appropriate United States flag and to provide instruction to students in the proper etiquette, display, and respect of the flag. The purpose of this policy is to provide for recitation of the Pledge of Allegiance and instruction in school to help further that end.

II. GENERAL STATEMENT OF POLICY

- A. Students in this school district shall recite the Pledge of Allegiance to the flag of the United States of America one or more times each week. The recitation shall be conducted:
 - B. By each individual classroom teacher or the teacher's surrogate; or
 - C. Over a school intercom system by a person designated by the school principal or other person having administrative control over the school.

III. EXCEPTIONS

- A. Anyone who does not wish to participate in reciting the Pledge of Allegiance for any personal reasons may elect not to do so. Students and school personnel must respect another person's right to make that choice.

IV. INSTRUCTION

- A. Students will be instructed in the proper etiquette toward, correct display of, and respect for the flag.

Legal References: Minn. Stat. § 121A.11, Subd. 3 (Pledge of Allegiance)
Minn. Stat. § 121A.11, Subd. 4 (Instruction)
Elk Grove Unified Sch. Dist. V. Nedom, 542 U.S. 1, 124 S. Ct. 2301, 159 L.Ed.2d 98 (2004)

Cross References:

Adopted: October 23, 2000

*Revised: 6/28/04; 3/12/07; 10/27/08; 1/11/10; 8/24/15
7/25/16; 4/24/17; 8/13/18; 6/10/19; 5/26/20
6/14/21; 6/27/22; 6/26/23*

536 STUDENT INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY

I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for student access to district and school information technology, known in this document as “District Information Technology,” including but not limited to district computers, devices, printers and other accessories, networks, Internet access, electronic communications, and third-party systems the district licenses and makes available to employees and students.

II. GENERAL STATEMENT OF POLICY

In making decisions regarding student and staff access to District Information Technology, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables the school community 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 District Information Technology throughout the curriculum and will provide guidance and instruction to students in their use.

III. PURPOSE LIMITED TO EDUCATION

The school district provides students with access to District Information Technology. District Information Technology has a limited educational purpose, which includes use of the system for classroom activities, educational research and professional or career development. Students are expected to use the district system to further educational goals consistent with the school district’s mission, strategic plan and 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 DISTRICT TECHNOLOGY RESOURCES IS A PRIVILEGE

The use of District Information Technology and its access to 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 District Information Technology or the Internet may result in one or more of the following consequences: suspension, cancellation or restriction of use or access privileges, payments for damages and repairs, discipline under other appropriate school district policies, including suspension or expulsion of students, or civil or criminal liability under other applicable laws.

V. BRING YOUR OWN DEVICE (BYOD)

- A. A student's personal device may be connected to the District's network or systems if it complies with district standards and is compatible with the district systems. All BYOD devices attached or connected to the district network are subject to the same policies and procedures established for the use of district-owned equipment.
- B. All use of BYOD devices must adhere to the district STUDENT INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY (AUP). The student and parent/guardian must have signed and returned the AUP prior to using the device and accessing the district network.
- C. District technicians will not service, repair, or maintain BYOD devices. The District will not provide software for installation on BYOD devices. District will not be held liable or responsible for physical damage, loss or theft of the device, loss of personal content stored on the device, or charges incurred during use of the device.
- D. Student use of BYOD must support classroom instructional activities and adhere to all instructions given by staff.
- E. Students are prohibited from using any personal device as a hotspot to circumvent the district wireless network and content filters.
- F. The district reserves the right to limit Wi-Fi connectivity for personal devices that are not approved for BYOD use.

VI. ACCEPTABLE USE GUIDELINES FOR DISTRICT INFORMATION TECHNOLOGY

- A. Users must respect and protect the privacy of others by:
 - 1. Using only accounts assigned to them.

2. Only viewing, using, or copying passwords, data, or networks to which they are authorized.
 3. Refraining from distributing private information about others or themselves.
- B. Users must respect and protect the integrity, availability, and security of all electronic resources by:
1. Observing all district Internet filters and posted network security practices.
 2. Reporting security risks or violations to a teacher or network administrator.
 3. Not destroying or damaging data, networks, or other resources that do not belong to them, without clear permission of the owner.
 4. Conserving, protecting, and sharing these resources with other users.
 5. Notifying a staff member or administrator of computer or network malfunctions.
- C. Users must respect and protect the intellectual property of others by:
1. Following copyright laws (not making illegal copies of music, games, or movies).
 2. Citing sources when using others' work (not plagiarizing).
- D. Users must respect and practice the principles of community by:
1. Communicating only in ways that are kind and respectful.
 2. Reporting threatening, offensive or discomforting materials to a staff member or administrator.
 3. Not intentionally accessing, transmitting, copying, or creating material that violates the school's code of conduct (such as messages/content that are pornographic, threatening, rude, discriminatory, defamatory or meant to harass or bully).
 4. Not intentionally accessing, transmitting, copying, or creating material that is illegal (such as obscenity, stolen materials, or illegal copies of copyrighted works).
 5. Not using the resources to further other acts that are criminal or violate the school's code of conduct.

6. Avoiding spam, chain letters, or other mass unsolicited mailings.
 7. Refraining from buying, selling, advertising, or otherwise conducting business, unless approved as a school project.
- E. Students may, if in accord with district policies and under direction of staff:
1. Design and post web pages and other material from school resources.
 2. Communicate electronically via tools such as email, chat, text, or videoconferencing.
 3. Install or download software, in conformity with laws and licenses.
 4. Use technology resources for educational purposes.

F. Consequences for Violation

Violations of these rules may result in disciplinary action, including the loss of a user's privileges to use the school's digital resources. Further discipline may be imposed in accordance with district policies up to and including suspension or expulsion depending on the degree and severity of the violation.

VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

Use of the District Information Technology 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 District Information Technology, 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 for content they store 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 content their child has stored on the district system to the extent possible without compromising other students' privacy. Parents have the right to request the suspension of their child's individual account at any time.
- E. Students should be aware that data and other materials in files maintained on the school district system may be subject to review, disclosure or discovery under Minnesota Statutes, Chapter 13 (the Minnesota Government Data Practices Act).
- F. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

IX. STUDENT INFORMATION TECHNOLOGY ACCEPTABLE USE AGREEMENT

- A. The proper use of District Information Technology systems, including the Internet, and the educational value to be gained from proper 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 Student Information Technology Acceptable Use Agreement must be read and signed by the user and a parent or guardian prior to the student being granted access to the district system. Signed agreements will be retained by the district. The district may require students to re-sign the agreement periodically thereafter as Technology changes require. The content of this agreement shall be included in each school's student/parent handbook as an annual review.

X. LIMITATION ON SCHOOL DISTRICT LIABILITY

Use of District Information Technology 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 storage media or servers, or for delays or changes in or interruptions of service or misedeliveries 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 District Information Technology 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 storage media, 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 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.
 - 5. 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.
 - 6. 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 or the student's parents.
 - 7. Notification that should a student violate the school district's Acceptable Use Policy, the student's access privileges may be revoked, 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. PARENT RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies and other possibly offensive media. Parents are responsible for monitoring their student's use of the school district system and of the Internet if the student is accessing the school district system from home or a remote location.
- B. Parents are herein 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 in writing alternative activities not requiring Internet access.

XIII. IMPLEMENTATION AND POLICY REVIEW

- A. The school district administration will develop appropriate user notification forms, guidelines and procedures necessary to implement this policy.
- B. This policy will be reviewed annually and the administration will recommend changes as necessary.
- C. The school district Internet policies and procedures are available for review by all parent/guardian, staff and members of the community.

XIV. CONTENT FILTERING

- 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, 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 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 interaction with other individuals on social networking websites and in chat rooms and cyber bullying awareness and response.
- F. Although student use of the Internet at school is subject to content filtering and is supervised by staff, we cannot guarantee that students will not gain access to inappropriate materials. We encourage parents to have a discussion with their children about values and how those beliefs should guide student activities while using the Internet.

Legal References:

15 U.S.C. § 6501 *et seq.* (Children’s Online Privacy Protection Act)
 17 U.S.C. § 101 *et seq.* (Copyrights)
 47 U.S.C. § 254 (Children’s Internet Protection Act of 2000 (CIPA))
 47 C.F.R. § 54.520 (FCC rules implementing CIPA)
 Minn. Stat. § 121A.031 (School Student Bullying Policy)
 Minn. Stat. § 125B.15 (Internet Access for Students)
 Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
United States v. Amer. Library Assoc., 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221 (2003)
Doninger v. Niehoff, 527 F.3d 41 (2nd Cir. 2008)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, No. 12-588, 2012 WL 3870868 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), *aff’d* on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee’s Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
Kowalski v. Berkeley County Sch., 652 F.3d 565 (4th Cir. 2011)
Layshock v. Hermitage Sch. Dist., 650 F.3d 205 (3rd Cir. 2011)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)

Cross References:

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)
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)



Adopted: November 22, 1999

*Revised: 5/26/09; 8/8/16; 8/14/17; 6/10/19; 5/26/20; 6/14/21
6/27/22; 6/26/23*

550 ATTENDANCE AT STATE TOURNAMENTS

I. PURPOSE

The purpose of this policy is to provide guidelines for student or staff release from school to attend state tournament competitions. Because of increased academic requirements and the District's commitment to academic excellence, classes at South St. Paul Schools will not be cancelled or released early during state tournament competitions.

II. GENERAL STATEMENT OF POLICY

- A. Students in good academic and behavioral standing may be released from classes to attend state tournament competitions under the procedures set out in Part III.A. of this policy.
- B. Staff members may be released from the building to attend state tournament competitions under the procedures set out in Part III.B. of this policy.
- C. The decision to grant release is delegated to the building principals (superintendent for district-wide employees) and is not subject to review by the School Board.

III. PROCEDURES

A. Student Release

Eligibility for Release: A student must exhibit satisfactory (i) academic progress, (ii) behavior in school, (iii) adherence to attendance policies, and (iv) extracurricular eligibility and behavioral standards.

Permission: Before the state tournament competition, a student must submit a written parent/guardian permission slip authorizing the student to be released from school.

Treatment of Release: Release from school to attend state tournament competition is considered either a school-approved field trip or a school-approved vacation.

- a. School-approved field trip: Coach/Director or school representative will be responsible for the supervision of this activity. The Activities Director will set a common release time.
- b. School-approved vacation: The school is not in direct supervision of this activity. The parent/guardian or their designee will be responsible for supervision of the student.

B. Staff Release

Staff may be released from the building to attend state tournament competitions if (a) prior approval is received from the building principal (superintendent for district-wide staff) before the state tournament competition, and (b) no additional district funds are used in order to provide a substitute for the staff member (i.e. overload or substitute pay). Staff members who are eligible for personal leave may use such leave to attend state tournament competitions in accordance with the requirements for approval of personal leave. Personal leave cannot be used in less than full-day increments under the provisions of this policy. There may be uncontrollable circumstances that could result in a staff member being released to attend an event following the approval by the Principal and Superintendent.



Adopted: August 9, 2004

MSBA/MASA Model Policy 608

Orig. 1995

Revised: 8/28/06; 10/27/08; 1/11/10; 8/8/16
4/9/18; 6/10/19; 5/26/20; 6/14/21; 6/27/22
6/26/23

Rev. 2022

608 INSTRUCTIONAL SERVICES – SPECIAL EDUCATION

I. PURPOSE

- A. The purpose of this policy is to set forth the position of the school board on the need to provide special educational services to some students in the school district.

II. GENERAL STATEMENT OF POLICY

- A. The school board recognizes that some students need special education and further recognizes the importance of providing a free appropriate public education and delivery system for students in need of special education.

III. RESPONSIBILITIES

- A. The school board accepts its responsibility to identify, evaluate and provide special education and related services for children with a disability who are properly the responsibility of the school district and who meet the criteria to qualify for special education and related services as set forth in Minnesota and federal law.
- B. The school district shall ensure that all qualified children with a disability are provided special education and related services that are appropriate to their educational needs.
- C. When such services require or result from interagency cooperation, the school district shall participate in such interagency activities in compliance with applicable federal and state law.

Legal References:

Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 125A.02 (Child with a Disability Defined)
Minn. Stat. § 125A.027 (Rulemaking)
Minn. Stat. § 125A.03 (Special Instruction for Children with a Disability)
Minn. Stat. § 125A.08 (Individualized Education Programs)
Minn. Stat. § 125A.15 (Placement in Another District; Responsibility)
Minn. Stat. § 125A.29 (Responsibility of County Boards and Schools Boards
20 U.S.C. § 1400 *et seq.* (IDEA, Individuals with Disabilities Education Act)

Cross References:

MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)

MSBA/MASA Model Policy 508 (Extended School Year for Certain Students with Individualized Education Programs)

MSBA/MASA Model Policy 509 (Enrollment of Nonresident Students)

MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)





Adopted: August 9, 2004

MSBA/MASA Model Policy 611

Orig. 1996

*Revised: 7/11/05; 8/28/06; 7/25/16; 6/10/19
7/27/20; 6/14/21; 6/27/22; 6/26/23*

Rev. 2017

611 HOME SCHOOLING

I. PURPOSE

The purpose of this policy is to recognize and provide guidelines in accordance with state law for parents who wish to have their children receive education in a home school that is an alternative to an accredited public or private school.

II. GENERAL STATEMENT OF POLICY

The Compulsory Attendance Law (Minnesota Statutes section 120A.22) provides that the parent or guardian of a child is primarily responsible for assuring that the child acquires knowledge and skills that are essential for effective citizenship.

III. CONDITIONS FOR HOME SCHOOLING

The person in charge of a home school and the school district must provide instruction and meet the requirements specified in Minnesota Statutes section 120A.22.

IV. IMMUNIZATION

The parent or guardian of a home-schooled child shall submit statements as required by Minnesota Statutes section 121A.15, Subds. 1, 2, 3, 4, and 12 on the appropriate Minnesota Department of Education form, to the superintendent of the school district in which the child resides by October 1 of the first year of home schooling in Minnesota and the grade 7 year.

V. TEXTBOOKS, INSTRUCTIONAL MATERIAL, STANDARD TESTS

Upon formal request as required by law, the school district will provide textbooks, (including a teacher's edition, guide, or other materials that accompany a textbook when the edition, guide, or materials are packaged physically or electronically with textbooks for student use), individualized instructional or cooperative learning materials software or other educational technology, and standardized tests and loan or provide them for use by a home-schooled child as provided under state law. The school district is not required to expend any amount for this purpose that exceeds the amount it receives pursuant to state law for this purpose. If curriculum has both physical and electronic components, the school district will, at the request of the student or the student's parent or guardian, make the electronic component accessible to a resident student provided that the school district does not incur more than an incidental cost as a result of providing access electronically.

VI. PUPIL SUPPORT SERVICES

Upon formal request as required by law, the school district will provide pupil support services in the form of health services and counseling and guidance services to a home-schooled child as provided under state law. The school district is not required to expend an amount for any of these purposes that exceeds the amount it receives pursuant to state law for any of these purposes.

VII. EXTRACURRICULAR ACTIVITIES

Resident pupils who receive instruction in a home school (where five or fewer students receive instruction) may fully participate in extracurricular activities of the school district on the same basis as other public school students.

VIII. SHARED TIME PROGRAMS

Enrollment in class offerings of the school district.

- A. A home-schooled child who is a resident of the school district may enroll in classes in the school district as a shared time pupil on the same basis as other nonpublic school students. The provisions of this policy shall not be determinative of whether the school district allows the enrollment of any pupils on a shared-time basis.
- B. The school district may limit enrollment of shared-time pupils in such classes based on the capacity of a program, class, grade level, or school building. The school board and administration retain sole discretion and control over scheduling of all classes and assignment of shared time pupils to classes.

IX. OPTIONAL COOPERATIVE ARRANGEMENTS

A. Activities

- 1. Minnesota State High School League sponsored activities (where six or more students receive instruction in the home school or the home school students are not residents of the school district).

A home school which is a member of the Minnesota State High School League may request that the school district enter into a cooperative sponsorship arrangement as provided in Minnesota State High School League bylaws. The approval of such an arrangement shall be at the discretion of the school board.

- a. The home school must become a member of the Minnesota State High School League in accordance with the rules of the Minnesota State High School League.

- b. The home school is solely responsible for any costs or fees associated with its application for and/or subsequent membership in the Minnesota State High School League.
 - c. The home school is responsible for any and all costs associated with its participation in a cooperative sponsorship arrangement as well as any school district activity fees associated with the Minnesota State High School League activity.
2. Non-Minnesota State High School League activities where six or more students receive instruction in the home school.

A home-schooled child may participate in non-Minnesota State High School League activities offered by the school district upon application and approval from the school board to participate in the activity and the payment of any activity fees associated with the activity. However, home school students may not be charged higher activity fees than other public school students. An approval shall be granted at the discretion of the school board.

B. Transportation Services

- 1. The school district may provide nonpublic nonregular transportation services to a home-schooled child.
- 2. The school board of the school district retains sole discretion and control and management of scheduling routes, establishment of the location of bus stops, manner and method of transportation, control and discipline of school children, and any other matter relating to the provision of transportation services.

Legal References:

Minn. Stat. § 124D.03 (Enrollment Options Program)
 Minn. Stat. § 120A.22 (Compulsory Instruction)
 Minn. Stat. § 120A.24 (Reporting)
 Minn. Stat. § 120A.26 (Enforcement and Prosecution)
 Minn. Stat. § 123B.49 (Extracurricular Activities Insurance)
 Minn. Stat. § 121A.15 (Health Standards; Immunizations; School Children)
 Minn. Stat. § 123B.36 (Authorized Fees)
 Minn. Stat. § 123B.41 (Definitions)
 Minn. Stat. § 123B.42 (Textbooks; Individual Instruction or Cooperative Learning Material, Standard Tests)
 Minn. Stat. § 123B.44 (Provision of Pupil Support Services)
 Minn. Stat. § 123B.86 (Equal Treatment - Transportation)
 Minn. Stat. § 123B.92 (Transportation Aid Entitlement)
 Minn. Rules Ch. 3540 (Nonpublic Schools)

Cross References:

MSBA/MASA Model Policy 509 (Enrollment of Nonresident Students)
 MSBA/MASA Model Policy 510 (School Activities)



Adopted: June 22, 1998

MSBA/MASA Model Policy 613

*Revised: 8/9/04; 9/26/05; 9/24/07; 1/26/09; 8/10/09
9/9/13; 7/27/15; 7/25/16; 9/11/17; 6/10/19
7/27/20; 6/14/21; 6/27/22; 6/26/23*

Orig. 1997

Rev. 2022

613 GRADUATION REQUIREMENTS

I. PURPOSE

The purpose of this policy is to set forth requirements for graduation from the school district.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is that all students must demonstrate, as determined by the school district, their satisfactory completion of the credit requirements and their understanding of academic standards. The school district must adopt graduation requirements that meet or exceed state graduation requirements established in law or rule.

III. DEFINITIONS

- A. “Academic standard” means: (1) a statewide adopted expectation for student learning in the content areas of language arts, mathematics, science, social studies, physical education, or the arts, or (2) a locally adopted expectation for student learning in health, the arts, career and technical education, or world languages.
- B. “Course credit” is equivalent to a student’s successful completion of an academic trimester of study or a student’s mastery of the applicable subject matter, as determined by the school district. Successful completion is determined by obtaining a grade of D- or higher in a given course. Grading scales can be found in the SSP Secondary Student Handbook.
 - 1. SSP Secondary students may only earn weighted grades in International Baccalaureate Diploma Program courses. A list of Diploma Courses with weighted grades can be found on the SSP Secondary website.
- C. “Section 504 Accommodation” means the defined appropriate accommodations or modifications that must be made in the school environment to address the needs of an individual student with disabilities.
- D. “Individualized Education Program,” or “IEP,” means a written statement developed for a student eligible by law for special education and services.
- E. “English Learner” or “EL” student means an individual whose first language is not English and whose academic success may be negatively impacted by lack of English language proficiency.

IV. DISTRICT ASSESSMENT COORDINATOR

The Executive Director of Educational Services is the school district's District Assessment Coordinator in charge of all test procedures.

V. GRADUATION ASSESSMENT REQUIREMENTS

- A. Students' state graduation requirements, based on a longitudinal, systemic approach to student education and career planning, assessment, instructional support, and evaluation, include the following:
1. Achievement and career and college readiness in mathematics, reading, and writing, as measured against a continuum of empirically derived, clearly defined benchmarks focused on students' attainment of knowledge and skills so that students, their parents, and teachers know how well students must perform to have a reasonable chance to succeed in a career or college without the need for postsecondary remediation and which facilitates the monitoring of students' continuous development of and growth in requisite knowledge and skills; analysis of students' progress and performance levels, identification of students' academic strengths and diagnosis of areas where students require curriculum or instructional adjustments, targeted interventions, or remediation; and determination of students' learning and instructional needs and the instructional tools and best practices that support academic rigor for the student based on analysis of students' progress and performance data; and
 2. Consistent with this paragraph and Minnesota Statutes section 120B.125 (see Policy 604, Section II.H.), age-appropriate exploration and planning activities and career assessments to encourage students to identify personally relevant career interests and aptitudes and help students and their families develop a regularly reexamined transition plan for postsecondary education or employment without need for postsecondary remediation.
 3. Based on appropriate state guidelines, students with an IEP may satisfy state graduation requirements by achieving an individual score on the state-identified alternative assessments.
 4. Students meeting the state graduation requirements under this section must receive targeted, relevant, academically rigorous, and resourced instruction which may include a targeted instruction and intervention plan focused on improving the student's knowledge and skills in core subjects so that the student has a reasonable chance to succeed in a career or college without need for postsecondary remediation.
 5. Students meeting the state graduation requirements under this section and who are students grades 11 or 12 and who are identified as academically ready for a career or college are actively encouraged by the school district to participate in courses and programs awarding college credit to high school students.

Students are not required to achieve a specified score or level of proficiency on an assessment to graduate from high school.

6. A student's progress toward career and college readiness must be recorded on the student's high school transcript.

VI. GRADUATION CREDIT REQUIREMENTS

- A. Students must successfully complete, as determined by the school district, the following high school level course credits for graduation:
 1. Twelve credits of language arts sufficient to satisfy all academic standards in English language arts;
 2. Nine credits of mathematics, including three credits of algebra II or its equivalent, sufficient to satisfy all of the academic standards in mathematics. Students must satisfactorily complete three credits of algebra I by the end of 8th grade, sufficient to satisfy all of the 8th grade standards in mathematics.
 3. Nine credits of science, including at least three credits of biology, three credits of chemistry or physics, and three elective credits of science. The combination of credits must be sufficient to satisfy all of the academic standards in either chemistry or physics and all other academic standards in science.
 4. Twelve credits of social studies, encompassing at least United States history, geography, government and citizenship, world history, and economics sufficient to satisfy all of the academic standards in social studies;
 5. One credit of physical education/health;
 6. Three credits in the arts sufficient to satisfy all of the state academic standards in arts; and
 7. A minimum of 65 total credits, of which 45 are required (see 1-6 above) and at least 19 elective credits.

VII. GRADUATION CREDIT REQUIREMENTS

- A. All students must satisfactorily complete the following required Graduation Standards, in accordance with the standards developed by the Minnesota Department of Education (MDE):
 1. Minnesota Academic Standards, English Language Arts K-12;
 2. Minnesota Academic Standards, Mathematics K-12;
 3. Minnesota Academic Standards, Science K-12;
 4. Minnesota Academic Standards, Social Studies K-12;
 5. Minnesota Academic Standards, Arts K-12;
 6. Minnesota Academic Standards, Physical Education K-12

- B. All students must demonstrate their understanding of the following academic standards:
 1. School District Standards, Health (K-12);
 2. School District Standards, Career and Technical Education (K-12); and
 3. School District Standards, World Languages (K-12).

- C. The academic standards for language arts, mathematics, and science apply to all students except the very few student with extreme cognitive or physical impairments for whom an IEP team has determined that the required academic standards are inappropriate. An IEP team that makes this determination must establish alternative standards.

VIII. EARLY GRADUATION

Students may be considered for early graduation, as provided for within Minnesota Statutes section 120B.07 upon meeting the following conditions:

- A. All course or standards and credit requirements must be met;

- B. The principal or designee shall conduct an interview with the student and parent or guardian, familiarize the parties with opportunities available in post-secondary education, and arrive at a timely decision; and

- C. The principal’s decision shall be in writing and may be subject to review by the superintendent and school board.

IX. NOTICE

The students and their parents are notified of the school district’s graduation requirements through the Student Handbook that is distributed and reviewed at the beginning of each school year or upon registration. Each student must sign and return the handbook agreement form indicating they have received the handbook and agree to ask questions to any policies they do not understand.

Legal References:

Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota’s Students)
 Minn. Stat. § 120B.018 (Definitions)
 Minn. Stat. § 120B.021 (Required Academic Standards)
 Minn. Stat. § 120B.023 (Benchmarks)
 Minn. Stat. § 120B.024 (Credits)
 Minn. Stat. § 120B.07 (Early Graduation)
 Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement; Striving for the World’s Best Workforce)
 Minn. Stat. § 120B.125 (Planning for Students’ Successful Transition to Postsecondary Education and Employment; Personal Learning Plans)
 Minn. Stat. § 120B.30 (Statewide Testing and Reporting System)
 Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)
 Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)
 Minn. Rules Parts 3501.0820 (Academic Standards for the Arts)
 Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)
 Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)
 Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)
 20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

Cross References:

MSBA/MASA Model Policy 104 (School District Mission Statement)

MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)

MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)

MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)

MSBA/MASA Model Policy 616 (School District System Accountability)



Adopted: August 27, 2018

Revised: 5/26/20; 6/14/21; 6/27/22; 6/26/23

801.1 NAMING OF DISTRICT FACILITIES

I. PURPOSE

The purpose of this policy is to establish the authority for naming or renaming any building, property or portion of property owned by the South St. Paul Public Schools, Special School District 6.

II. GENERAL STATEMENT OF POLICY

The School District recognizes the importance and significance of naming school district facilities and educational programs. The District will follow policy procedures when reviewing and acting upon all nominations. Facilities are district-owned buildings and properties and include spaces within buildings as well as outdoor fields, streets and areas. Educational programs are district-approved learning opportunities that support a specific need or learning goal identified by the District.

It is the responsibility of the South St. Paul School Board to name or rename any facility owned by or educational program operated by the District.

III. PLANNING COMMITTEE

- A. If it is determined that a building, site, athletic and/or activity facility should be named or renamed, the superintendent of schools will establish a committee consisting of the following: communications director, building principal or director, two members of the staff, and if applicable, students and members of the community.
- B. When naming buildings, sites, athletic and/or activity facilities, or educational programs, the committee shall represent the entire school district.
- C. The committee shall research all necessary historical and community based information, to include available public records and data, to consider when naming facilities.
- D. The committee may solicit suggestions from the staff and as appropriate, students and members of the community for naming or renaming of a building, site, athletic and/or activity facility.
- E. The committee shall make a recommendation to the superintendent of schools and include the following in their recommendation:

1. A summary of the research of historical and community based information
 2. A summary of the suggestions/comments received from staff and as appropriate, students and members of the community.
 3. Examples of the guiding principles for character, contributions, achievements, and/or employment status that the recommended name exemplifies.
- F. The Superintendent of Schools makes the final determination to bring forth the recommendation to the South St. Paul School Board.

IV. GUIDING PRINCIPLES FOR NAMING SCHOOL BUILDINGS AND FACILITIES

The following guiding principles will be applied when considering the naming of any school property after a person; the individual must embody one or more of the following categories:

- A. Good Character
1. Be a positive role model for students and staff
 2. Exhibit behavior worthy of student emulation and imitation
 3. Demonstrates character, which exemplifies and is consistent with the Mission of the District.
- B. Contribution
1. Have made significant contributions, above and beyond, which supports the education of students through the District's mission, and impacts numerous youth, the school district, the greater South St. Paul community, the state of Minnesota, and/or nation
- C. Achievements
1. Have made significant achievements, above and beyond, which support the education of students through the District's Mission, and impacts numerous youth, the school district, the greater South St. Paul community, the state of Minnesota, and/or nation

VI. RENAMING AND REVOCATION OF SCHOOL FACILITIES

- A. Renaming
1. The School Board reserves the right to rename any asset of the school facility. Renamings shall be consistent with the review, guiding principles, and approval of process for naming in accordance with this policy.
- B. Revocation
1. The School Board reserves the right to revoke a naming if for any reason it presents risk or harm to the reputation of the school district, or if the intent of a gift of terms of a sponsorship associated with the naming cannot be fulfilled.

VI. IMPLEMENTATION

A. Legal Review

1. The District's legal counsel must review all gift agreements or contracts involving a naming prior to school board approval.

B. Administration

1. The superintendent shall establish and maintain administrative policies and procedures to implement this policy.

Legal References: 20 U.S.C. §§ 4071-74 (Equal Access Act)
20 U.S.C. § 7905 (Boy Scouts of America Equal Access Act)

Cross References: MSBA/MASA Model Policy 902 (Use of School District Facilities and Equipment)
District Policy 905 (Advertising)



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: Monday, June 26, 2023

Place on Agenda: Committee-of-the-Whole and Regular Agenda

Action Requested: Approval

Attachment: Policy 516.5 – Overdose Medication

Topic: Policy Review
Presenter(s): Superintendent Dr. Brian Zambreno
Background: School district policy #208 requires policies under review to be placed on two consecutive School Board meeting agendas for review and comment by board members, staff and community members. On the third and subsequent meeting, the policies will go before the School Board for approval. Policy further states that in the case of an emergency, a new or modified policy may be adopted by a majority vote of a quorum of the school board. The attached Overdose Medication Policy #516.5 is being recommended for emergency approval to suffice recent legislation passed in the spring of 2023.
Recommendation: Administration recommends approval of the Overdose Medication Policy #516.5.
Alternatives: N/A



Adopted: 6/26/23

MSBA/MASA Model Policy 516.5
Orig. 2023

Revised:

516.5 OVERDOSE MEDICATION

I. PURPOSE

As a means of enhancing the health and safety of its students, staff and visitors, the school district will acquire, administer, and store doses of an opiate antagonist, specifically Naloxone (Narcan)ⁱ, and administration devices or kits for emergency use to assist a student, staff member, or other individual believed or suspected to be experiencing an opioid overdose on school district property during the school day or at school district activities.

II. GENERAL STATEMENT OF POLICY

The school board authorizes school district administration to obtain and possess opioid overdose reversal medication, such as Naloxone to be maintained and administered to a student or other individual by trained school staff if the staff member determines in good faith that the person to whom the medication is administered is experiencing an opioid overdose. Authorization for obtaining, possessing and administering Naloxone or similar permissible medications under this policy are contingent upon: 1) the continued validity of state and federal law that permit a person who is not a healthcare professional to dispense an opiate antagonist to the school district and its employees by law; 2) that the school district and its staff are immune from criminal prosecution and not otherwise liable for civil damages for administering the opiate antagonist to another person who the staff member believes in good faith to be suffering from a drug overdose; and 3) the availability of funding either from outside sources or as approved by the school board to obtain and administer opioid overdose reversal medication.

III. DEFINITIONS

- A. **“Drug-related overdose”** means an acute condition, including mania, hysteria, extreme physical illness, respiratory depression or coma, resulting from the consumption or use of a controlled substance, or another substance with which a controlled substance was combined, and that a layperson would reasonably believe to be a drug overdose that requires immediate medical assistance.
- B. **“Naloxone Coordinator”** is a school district staff person or administrator appointed to monitor adherence to protocols outlined in this policy and referenced procedures. The Naloxone Coordinator is responsible for building-level administration and management of Opiate Antagonist medications and supplies. The school district’s Naloxone Coordinator is [insert title of staff person appointed as coordinator]

- C. **“Opiate”** means any dangerous substance having an addiction forming or addiction sustaining liability similar to morphine or being capable of conversion into a drug having such addiction forming or addiction sustaining liability.
- D. **“Opiate Antagonist”** means naloxone hydrochloride (“Naloxone”) or any similarly acting drug approved by the federal Food and Drug Administration for the treatment of a drug overdose.
- E. **“Standing Order”** means directions from the school district’s medical provider that sets forth how to house and administer Naloxone or other Opiate Antagonist medications to students, staff members or other individuals believed or suspected to be experiencing an opioid overdose. This Standing Order should include the following information:
 - 1. Administration type
 - 2. Dosage
 - 3. Date of issuance
 - 4. Signature of the authorized provider

IV. GENERAL STATEMENT OF POLICY AND RESPONSIBILITIES

- A. The school district must maintain a supply of opiate antagonists at each school site to be administered in compliance with Minnesota law. Each school building must have two doses of nasal naloxone available on-site.
- B. A licensed physician, a licensed advanced practice registered nurse authorized to prescribe drugs pursuant to Minnesota Statutes, section 148.235, or a licensed physician assistant may authorize a nurse or other personnel employed by, or under contract with, a public school may be authorized to administer opiate antagonists as defined under Minnesota Statutes, section 604A.04, subdivision 1.
- C. A licensed practical nurse is authorized to possess and administer an opiate antagonist in a school setting notwithstanding Minnesota Statutes, 148.235, subdivisions 8 and 9.
- D. District Collaborative Planning and Implementation Team

To the extent Naloxone is obtained for use consistent with this policy, the school district will establish a district-wide collaborative planning and implementation team (“District Planning Team”) who will oversee the general development and operations related to the use of opiate antagonist Naloxone and regularly report to the school board as to its activities.

 - 1. The District Planning Team will include the Naloxone Coordinator and may include the superintendent (or designee), school nurse, public health experts, first responders, student or family representatives, and community partners who will be assigned to the Team by the superintendent or designee or solicited as volunteers by the superintendent.

2. The District Planning Team, through the Naloxone Coordinator, will obtain a protocol or Standing Order from a licensed medical prescriber for the use of Naloxone or other Opiate Antagonist by school district staff in all school facilities and activities and will update or renew the protocol or Standing Order annually or as otherwise required. A copy of the protocol or Standing Order will be maintained in the office of the Naloxone Coordinator.
3. The District Planning Team will develop district-wide guidelines and procedures and determine the form(s) of Naloxone to be used within the school district (nasal, auto injector, manual injector) and the method and manner of arranging for the financing and purchasing, storage and use of Naloxone to be approved by the school board. Once approved by the school board, these guidelines and procedures will be attached and incorporated into this policy. At a minimum, these guidelines and procedures will:
 - a) Ensure that when Naloxone is administered, school district employees must activate the community emergency response system (911) to ensure additional medical support due to the limited temporary effect of Naloxone and the continued need of recipients of additional medical care;
 - b) Require school district employees to contact a school district healthcare professional to obtain medical assistance for the recipient of the Naloxone, if possible, pending arrival of emergency personnel;
 - c) Direct school district employees to make immediate attempts to determine if the recipient is a minor and, if so, locate the identity of the parent or guardian of the minor and ensure contact with that parent or guardian is made as soon as possible after administration of the Naloxone for the purpose of informing the parent or guardian of the actions that have been taken; and
 - d) Require school district staff to inform the building administrator or other administrator overseeing an event or activity of the administration of Naloxone, as well as the Naloxone Coordinator, after taking necessary immediate emergency steps.
4. The District Planning Team will determine the type and method of annual training, identify staff members at each school site to be trained and coordinate the implementation of the training with the assistance of the Naloxone Coordinator.

E. Site Planning Teams

1. In consultation with the District Planning Team, the administrator at each school site may establish, in the manner the superintendent or Naloxone Coordinator deems appropriate, a Site Planning Team within the school site.
2. The Site Planning Team will be responsible for the coordination and implementation of this policy, district-wide guidelines and procedures within the school site and will develop and implement any specific guidelines and procedure for the storage and use of Naloxone within the school site in a manner consistent with this policy and district wide procedures and guidelines.

F. School District Staff

1. School district staff members will be responsible for attending all required training pertaining to the policy, procedures and guidelines for the storage and use of Naloxone and performing any assigned responsibilities pursuant to the guidelines and procedures.

V. NALOXONE STORAGE

- A. The Site Planning Team will select numerous Naloxone storage locations within the school site and outside the school site when activities are conducted off school grounds (i.e., transportation services, field trips, etc.).
- B. The selected storage locations of Naloxone will be classified as non-public “security information” as the school board has determined that the disclosure of this data to the general public would be likely to substantially jeopardize the security of the medication that could be subject to theft, tampering, and improper use. Therefore, the identity of the storage locations will be shared only with those school district staff members whom the District Planning Team or Site Team have determined need access to this information to aid public health and safety as determined in the procedures and guidelines.
- C. Stock Naloxone will be clearly labeled, monitored for expiration dates, and stored in a secured location that is accessible by trained staff as set forth in paragraph V.B.

VI. Privacy Protections

The school district will maintain the privacy of students and staff related to the administration of Naloxone as required by law.

- Legal References:**
- Minn. Stat. § 13.32 (Educational Data)
 - Minn. Stat. § 13.43 (Personnel Data)
 - Minn. Stat. § 13.37 (General Nonpublic Data)
 - Minn. Stat. § 121A.21 (School Health Services)
 - Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
 - Minn. Stat. § 121A.224 (Opiate Antagonists)

Minn. Stat. § 144.344 (Emergency Treatment)
Minn. Stat. § 148.235 (Prescribing Drugs and Therapeutic Devices)
Minn. Stat. § 151.37 (Legend Drugs; Who May Prescribe, Possess)
Minn. Stat. § 152.01 (Definitions)
Minn. Stat. § 152.02 (Schedules of Controlled Substances)
Minn. Stat. § 604A.01 (Good Samaritan Law)
Minn. Stat. § 604A.015 (School Bus Driver Immunity from Liability)
Minn. Stat. § 604A.04 (Good Samaritan Overdose Prevention)
Minn. Stat. § 604A.05 (Good Samaritan Overdose Medical Assistance)
Minn. R. Pt. 6800.4220 (Schedule II Controlled Substances)
20 U.S.C. § 1232g (Family Educational and Privacy Rights)

Cross Reference: MSBA/MASA Model Policy 516 (Student Medication)
Minnesota Department of Health Toolkit on the Administration of Naloxone

ⁱ Naloxone is the medication that reverses an opioid overdose. Narcan® is the brand name for the intranasal applicator (nasal spray) form of naloxone. Naloxone usually refers to an intramuscular (IN+M) naloxone form that comes in a vial and is administered with a syringe, normally dispensed as an "IM kit."



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: Monday, June 26, 2023

Place on Agenda: Committee-of-the-Whole and Regular Agenda

Action Requested: Approval

Attachment:

Topic: 2023-2024 Independent Employee Agreement
Presenter(s): Joel Milteer, Director of Human Resources
<p>Background:</p> <p>Administration recommends a one-year agreement for 2023-2024 with employees in the Independent group, including a 3% salary increase, 2% increase to the district contribution for health insurance, and a market adjustment for two of the director positions. Independents include staff in the following employee groups: Administrators, Coordinators/Administrative Support, District Support, Technology, Student Support and Nutrition Services.</p> <p>This agreement is within the salary and benefit parameters established by the Board of Education.</p>
<p>Recommendation:</p> <p>Approval of 2023-2024 Independent Employee Agreement</p>
<p>Alternatives:</p> <p>Do not approve and direct administration with next steps.</p>



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: Monday, June 26, 2023

Place on Agenda: Committee-of-the-Whole and Regular Agenda/Business Items

Action Requested: Approval

Attachment: 2023-2028 SSABE Adult Basic Education Consortium Agreement

Topic: SSABE Adult Basic Education Consortium Agreement
Presenter(s): Community Education Director Jeanne Zehnder
<p>Background: South Suburban Adult Basic Education was established in 1974 as a service of the Community Education Departments of the school districts of South St. Paul and Inver Grove Heights and expanded in 1981 to include West St. Paul. The purpose of the agreement is to provide corporative efforts for adult basic education services, which include adult basic education, GED preparation, English as a Second Language and other applicable services. The SSABE Director will meet with District Administration and provide updates semi-annually. The Consortium Agreement will be reviewed and updated every five years.</p>
<p>Recommendation: Approval of the 2023-2028 Adult Basic Education Consortium Agreement</p>
<p>Alternatives: Do not approve the 2023-2028 Adult Basic Education Consortium Agreement and direct administration with next steps.</p>

South Suburban Adult Basic Education (SSABE) Consortium Agreement
July 1, 2023-June 30, 2028

The participating consortium members include but are not limited to:

South St. Paul (#6), Inver Grove Heights (#199) and West St. Paul (#197)

Participating school districts will provide:

- Semi-annual opportunities for District Leadership to meet with Consortium Manager to assist in program planning and budget approval process
- Appropriate instructional space, equipment and building supervision
- Space in promotional materials which are directly distributed in local district areas
- Opportunities to participate in and benefit from relevant staff development activities
- Opportunities to participate in and benefit from relevant grant seeking activities
- Support of Community Education Department(s) and District Leadership and staff to enhance adult learning through ABE
- Promote program activities utilizing a variety of outreach strategies
- Appropriate and detailed financial data regarding ABE transactions via the UFARS system required for mandated audits or to qualify for state and federal funds. This report will be included in the final report due to MN Department of Education by October 15.
- Detailed and accurate fiscal records of base population aide expenditures via the UFARS system; Base population aid expenditures will be for direct ABE services only and comply with administrative cost caps and practices as outlined in the Adult Basic Education Application Packet. Fiscal records will be placed into a final report due to the MN Department of Education by October 15.
- Notification of fiscal agent of intent to leave Consortium. Notification must occur by February 1st, with separation to occur July 1. The Existing district forfeits rights to any fund balance held by the fiscal agent. Note: Any capital held by Consortium, which was generated exclusively through grant participation with individual district(s) will remain in that district.
- Equal sharing of any deficits incurred by the Consortium.

Responsibilities of the Consortium Entity (SSABE)

The South Suburban Adult Basic Education Consortium will:

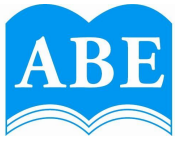
- Create organizational structure
- Develop operational guidelines and procedures
- Determine, prioritize and approve budget allocation that avoids programmatic duplications and is based on Consortium-wide needs. This will be done in conjunction with the Community Education staff and District Leadership.
- Utilize capital generated through grant participation with individual districts to maximize Consortium-wide services.
- Design and implement programs that comply with MN Department of Education and reflect best practices in adult education
- Promote program activities utilizing a variety of outreach strategies
- Explore strategic collaborations to enhance service delivery

- Collaborate with Dakota County to facilitate workforce development and education
- Provide in-service opportunities for staff
- Facilitate recruitment and training of volunteers
- Evaluate overall programming
- Communicate progress and issues to all members/collaborative partners
- Hold bi-annual meetings with District Leadership and Consortium Administration
- Collect program data

Responsibilities of the fiscal agent (South St. Paul/ Special District #6)

South St. Paul, serving as fiscal agent, will:

- Submit application materials for state, federal and other grants
- Develop and monitor budgets
- Hire staff; or in cases of certain collaborative programming, recommend staff
- Ensure compliance with applicable state statutes for affirmative action policies
- Maintain and track accurate data including learner attendance and outcomes for ABE program
- Provide space for Consortium Administration
- Provide member districts with annual report and data supporting/analyzing their specific locations
- Submit all applicable state and federal reports
- Provide assurances to state and federal authorities
- Include ABE budget as part of its yearly school district audit



SSABE Consortium Agreement

The undersigned understand and agree to items contained herein:

School board Chair, Special District 6

Date: _____

School board Clerk, Special District 6

Date: _____

School board Chair, ISD 199

Date: _____

School board Clerk, ISD 199

Date: _____

School board Chair, ISD 197

Date: _____

School board Clerk, ISD 197

Date: _____



SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: Monday, June 26, 2023

Place on Agenda: Regular Meeting

Action Requested: Approval

Attachment: 2023-24 Budget Summary
2023-24 Budget Presentation

Topic: 2023-2024 Budget Approval
Presenter(s): Brady Hoffman, Finance Director
Background: Attached are the proposed 2023-24 Budgets. The Board of Education must approve these budgets prior to June 30, 2023. The 2023-2024 Budget Summary includes a description of fund, budget assumptions and proposed 2023-2024 budget for each of the following funds: General Fund, Food Service Fund, Community Service Fund and Debt Service Fund. The proposed budgets were presented to the Board at the June 12, 2023 COW meeting. There have been no changes to the budgets presented on June 12, 2023.
Recommendation: Approval
Alternatives: N/A

South St. Paul
Public Schools



2023-2024 Budgets

First Reading: June 12, 2023
Final Approval: June 26, 2023

South St Paul Public Schools

Special School District No. 6

104 5th Ave S

South St Paul, MN 55075

www.sspps.org

651-457-9400

School Sites

Kaposia Education Center

1225 First Avenue South

Grades: PreK-5

South St Paul Secondary

700 Second Street North

Grades 6-12

Lincoln Center Elementary

357 9th Avenue North

Grades: PreK-5

Community Learning Center

710 19th Avenue North

Grades 9-12

Family Education Center

104 Fifth Avenue South

Early Childhood Family Education (ECFE)

School Board

John Raasch

Monica Weber

Nikki Laliberte

Anne Claflin

Tim Felton

Wendy Felton

Vacant

Chair

Vice Chair

Clerk

Treasurer

Director

Director

Director

Administration

Dr. Brian Zambreno

Brady Hoffman

Superintendent

Finance Director

District Financial Timeline

South St Paul Public Schools, along with all other Minnesota school districts, operates on a fiscal year from July 1 – June 30. The budget is presented to the School Board for approval each June. Management of the school district’s budget is a process that includes important steps that occur throughout the year. The life cycle of the 2023-24 budget began last fall and will conclude with the final audit scheduled for November 2024.

September 2022	The school board reviewed and approved the preliminary property tax levy for fiscal year 2023-24.
November 2022	The school board reviewed and approved the final 2021-22 audit.
December 2022	The school board reviewed and approved the final property tax levy for fiscal year 2023-24.
January 2023	The school board began the 2023-24 budget planning process by reviewing the 2023-24 budget assumptions and budget projections. The school board approved the 2023-24 Budget Guiding Change Document.
March 2023	The school board reviewed and approved the proposed budget adjustments for 2022-23.
June 2023	The school board will review and approve the 2023-24 budgets.
September 2023	The school board will review and approve the preliminary property tax levy for fiscal year 2024-25.
November 2023	The school board is scheduled to review and approve the final 2022-23 audit.
December 2023	The school board will review and approve the final property tax levy for fiscal year 2024-25.

District Financial Overview

Minnesota school districts are required by law to prepare financial reports and annual budgets. For school districts, these financial reports include the detailed tracking of revenues and expenditures within a structure known as the Uniform Financial Accounting and Reporting Standards (UFARS). The Minnesota Legislature mandated that school districts use the UFARS reporting system. This system allows school districts to meet legislative requirements, establish greater accuracy in reporting, and provide financial accountability of public funds.

A school district's operating budget is comprised of different revenue and expenditure categories called 'funds'. These funds are established within UFARS in accordance with statutory requirements and Generally Accepted Accounting Principles (GAAP). Each fund maintains its own separate revenues, expenditures and fund balances. South St Paul Public Schools currently uses five funds:

Fund #	Fund Title	Common Purpose
01	General	Used to account for the general operating costs, such as educational activities, district instructional and student support programs, student support services, operations and maintenance costs and building and district administration.
02	Food Service	Record financial activities of a school district's food service program. Food service includes activities for the purpose of preparation and service of meals, snacks and milk in connection with school and community service activities.
04	Community Service	Used to record all financial activities of the Community Service program, including Early Childhood Family Education (ECFE), School Readiness, and Adult Basic Education (ABE)
07	Debt Service	Account for revenues and expenditures for a school district's outstanding bonded indebtedness.
20	Internal Service	<p>The Internal Service Fund is used for two purposes:</p> <ol style="list-style-type: none"> 1. Record revenues and expenditures for the district's dental and medical self-insurance programs. 2. Record financial activity related to assets held in a revocable trust to finance the district's OPEB liabilities. <p>Note: No annual budget is required for these funds</p>

SPECIAL SCHOOL DISTRICT NO. 6

ALL FUNDS

Proposed 2023-2024 Budget

	General Fund	Food Service Fund	Comm Serv Fund	Debt Service Fund	TOTAL
Revenue					
Local sources					
Property taxes	\$ 11,574,482	\$ -	\$ 422,611	\$ 3,251,821	\$ 15,248,914
Other	738,832	22,827	671,466	-	1,433,125
State sources	36,345,218	530,960	900,114	-	37,776,292
Federal sources	3,197,724	1,384,468	17,300	-	4,599,492
Total revenue	<u>51,856,256</u>	<u>1,938,255</u>	<u>2,011,491</u>	<u>3,251,821</u>	<u>59,057,823</u>
Expenditures					
Current					
Salaries	28,123,062	576,493	1,403,339	-	30,102,894
Employee benefits	11,484,748	211,359	510,885	-	12,206,992
Purchased services	6,585,326	192,300	110,075	-	6,887,701
Supplies and materials	1,306,290	878,983	48,650	-	2,233,923
Other expenditures	56,770	142,130	1,270	-	200,170
Debt service	-	-	-	3,379,610	3,379,610
Capital outlay	1,969,013	25,000	2,125	-	1,996,138
Total expenditures	<u>49,525,209</u>	<u>2,026,265</u>	<u>2,076,344</u>	<u>3,379,610</u>	<u>57,007,428</u>
Net change in fund balances	2,331,047	(88,010)	(64,853)	(127,789)	2,050,395
Fund balances					
Beginning of year	<u>8,628,061</u>	<u>814,773</u>	<u>758,612</u>	<u>772,239</u>	<u>10,973,685</u>
End of year	<u>\$ 10,959,108</u>	<u>\$ 726,763</u>	<u>\$ 693,759</u>	<u>\$ 644,450</u>	<u>\$ 13,024,080</u>

General Fund – Fund 01

Budget Assumptions

Revenue

1. Property Taxes – Property taxes are budgeted based on the 2022 Payable 2023 Levy that was approved by the Board of Education on December 12, 2022.
2. Other – The primary source of revenue in this area is participation and admission fees. Revenue is based on the fees approved by the Board of Education. Other sources include the district’s student activities accounts and third party billing revenue.
3. State Sources – The following primary state funding sources have been budgeted:
 - a. General Education Revenue – the budget is based on \$7,138 per pupil unit, which is a 4% increase over the 2022-23 level of \$6,863.
 - b. Compensatory Revenue – the budget is based on the MDE’s entitlement report, which is based on the October 1, 2022 Free/Reduced student count.
 - c. Special Education Revenue – the budget is based on the special education formula and projected operating expenditures. This includes a significant increase in state funding to reduce the special education cross subsidy.
 - d. Other State Funding – budgets have been projected based on the approved levy, projected enrollment and MDE estimates.
4. Federal Sources – The district receives funding for Title I, Title II, Title III and Special Education. The district has budgeted for all federal programs at a similar or slightly lower level as 2022-23. This is the final year to use additional one-time federal funding received as a result of the COVID-19 Pandemic.
5. Enrollment – The table below shows the actual Average Daily Membership (ADM) for 2021-22, the budgeted ADM for 2022-23 and the projected ADM for 2023-24.

Grade	2021-22 Actual	2022-23 Budget	2023-24 Projected
ECSE (1)	38	47	53
VPK (2)	82	69	67
K-5	1,206	1,177	1,134
6-8	707	648	604
9-12	996	1025	978
Total	3,029	2,966	2,836

- (1) ECSE = Early Childhood Special Education
- (2) VPK = Voluntary Pre-Kindergarten

Expenditures

1. General Expenditures – The school board approved budget adjustments at their March 27, 2023 meeting. These adjustments included increases and decreases in different areas of the budget.
2. Salaries and Employee Benefits – Employee compensation is based on current collective bargaining agreements and estimates are used for any contracts that are currently in negotiations.
3. Class Size Norms – Class size norms remain unchanged from the 2022-23 school year. Staffing is based on the following class size norms:

Grade	2022-23 Norms	2023-24 Norms
K	20-24	20-24
1	21-25	21-25
2	22-26	22-26
3	23-27	23-27
4	24-28	24-28
5	25-29	25-29
6-8	27-31	27-31
9-12	29-33	29-33

4. Other Budgets – Budgets were held constant to the extent possible. Some budgets for programs and services were subject to a larger budget increase due to inflation and market demands.

SPECIAL SCHOOL DISTRICT NO. 6
General Fund
2023-2024

	2021-22 <u>Actual</u>	2022-23 <u>Budget</u>	2023-24 <u>Proposed</u>
Revenue			
Local sources			
Property taxes	\$ 7,756,125	\$ 7,713,579	\$ 11,574,482
Investment earnings	14,000	-	-
Other	2,028,226	720,332	738,832
State sources	33,603,983	33,895,157	36,345,218
Federal sources	4,330,059	4,166,381	3,197,724
Total revenue	<u>47,732,393</u>	<u>46,495,449</u>	<u>51,856,256</u>
Expenditures			
Current			
Salaries	25,900,718	26,131,526	28,123,062
Employee benefits	10,597,184	10,887,563	11,484,748
Purchased services	5,790,238	6,714,515	6,585,326
Supplies and materials	1,378,746	1,307,125	1,306,290
Other expenditures	85,556	61,170	56,770
Capital outlay	1,851,778	1,034,085	1,969,013
Total expenditures	<u>45,604,220</u>	<u>46,135,984</u>	<u>49,525,209</u>
Net change in fund balances	2,128,173	359,465	2,331,047
Fund balances			
Beginning of year	<u>6,140,423</u>	<u>8,268,596</u>	<u>8,628,061</u>
End of year	<u>\$ 8,268,596</u>	<u>\$ 8,628,061</u>	<u>\$ 10,959,108</u>
Fund Balance %			
Restricted	5.2%	6.6%	5.8%
Assigned	2.3%	2.1%	2.7%
Unassigned	10.6%	10.0%	13.6%
Total	<u>18.1%</u>	<u>18.7%</u>	<u>22.1%</u>

Food Service Fund – Fund 02

Budget Assumptions

Revenue

For the 2022-2023 school year, the district operated under the National School Lunch Program and the School Breakfast Program. On March 17, 2023, Governor Walz signed the Free School Meals bill into law. This will take effect with the July 1, 2023 - June 30, 2024 school year. This legislation provides the reimbursement for a free breakfast and lunch to students who receive meals through their school's participation in the National School Lunch Program and the School Breakfast Program.

1. Other – Primarily Meal Sales – Primary meals sales will decrease significantly with the implementation of the Free School Meals bill. Primary meal sales consist of ala carte and adult meals.
2. State Sources – State reimbursements are budgeted to increase significantly with the additional state reimbursements to provide free meals to all students.
3. Federal Sources – Federal reimbursements are based on the 2022-23 National School Lunch Program rates as the 2023-24 rates are not known at this time.

Expenditures

1. Salaries and Employee Benefits – Employee compensation is based on current employment agreements and estimates are used for wage increases and staffing adjustments.
2. Other Costs – Other costs are based on projected supplies, materials and food related costs. Inflation has resulting in larger increases that we have experienced historically.
3. Capital outlay – Capital outlay is budgeted based on expected costs related to equipment replacements in the kitchens.

SPECIAL SCHOOL DISTRICT NO. 6
Food Service Fund
2023-2024

	2021-22 <u>Actual</u>	2022-23 <u>Budget</u>	2023-24 <u>Proposed</u>
Revenue			
Local sources			
Investment earnings	\$ 1,152	\$ -	\$ -
Other - primarily meal sales	39,042	435,734	22,827
State sources	67,018	117,320	530,960
Federal sources	2,304,008	1,293,942	1,384,468
Total revenue	<u>2,411,220</u>	<u>1,846,996</u>	<u>1,938,255</u>
Expenditures			
Current			
Salaries	563,779	492,538	576,493
Employee benefits	225,773	178,972	211,359
Purchased services	188,220	187,741	192,300
Supplies and materials	974,040	828,151	878,983
Other expenditures	135,080	142,130	142,130
Capital outlay	25,354	25,000	25,000
Total expenditures	<u>2,112,246</u>	<u>1,854,532</u>	<u>2,026,265</u>
Net change in fund balances	298,974	(7,536)	(88,010)
Fund balances			
Beginning of year	<u>523,335</u>	<u>822,309</u>	<u>814,773</u>
End of year	<u>\$ 822,309</u>	<u>\$ 814,773</u>	<u>\$ 726,763</u>
Fund Balance %	<u>38.9%</u>	<u>43.9%</u>	<u>35.9%</u>

Community Service Fund – Fund 04

Budget Assumptions

Revenue

1. Property Taxes – Property taxes are budgeted based on the 2022 Payable 2023 Levy that was approved by the Board of Education on December 12, 2022. The district levies for General Community Education, Early Childhood Family Education (ECFE), Youth Services, Home Visiting and School Age Care – Disabled.
2. Other Sources – Primarily Tuition and Fees – The district collects participation fees in the following areas: Camps and Clinics, Preschool, School Age Care, Youth Development, After School Youth, Senior Citizen Programming and Early Childhood Family Education (ECFE).
3. State Sources – State funding for General Community Education, ECFE and School Readiness are based on Minnesota Department of Education (MDE) projections. State funding for Adult Basic Education (ABE), Childhood Screening and Non-Public Pupil Aid are based on district estimates.

Expenditures

1. Salaries and Employee Benefits – Employee compensation is based on current collective bargaining agreements, independent agreements, and estimates are used for any contracts that are currently in negotiations, anticipated wage increases, and staffing adjustments.
2. Other Costs – Other costs are based on projected supplies, materials and other related costs.

SPECIAL SCHOOL DISTRICT NO. 6
Community Service Fund
2023-2024

	2021-22 <u>Actual</u>	2022-23 <u>Budget</u>	2023-24 <u>Proposed</u>
Revenue			
Local sources			
Property taxes	\$ 597,737	\$ 513,150	\$ 422,611
Investment earnings	1,763	-	-
Other - primarily tuition and fees	685,307	646,316	671,466
State sources	920,525	929,648	900,114
Federal sources	152,584	17,300	17,300
Total revenue	<u>2,357,916</u>	<u>2,106,414</u>	<u>2,011,491</u>
Expenditures			
Current			
Salaries	1,316,241	1,239,864	1,403,339
Employee benefits	512,976	460,711	510,885
Purchased services	190,571	136,194	110,075
Supplies and materials	91,844	57,850	48,650
Other expenditures	1,120	1,270	1,270
Capital outlay	17,741	1,125	2,125
Total expenditures	<u>2,130,493</u>	<u>1,897,014</u>	<u>2,076,344</u>
Net change in fund balances	227,423	209,400	(64,853)
Fund balances			
Beginning of year	<u>321,789</u>	<u>549,212</u>	<u>758,612</u>
End of year	<u>\$ 549,212</u>	<u>\$ 758,612</u>	<u>\$ 693,759</u>
Fund Balance Components			
Community Education Programs	\$ 396,475	\$ 541,629	\$ 451,995
Early Childhood Family Education	52,840	69,863	57,916
School Readiness	37,146	64,877	98,117
Adult Basic Education	62,751	82,243	85,733
Total	<u>\$ 549,212</u>	<u>\$ 758,612</u>	<u>\$ 693,761</u>

Debt Service Fund – Fund 07

Budget Assumptions

Revenue

1. Property Taxes – Property taxes are budgeted based on the 2022 Payable 2023 Levy that was approved by the Board of Education on December 12, 2022. The district is required to levy 105% of the scheduled bond principal and interest payments.

Expenditures

1. Principal and Interest – The district makes payments based on the scheduled bond principal and interest payments.
2. Fiscal Charges and Other – The district incurs trustee costs related to the payments on the bonds.

SPECIAL SCHOOL DISTRICT NO. 6
Debt Service Fund
2023-2024

	2021-22 <u>Actual</u>	2022-23 <u>Budget</u>	2023-24 <u>Proposed</u>
Revenue			
Local sources			
Property taxes	\$ 2,997,174	\$ 3,012,550	\$ 3,251,821
Investment earnings	4,867	76,500	-
Other sources	-	-	-
Total revenue	<u>3,002,041</u>	<u>3,089,050</u>	<u>3,251,821</u>
Expenditures			
Debt Service			
Principal	1,975,000	1,855,000	2,300,000
Interest	1,010,338	1,115,532	1,073,110
Fiscal charges and other	107,861	157,687	6,500
Total expenditures	<u>3,093,199</u>	<u>3,128,219</u>	<u>3,379,610</u>
Other financing sources (uses)			
Bond Proceeds	14,787,044	9,995,187	-
Refunding Bond Payment	(14,685,000)	(9,920,000)	-
Total other financing sources (uses)	<u>102,044</u>	<u>75,187</u>	<u>-</u>
Net change in fund balances	10,886	36,018	(127,789)
Fund balances			
Beginning of year	<u>725,335</u>	<u>736,221</u>	<u>772,239</u>
End of year	<u>\$ 736,221</u>	<u>\$ 772,239</u>	<u>\$ 644,450</u>

FY24 Adopted Budget

Brady Hoffman
Director of Finance
June 26, 2023



Overview

- General Fund
- Food Service Fund
- Community Service Fund
- Debt Service Fund



Budget Process

January – Board reviews 2023-24 budget information

Feb-March – Budget recommendations developed

March-April – Board reviews 2023-24 adjustments

April-May – Finance staff prepares 2023-24 budgets

June – Board reviews and approves 2023-24 budgets

Overall Budget Assumptions

- **Revenue Assumptions:**

- **Basic Formula Allowance** Increase of 4% (\$7,138 per pupil unit) for FY24
 - Increase of 2% for FY25 (FY26 and beyond is attached to inflation with a floor of 2% and a cap of 3%)
- **COVID-19 Federal Relief Funding** has been utilized to offset budget reductions. This is the final year these funds are available which will result in a large revenue decrease for FY25.
- **Special Education Cross-Subsidy Aid** is being increased significantly. The cross-subsidy reduction is increased to 44% from 6.43% for FY24
- **Other Funding Increases:**
 - English Learner Cross Subsidy Aid
 - New Student Support Personnel Aid
 - New Library Aid
 - American Indian Aid



Overall Budget Assumptions

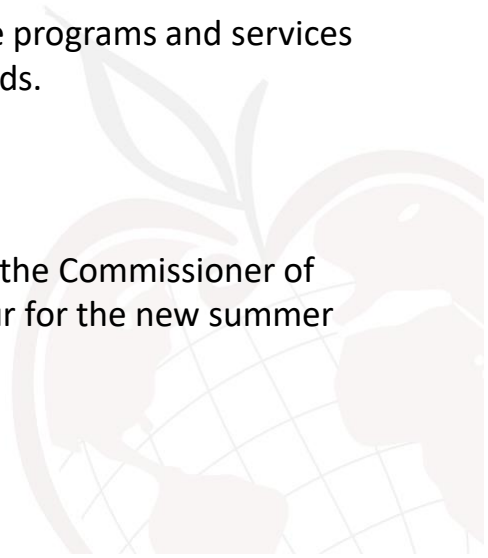
- **Expenditure Assumptions**

- Salary & Benefits - % increases for known settlements and contract changes. Estimates for any unsettled contracts currently in negotiations. Increases for known benefit changes (i.e., TRA)
- Additional academic and student support positions funded through voter approved levy increase and additional compensatory funding.
- Non-salary items – Budgets were held constant to the extent possible. Some programs and services were subject to a larger budget increases due to inflation and market demands.

- **Other Variables**

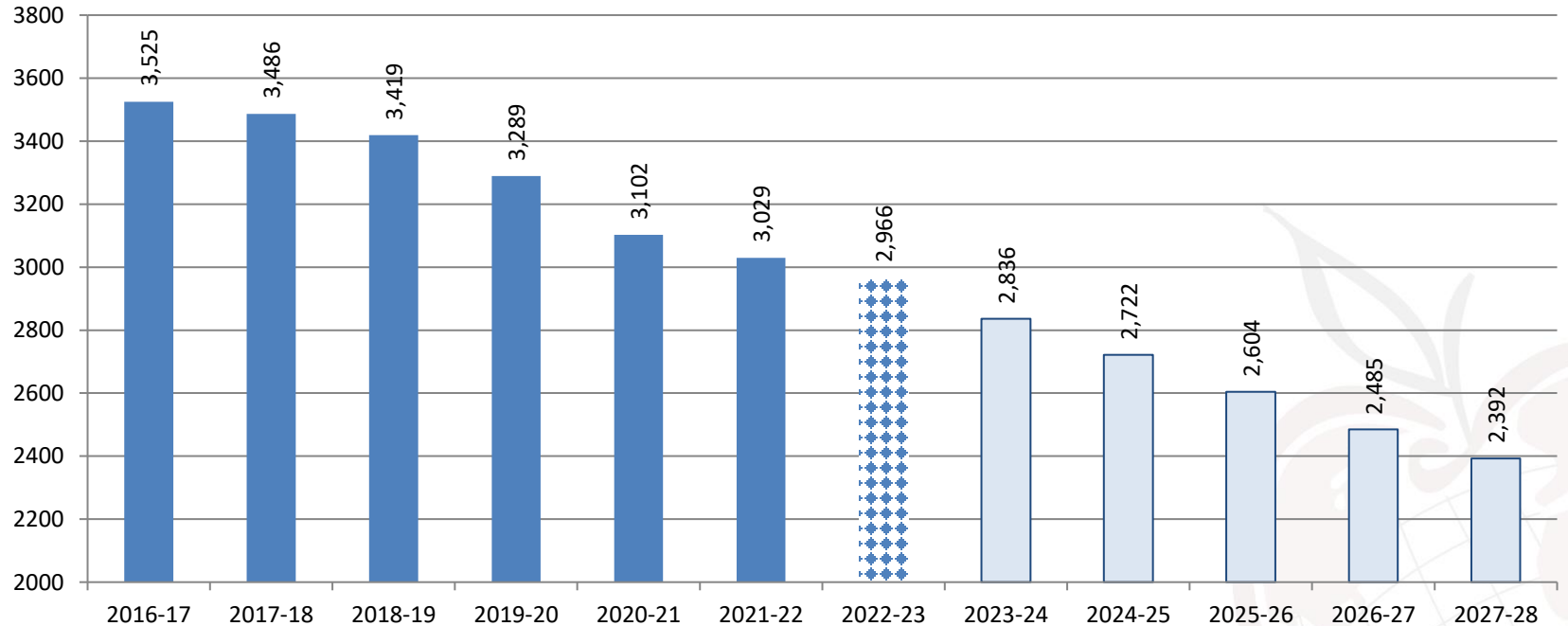
- Unemployment for hourly employees during summer months
 - Aid established but the reimbursement process is to be determined by the Commissioner of Education. It is unknown if this will cover the full cost that we may incur for the new summer unemployment eligibility for hourly school employees

- **Enrollment** – Projecting declining enrollment over the next 5 years

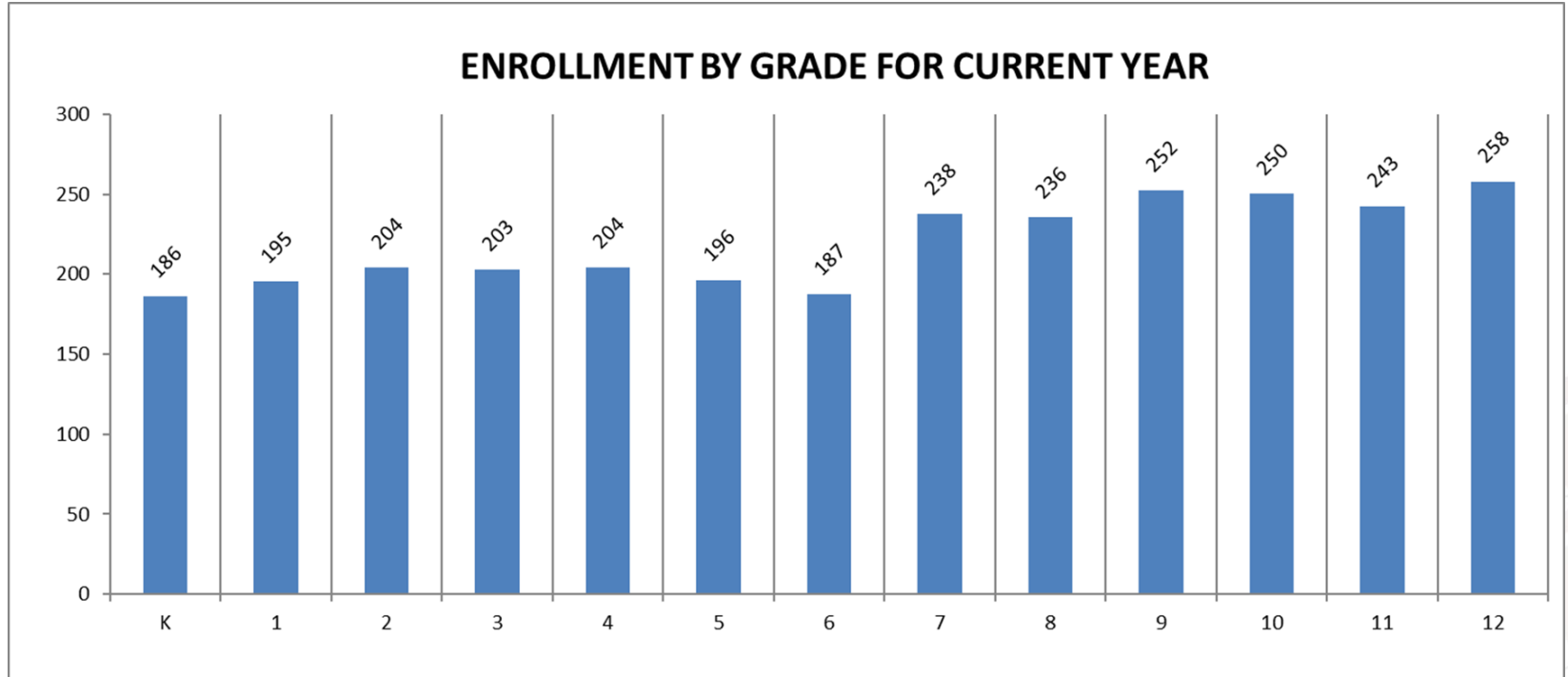


Enrollment Projection

ENROLLMENT HISTORY & PROJECTED TOTAL ENROLLMENT



FY23 Projected ADM's



General Fund Summary

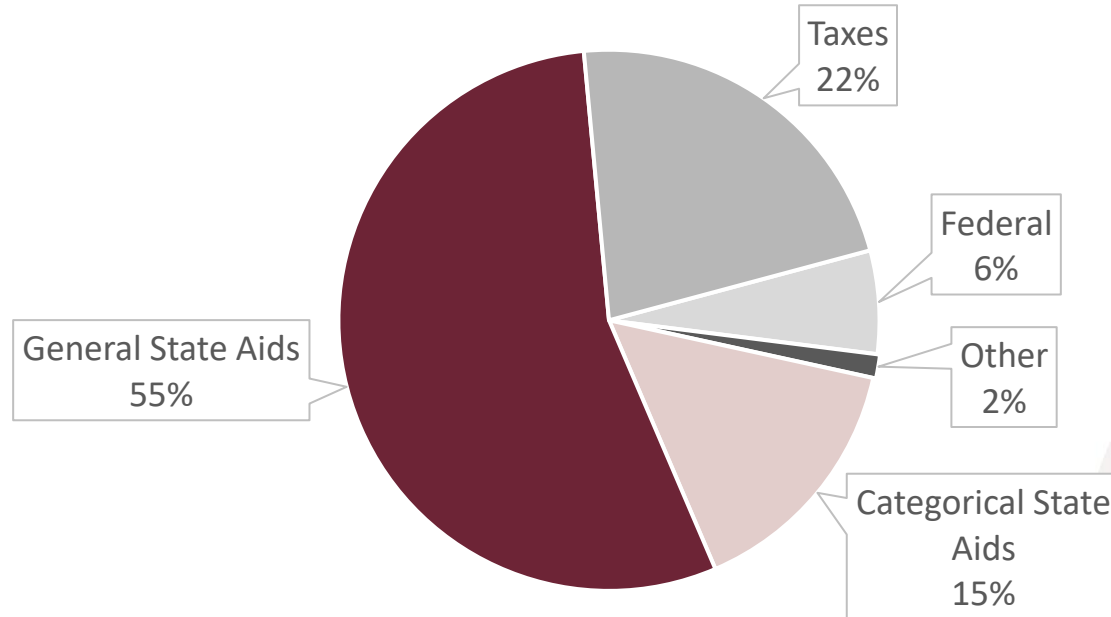
	Actual 2021-22	Revised Budget 2022-23	Proposed Budget 2023-24	Projected 2024-25	Projected 2025-26
Enrollment	3,029	2,966	2,836	2,722	2,604
Total Beginning Fund Balance	\$ 6,140,423	\$ 8,268,596	\$ 8,628,061	\$ 10,959,108	\$ 9,999,037
Revenues	47,732,393	46,495,449	51,856,256	49,263,443	48,770,809
Expenditures	45,604,220	46,135,984	49,525,209	50,223,514	50,931,666
Variance (Revenues - Expenditures)	2,128,173	359,465	2,331,047	(960,071)	(2,160,857)
Total Ending Fund Balance	\$ 8,268,596	\$ 8,628,061	\$ 10,959,108	\$ 9,999,037	\$ 7,838,180
Unassigned Fund Balance %	10.59%	10.04%	13.67%	11.57%	7.16%

General Fund Proposed Budget

	6/30/2023 Beginning Fund Balance	Adopted Budget		Fund Balance Buildup/(Usage)	6/30/2024 Ending Fund Balance
		2023-24 Revenues	2023-24 Expenditures		
General Fund					
Unassigned	4,634,205	41,342,138	39,206,560	2,135,578	6,769,783
Assigned	983,444	810,670	465,437	345,233	1,328,677
Restricted:					
Student Activities	239,317	175,000	175,000	-	239,317
Gifted & Talented	82,088	40,497	86,870	(46,373)	35,715
Medical Assistance	113,852	100,000	140,000	(40,000)	73,852
Staff Development	101,320	444,720	475,123	(30,403)	70,917
Safe Schools	228,372	102,573	117,300	(14,727)	213,645
Operating Capital	1,125,612	1,223,842	1,270,435	(46,593)	1,079,019
Long-Term Facilities Maintenance	466,000	1,240,091	1,240,091	-	466,000
Capital Projects Levy	367,066	834,135	834,135	-	367,066
Debt Reduction	251,503	28,332	-	28,332	279,835
Flexible Benefits	35,282	200,000	200,000	-	35,282
Total Restricted	3,010,412	9,703,448	9,853,212	(149,764)	2,860,648
Total General Fund	8,628,061	51,856,256	49,525,209	2,331,047	10,959,108
<i>Unrestricted Fund Balance %</i>	<i>12.18%</i>				<i>16.35%</i>
<i>Unassigned Fund Balance %</i>	<i>10.04%</i>				<i>13.67%</i>

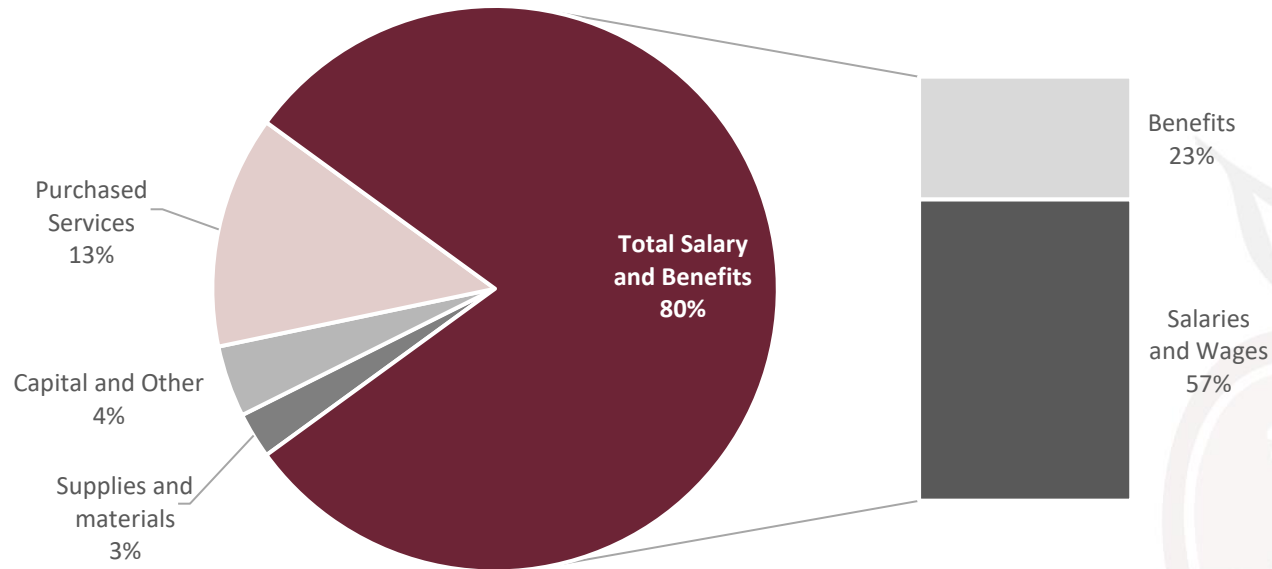
General Fund Revenue by Source

Total Revenues = \$51,856,256



General Fund Expense by Type

Total Expenditures = \$49,525,209



Benefits
23%

Salaries
and Wages
57%

FY24 Budget Update

- Fund 02 – Nutrition Services

- Free School Meals for Kids – State will provide reimbursement for breakfast and lunch starting July 1, 2023
- Waiting on MDE to provide clarification on the reimbursement process.
- Impacts of inflation:
 - Food – 8%
 - Wages – Lagging the market



FY24 Community Education

- Fee Structure –routine increases for school age care and preschool.
- Adult Basic Education – Funding was held harmless during COVID. The hold harmless is no longer in place for FY24. Based on the current legislation, it appears our revenue will decrease approximately \$20,000, which is better than initially anticipated.
- We were able to retain the SAC disabled levy funds from COVID which has helped provide a much-needed fund balance cushion as we continue to bring programs back post-COVID.



FY24 – Debt Service

- The debt service fund accounts for the revenues and expenditures for the school district's outstanding bonded indebtedness
- The district is required to levy 105% of the scheduled bond principal and interest payments
- As the fund balance accumulates over time, there is a debt excess fund balance calculation performed by MDE that will reduce future tax levies and return those funds to our taxpayers



Other Funds Summary

	6/30/2023 Beginning Fund Balance	Adopted Budget		Fund Balance Buildup/(Usage)	6/30/2024 Ending Fund Balance
		2023-24 Revenues	2023-24 Expenditures		
General Fund	8,628,061	51,856,256	49,525,209	2,331,047	10,959,108
Food Service	814,773	1,938,255	2,026,265	(88,010)	726,763
Community Education Restricted:					
Regular Community Education	541,018	1,036,300	1,125,936	(89,636)	451,382
Early Childhood Family Education	69,863	272,983	284,930	(11,947)	57,916
School Readiness	64,877	295,208	261,968	33,240	98,117
Adult Basic Education	82,243	382,000	378,510	3,490	85,733
Restricted for Community Education	612	25,000	25,000	-	612
Total Community Education	758,612	2,011,491	2,076,344	(64,853)	693,759
Debt Service	772,239	3,251,821	3,379,610	(127,789)	644,450
Total All Funds	10,973,685	59,057,823	57,007,428	2,050,395	13,024,080

Next Steps

- June 26 - School Board approval of 2023-24 Budgets





SOUTH ST. PAUL PUBLIC SCHOOLS

School Board Agenda Item

Meeting Date: June 26, 2023

Place on Agenda: Committee-of-the-Whole and Regular Business Meeting

Action Requested: Approval – Student Rights and Responsibilities Handbook
Information Only – SSPPS Family Handbook
Information Only – Building and Program Guidebooks

Attachments: 2023-24 Student Rights and Responsibilities Handbook
2023-24 Family Handbook
2023-24 Program and School Guidebooks

Topic: 2023-24 Handbooks and Guidebooks
Presenter(s): Dr. Brian Zambreno, Superintendent of Schools
<p>Background:</p> <p>The South St. Paul Public Schools overhauled its various handbooks a few years ago in an effort to streamline policies and procedures for students and families.</p> <ul style="list-style-type: none"> • SSPPS Student Rights and Responsibilities Handbook: (Requesting Approval) <ul style="list-style-type: none"> ○ Audience – SSPPS Students and Families (Gr Prek-12) ○ Purpose – This publication outlines unified, developmentally appropriate behavioral expectations for students across the district, and gives common vocabulary to restorative practices, and disciplinary responses. • SSPPS Family Handbook: (Information Only) <ul style="list-style-type: none"> ○ Audience – All SSPPS Families PreK-12 ○ Purpose – Content satisfies all of the legal annual notification requirements of the school district. It includes information that is common across the district (e.g. data privacy, food/nutrition, pesticides, asbestos, etc.) as well as other district information of interest (e.g. school closing, community education, cultural liaisons, etc.). • Programs and School Guidebooks: (Information Only) <ul style="list-style-type: none"> ○ Programs–SSP Secondary Student Activities Dept., Community Preschool, ECFE, Kids’ Choice and Adult Basic Education (ABE) Guidebooks ○ Schools – Elementary, Middle School, and High School Guidebooks ○ Audience – Students and Families ○ Purpose – Guidebooks include specific information about procedures that are unique to the specific programs and/or schools, including but not limited to: contact information, calendars, building hours and daily schedules, evacuation and emergency plans, fees, technology, transportation, etc.
<p>Recommendation:</p> <p>Administration requests Board approval for the Students Rights and Responsibilities Handbook</p>
<p>Alternatives:</p> <p>Do not approve the Student Rights and Responsibilities Handbook and direct administration with next steps.</p>



SOUTH ST. PAUL PUBLIC SCHOOLS

STUDENT RIGHTS & RESPONSIBILITIES

2023-2024

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Upon request, the district will make the Student Rights & Responsibilities Handbook available in languages other than English. If you would like to receive this information in another language, please contact your school.

Si usted desea recibir esta información en español, por favor contactese con su escuela.
ይህንን መረጃ በስፓኒሽ ለመቀበል ከፈለጉ እባክዎን ትምህርት ቤትዎን ያነጋግሩ
yihinini mereja besipanishi lemek’ebeli kefelegu ibakiwoni timihiriti betiwoni yanegagiru



SUPERINTENDENT'S MESSAGE

June 2023

Dear South St. Paul Public Schools Families,

In South St. Paul Public Schools (SSPPS), we are dedicated to providing our students and staff with a safe, welcoming and culturally responsive environment to learn and work. We strive to provide the support our students need to stay in school and learn. The Student Rights and Responsibilities Handbook is designed to assist the district in accomplishing its mission to ignite a passion in every learner to inquire, continuously improve and engage in positively changing our world.

We want to encourage a learning environment of mutual respect, problem-solving and restorative practices among all students and staff at every school. In partnership with the School Board, the district has developed comprehensive policies and procedures that define our students' rights and responsibilities and provide for a positive learning environment. This handbook serves as a resource for students and families in understanding these policies and expectations as well as their alignment with district procedures. District staff will be reviewing this information with students at the beginning of the school year. In addition, we ask you to also review this important document and discuss it with your student(s).

I thank you for your continued partnership as we strive to prepare each and every student for their next step. Together we can help our students stay in class and school so they can take advantage of the many learning opportunities available to them every day.

Sincerely,



Dr. Brian Zambreno
Superintendent
South St. Paul Public Schools



LEADERSHIP TEAM

SSP SCHOOL BOARD

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Nikki Laliberte

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nlaliberte@sspps.org

DISTRICT LEADERSHIP

District Office

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Director of Human Resources

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jmilteer@sspps.org

Director of Technology

Christina Moses
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cmoses@sspps.org



SCHOOL LEADERSHIP



EARLY LEARNING/FAMILY EDUCATION CENTER (BIRTH-5)

104 Fifth Ave South, South St. Paul, MN 55075
(651) 457-9418

Jeanne Zehnder

Director
(651) 306-3634
jzehnder@sspps.org



KAPOSIA EDUCATION CENTER (GRADES PREK-5)

1225 First Avenue South, South St. Paul, MN 55075
(651) 451-9260

Terry Bretoi

Principal
(651) 451-9260 | ext. 6306
tbretoi@sspps.org

Jody Hansen

Asst. Principal
(651) 451-9260 | ext. 6307
jhansen@sspps.org



LINCOLN CENTER (GRADES PREK-5)

357 Ninth Avenue North, South St. Paul, MN 55075
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Theresa Starkman

Principal
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SSP SECONDARY (GRADES 6-12)

700 North Second Street, South St. Paul, MN 55075
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Leah Bourg

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SSP COMMUNITY LEARNING CENTER (GRADES 10-12)

710 - 19th Avenue North, South St. Paul, MN 55075
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Chuck Ochocki

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Robin Schwab

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DISTRICT MISSION AND CORE VALUES

SSPPS MISSION (OUR CORE PURPOSE)

Ignite a passion in every learner to inquire, continuously improve and engage in positively changing our world.

SSPPS CORE VALUES (WHAT DRIVES OUR WORDS AND ACTIONS)

Compassion

Be kind, fair and just toward all people because of who we are

Equity

Provide equal access to opportunities in academics, student services and activities

Excellence

Strive for the/our best in all we do with high expectations for all

Integrity

Do the right thing even when no one is watching, and keep our promises

Resilience

Be able to bounce back from challenges and disappointments with confidence and hope

Respect

Honor our similarities and differences in our assumptions, inquiries, words and actions



GENERAL PRINCIPLES AND STRATEGIES

In pursuit of our district mission, SSPPS has high expectations for student behavior and requires that all students demonstrate responsibility and appropriate behavior in the classroom, on school grounds, and at school-sponsored events and activities. SSPPS is committed to providing a safe, supportive and orderly educational environment for all students.

SSPPS's approach to student discipline is designed to utilize evidence-based research in an effort to avoid situations in which students are unnecessarily removed from the classroom environment. To that end, SSPPS employs several strategies and frameworks to help create positive learning environments.

K-12 Instructional Coordinator

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High School, Instructional Coordinator

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MINNESOTA'S FIRST IB WORLD SCHOOLS DISTRICT

SSPPS is the first district in Minnesota to be authorized by the IB programs serving students from kindergarten through grade 12. The focus of the IB curriculum is cross-disciplinary and is based on the inquiry method of instructional practice. IB provides a model for high standards in education for all students. The PYP and MYP programs provide an educational framework based on what is currently known about how students learn and draw upon best practices for teaching and learning. Through the IB Program, all students are invited to discover for themselves that learning can be an exciting, challenging, and rewarding process of exploring the world around us.

IB Primary Years Programme (PYP)

Designed for all students in grades K-5. It focuses on the development of the whole child as an inquirer, both in the classroom and in the world outside.

IB Middle Years Programme (MYP)

Serves all students in grades 6-10. It focuses on providing a framework for academic challenge and life skills.

IB Diploma Programme (DP)

A rigorous academic program for grade 11 and 12 students. It focuses on creativity, innovation, self-discipline and the ability to function as part of a team. The Diploma Program consists of a common pre-university curriculum and a common set of external exams for students in schools throughout the world. It seeks to provide students with an international education that encourages an understanding and appreciation of other cultures and societies. For more information on the IB-DP program, contact our IB-DP Coordinator.

Conrad Anderson

SSP Secondary IB-DP Coordinator
(651) 457-9454

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Sunset of PYP and MYP

As part of the [Pathway to Packer Promise](#), students and families will experience IB programming in 2023-24 while the district simultaneously works through steps to explore a new academic program model and sunset PYP/MYP for 2024-25. SSP High School will continue to offer the IB Diploma Programme for interested students in grades 11-12.

MULTI-TIERED SYSTEMS OF SUPPORT (MTSS)

Our academic and student support team in each school includes teachers and paraprofessionals, mental health professionals (counselors, psychologists, and social workers), and instructional leaders (administrators and instructional coaches). This team works collaboratively to provide high-quality instruction and intervention support to match each student's needs.

- The framework for MTSS in SSPPS includes:
- Tier 1: Academic and behavioral support with differentiated instruction for all students in a general education setting.
- Tier 2: Targeted supplemental instruction and intervention
- Tier 3: Intensive individualized instruction and intervention

POSITIVE BEHAVIOR INTERVENTION AND SUPPORTS (PBIS)

PBIS is a framework that assists schools in identifying and implementing research-based behavioral interventions in an effort to improve social and academic outcomes for all students. PBIS is based on the idea that students learn appropriate behavior through instruction, practice, feedback, and encouragement. Key features of PBIS include: outlining a clear set of defined positive expectations and behaviors, the teaching of expected behaviors, recognition of meeting expected behaviors, monitoring and correcting errors in behaviors, and using data-based information for decision-making, monitoring, and evaluating results at individual school sites.

BUILDING ASSETS, REDUCING RISKS (BARR)

BARR is a strengths-based educational model that will provide our grades K-12 with a comprehensive method to address the academic, social, and emotional needs of all students through the power of data and relationships. By putting relationships first, the BARR model allows students and teachers to connect more powerfully with each other. A key component is the weekly lessons focused on helping students learn and practice life skills. Called "I-Times" or "U-Times," these lessons focus on building skills in self-management, communication, social, research, or thinking;



CONSCIOUS DISCIPLINE (CD)

CD is an innovative social-emotional learning and classroom management program with a proven track record of sustainable results. Focused in Early Learning, CD provides an array of behavior management strategies and classroom structures that teachers can use to turn everyday situations into learning opportunities. By integrating social-emotional learning, discipline and self-regulation, educators spend less time policing behavior and more time teaching vital life skills. This method eliminates the need for reward and punishment-style discipline and instead gives children a voice, empowering them with the ability and help to achieve behavioral goals, while also creating stronger communication within families.

Each school site has a leadership team responsible for creating specific school-wide examples of appropriate behavior and academic interventions based on the framework of MTSS. By braiding the research-based principles and proven strategies including PBIS, BARR, and Conscious Discipline, SSPPS hopes to better ensure safe and supportive learning environments at all levels, early learning through graduation.

STUDENT CODE OF CONDUCT

It is the responsibility of the School Board to set reasonable policies and rules for governing behavior and conduct while in the school environment. These policies and rules apply any time a student is present on district property, at a school-sponsored activity, and while traveling in district vehicles.

In addition, students who are participants in district activities need to understand the behavioral expectations and consequences for violations as outlined by the Minnesota State High School League and the district related to chemical use, hazing or any other infraction covered by the High School League or district policies or rules.

While this policy pertains to all schools in the district, the School Board recognizes the uniqueness of each building and classroom in which the policy must be implemented. This policy may be supplemented by additional policies, rules and procedures that recognize those unique needs.

STUDENT BILL OF RIGHTS AND RESPONSIBILITIES

RIGHTS	RESPONSIBILITIES
You have the RIGHT to be treated with respect and dignity by your fellow students, teachers and other school employees without regard to race, religion, sex, sexual orientation including gender identity and expression, age, disability or family structure.	You have a RESPONSIBILITY to treat your fellow students and all school employees with respect.
You have the RIGHT to be treated as a unique individual with different needs, learning styles and abilities.	You have a RESPONSIBILITY to complete assignments to the best of your ability and to adapt to different teachers and teaching styles.
You have the RIGHT , along with your parents, to participate in decisions affecting your educational program	You and your parents have a RESPONSIBILITY to actively participate in conferences and meetings held on your behalf.
You have the RIGHT to a comprehensive curriculum.	You have a RESPONSIBILITY to take advantage of the curriculum
You have the RIGHT to expect a building environment that is safe, clean and comfortable.	You have a RESPONSIBILITY to do your part in maintaining the safety, cleanliness and comfort of that environment.
You have the RIGHT to attend classes where dedicated, caring teachers are well prepared to teach.	You have a RESPONSIBILITY to be well prepared to learn.



SSPPS PHILOSOPHY REGARDING LEARNING AND DISCIPLINE

Optimum learning occurs in a positive, safe and secure environment. Students, parents/guardians, teachers, administrators and other school employees all share in the responsibility to ensure a positive climate for learning.

The school setting enables students to develop responsible behaviors and habits that will serve them now and later in life. Proper training in discipline should lead to self-control and respect for the law, authority, property and the rights of others.

While self-discipline is the ideal, it is understood that corrective measures will be required at times. When it becomes necessary to enforce the consequences of discipline violations as outlined in district policy, the consequences are enforced in a manner that respects the dignity of the student and promotes healthy and responsible behavior.

Discipline is a learning experience, not just a punishment. To that end, SSPPS believes discipline will serve to:

- Help the student learn a lesson that will positively affect present and future behavior;
- Help the student control and change behavior, and guide the student into adulthood;
- Help the student to grow intellectually and emotionally; and
- Enhance the student's self-confidence, self-worth and self-image.

ROLES AND RESPONSIBILITIES

Students

All students are held individually responsible for their behavior and for knowing and adhering to the Student Code of Conduct.

Parents or Legal Guardians

Parents and guardians are responsible for the behavior of their children as determined by law and community practice. They are expected to partner with school authorities and to participate regarding the behavior of their children.

Teachers

All teachers have responsibility for providing a well-planned teaching and learning environment and have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers will ensure acceptable student behavior. A teacher may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

Other School District Employees

All school district employees are responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior are as authorized and directed by the superintendent. A school employee or other agent of a school district may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.

Principal and Assistant Principals

The school principal is given the responsibility, authority and sole discretion to formulate building rules necessary to enforce this policy, subject to superintendent review. The principal will give direction and support to all school employees performing their duties within the framework of this policy. The principal or designee will consult with parents of students conducting a manner contrary to the policy. The principal will also involve other professional employees in the behavior referrals and make use of those agencies appropriate for assisting students and parents. A principal may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

Superintendent

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

School Board

The school board holds all school employees responsible for the maintenance of order within the school district and supports all employees acting within the framework of the district's discipline policy.



OUR COMMITMENT TO ANTI-BULLYING

South St. Paul Public Schools believes that a safe and civil learning environment is needed to learn and attain high academic standards and to promote healthy human relationships. To address concerns raised by students, parents and staff about student behavior, bullying and harassment in SSPPS, an administrative workgroup continues to review and refine improvements of district efforts regarding anti-bullying and harassment, with a focus on enhancing and improving prevention, identification and response. The workgroup focuses on three key areas: updating instructional materials for all students; professional development for all staff; and updates to handbooks and websites to make it easier to understand, report and access resources.

POLICY 514- BULLYING PROHIBITION

The act of bullying, including cyber-bullying, is prohibited on school property, at school functions, or on district transportation.

- Bullying means intimidating, threatening or harming conduct which is objectively offensive, and
 - Creates an imbalance of power between engaging students
 - Substantially interferes with a student's ability to perform or participate
 - Is directed at any student based on race, ethnicity, color, religion, immigration status, sex, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status, disability, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA).
- Any person who believes they have been a target or victim of bullying will immediately report the alleged act to a building administrator or supervisor
- An employee with knowledge or belief of bullying conduct will immediately report the incident to a building administrator
- The district has a defined investigative process and will take disciplinary action as necessary
- Annually, the district will notify students, families and staff of this policy

RESPONSES TO VIOLATIONS OF STUDENT CODE OF CONDUCT

The SSP School Board has adopted Policy 506, which outlines the School Board's expectations for student behavior and a Student Code of Conduct outlining examples of unacceptable student behavior. A copy of Policy 506 is included in the Appendix to this handbook. This Student Rights & Responsibilities Handbook incorporates the expectations outlined in Policy 506 and provides information regarding how SSPPS administration enforces the provisions of Policy 506 as well as other behavior-related policies (i.e. policies on bullying, violence and harassment).

Students must follow the provisions of Policy 506 and this Rights and Responsibilities Handbook before, during, and after school. The expectations outlined in Policy 506 and this Rights and Responsibilities Handbook apply inside school buildings, on school grounds, and at school-related activities and events. Students must also follow these expectations on school buses or vans and at bus stops. An off-campus violation of these expectations may result in disciplinary action taken by SSPPS if the violation has a direct and immediate effect on school discipline or the general safety and welfare of students or if the violation is a continuation of or has a connection with misconduct that occurred on school grounds or at a school event.

The general practice of the school district is to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. At a minimum, violation of school district rules, regulations, policies, or procedures will result in a discussion of the violation and a verbal warning. The school district shall, however, impose more severe disciplinary sanctions for any violation, including exclusion or expulsion, if warranted by the student's misconduct, as determined by the school district.

BEHAVIOR GUIDELINES, EXPECTATIONS AND CONSEQUENCES

Every student and employee of South St. Paul Public Schools is entitled to learn and work in a safe school environment. Parents/guardians, teachers, staff and administrators are expected to mutually support each other in efforts to help students exhibit responsible behavior within the school community as part of learning basic life skills. Students are taught ways to handle differences in a non-violent manner and are expected to use those methods to handle disputes or conflicts. Our desire is that every child that comes to our school has the right to feel safe and free to be who they are without feeling any more or less significant than any other student in school. The goal of discipline is to help a child become a self-disciplined individual, with mature attitudes and socially acceptable standards of conduct.



To ensure this safe environment, the district and each school have established clear student discipline policies, consequences appropriate to behaviors, and a practice to implement these guidelines fairly. Students are expected to behave in accordance with federal, state and local laws, district policies and guidelines, and in a way that respects the rights and safety of others. Known violations of federal, state and local laws will be reported to local law authorities.

The following are district-wide discipline guidelines. These guidelines and the potential consequences apply any time a student is present on district property, participating in a school-sponsored activity, or traveling in a district vehicle. These guidelines and the potential consequences also apply to student behavior that has a connection to school property or the student's status as a district student. Student conduct that occurs off-campus, but has a connection to the school environment, may form the basis for school discipline. This specifically includes activities that occur off-campus over the internet, on social media, or through other communications. Listed are the violations and the recommended consequences; although all determinations will be made on a case-by-case basis. Minnesota State High School League consequences may also apply in accordance with its rules and district policy.

A student who accumulates excess violations of these disciplinary guidelines or for serious behavior may be disciplined in light of the student's overall record. The student and parent/guardian will have a conference with the principal and/or other(s) to make them aware that the student is accumulating excessive infractions. Any student who has been suspended for violations of the guidelines may be recommended for expulsion upon their return if they commit additional offenses of the same nature.

The general practice of the district regarding disciplinary action is to use a progressive and restorative form of discipline to the extent that is reasonable and possible based on the determined facts and situation of the student misconduct. The specific form of discipline utilized is at the discretion of the building principal. At a minimum, violation of district rules, regulations, policies or procedures will result in a discussion of the infraction, verbal warning by school administration, and some restorative action by the student. Note that infractions and consequences may also be modified or disregarded if circumstances require mitigation or exception (e.g., student whose misbehavior is related to their disability). These discipline guidelines are based on school policies, located on the district's website at: www.sspps.org/about-us/school-board/policies.

BEHAVIOR DEFINITIONS AND CONSEQUENCES

*It is the general policy of the school district to utilize progressive discipline to the extent reasonable. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. The school district shall, however, impose more severe disciplinary sanctions for a violation, including suspension or expulsion, if warranted by the student's misconduct. **The following consequences provide a guideline for violations of school rules and policies. Additionally, each situation is reviewed on a case-by-case basis, taking into account the student's age or developmental ability, and where appropriate, restitution or restorative practices are employed to help students learn and grow from their mistakes.***

Abusive Language, Verbal Abuse

Abusive language consists of verbal abuse directed at a specific person, such as a teacher, staff member or classmate. Verbal abuse is the improper or excessive use of language to humiliate someone, to undermine someone's dignity, or to undermine someone's authority. Profanity and insults specifically directed at an individual are considered a form of verbal abuse.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Classroom consequence; possible office referral; possible removal from class; conference with parent; up to 3 days suspension			
Grades 6-12	Meet with team (admin, counselor, parent); notify teachers; possible removal from class; detention; up to 3 days suspension; notification of police.	Meet with team (admin, counselor, parent); notify teachers; up to 5 days suspension, notification of police.	Meet with team (admin, counselor, parent, teachers); up to 10 days suspension; notification of police; possible recommendation of expulsion	TBD

*Restitution or restorative practices applied when appropriate.



Academic Dishonesty

Intentional behavior including, but not limited to, plagiarism, copying another's work, cheating, or altering records. Cheating occurs when a student represents another individual's work as their own, obtains data or answers through acts of deception or dishonesty, or uses tools or resources that are not authorized by a teacher when completing an assignment. Plagiarism involves copying the work of others or copying portions of books, magazines, research materials, or Internet sources without using proper citations or attributions. Cheating and plagiarism also could involve distributing academic materials or other information to other students, either hand-to-hand or through the use of technology, to facilitate cheating or plagiarism.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-12	Documentation by teacher; redo assignment/test under the supervision of a staff member; possibly receive zero on assignment; phone call home by teacher	Documentation by teacher; redo assignment/test; administration intervention; parent, student, teacher meeting; removal from class; detention	Documentation by teacher; redo assignment/test; administration intervention; parent, student, teacher meeting; removal from class; detention; up to 3 days suspension	Documentation by teacher; redo assignment/test; administration intervention; parent, student, teacher meeting; removal from class; detention; up to 5 days suspension

*Restitution or restorative practices applied when appropriate.

Arson

Arson is the unauthorized, intentional burning of one's own property or someone else's property.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-12	Meet with team (admin, counselor, parent, teachers); up to 10 days suspension, notify police; possible recommendation of expulsion	TBD		

*Restitution or restorative practices applied when appropriate.

Attendance, Tardiness, Truancy

In addition to the compulsory attendance mandate of state law, the school board recognizes and emphasizes the intrinsic value of attendance each school day by each student. It enables every student to profit to the maximum degree from the enhanced learning environment that full attendance promotes.

Compulsory attendance policies for students under the age of 17 years will be applied in cases of chronic absence or tardiness. Parental notification will occur when a student is determined to be truant by the school. A student under the age of 17 years with seven or more unexcused absences may be referred to appropriate services.

Attendance disciplinary action is outlined in the district's attendance policy (Policy 503).

Furthermore, all students are expected to be on time for class. A student is tardy when they are not present in class and prepared to receive instruction at the scheduled start time of the class. Elementary students may be considered tardy if they are not on time for school at the beginning of the school day.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Conversation with teacher; Office communication with Parent (verbal/letter), Attendance improvement plan			
Grades 6-8	Parent call with Administrator	Possible attendance contract; team meeting	TBD	
Grades 9-12	Meet with office	Team meeting	Possible removal from class; Detention (Lunch)	TBD

*Restitution or restorative practices applied when appropriate.



Bullying

Per Policy 514 and Minn. Stat. §121A.031, bullying means intimidating, threatening, abusive or harming conduct that is objectively offensive and

1. There is 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.

“Intimidating, threatening, abusive, or harming conduct” includes, but is not limited to, conduct that:

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, gender, age, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity or 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.

The term, “bullying,” specifically includes **Cyberbullying** - 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.

To report an incident of bullying, students and/or families should contact their building administrator.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Documentation of incident; office referral; investigation; conference with parent; up to 5-day suspension			
Grades 6-12	Documentation of incident; investigation; student behavior contract; meet with team (counselor/admin, parent); notify teachers; up to 3 days suspension; notification of police	Documentation of incident; investigation; revise behavior contract; meet with team (counselor/admin, parent); up to 5 days suspension; notification of police	Documentation of incident; investigation; revise behavior contract; meet with team (counselor/admin, parent); up to 10 days suspension; possible recommendation of expulsion	TBD

*Restitution or restorative practices applied when appropriate.

Discrimination

School Board Policy 102 states that the purpose of the policy is to ensure that an equal educational opportunity is provided for all students. To that end, SSPPS prohibits students from engaging in acts of discrimination on the basis of race, color, creed, religion, national origin, sex, gender, marital status, parental status, status with regard to public assistance, disability, sexual orientation including gender identity and expression, or age.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-12	Document incident; meet with team (counselor, admin, parent); up to 3 days suspension; notify police	Document incident; meet with team (counselor, admin, parent); up to 5 days suspension; notify police	Document incident; meet with team (counselor, admin, parent); up to 10 days suspension; notify police	TBD

*Restitution or restorative practices applied when appropriate.



Dishonesty

Students are expected to tell the truth. A student is dishonest when they do not tell the truth or provides information that is misleading.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Conversation; classroom consequence; possible office referral; removal from class; conference with parent			
Grades 6-12	Conversation; team meeting (teacher, parent); possible behavior plan; removal from class; detention; up to 3 days suspension	Team meeting (teacher, parent); revise behavior plan; removal from class; detention; up to 5 days suspension	TBD	

*Restitution or restorative practices applied when appropriate.

Failure to Follow Instructions

Students are expected to follow the instruction of all SSPPS personnel, regardless of whether employed by SSPPS directly or through a contractor, and volunteers.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Conversation; classroom consequence; possible office referral; removal from class; conference with parent; up to 3 days suspension			
Grades 6-12	Conversation; team meeting (teacher, parent); possible behavior plan; removal from class; detention; up to 3 days suspension	Team meeting (teacher, parent); revise behavior plan; removal from class; detention; up to 5 days suspension	TBD	

*Restitution or restorative practices applied when appropriate.

Fighting, Assault, Physical Aggression

It is the policy of the school district to maintain a learning environment that is safe and free from fear and violence. Fighting is defined as intentionally hitting, kicking, punching, pushing, shoving, or tripping another individual who is a mutual combatant (both parties participate) in a physical altercation involving two or more people. Fighting is distinguishable from physical aggression because physical aggression does not involve a mutual combatant. School district administrators possess the discretion to determine what conduct constitutes a "fight" or an "assault." Physical aggression is defined as hitting, kicking, pushing, shoving, tripping, and other similar acts of physical conduct carried out with an intent to cause harm to another individual. Physical aggression does not include conduct that falls within the definition of horseplay, play fighting, or fighting.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Office referral; investigation; documentation; conference with parent; removal from class; up to 5 days suspension; notification of police if medical attention needed			
Grades 6-8 (student to student)	Meet with team (admin, counselor, parent); notify teachers; up to 3 days suspension; possible police notification	Meet with team (admin, counselor, parent); notify teachers; up to 5 days suspension; possible police notification	Meet with team (admin, counselor, parent, teachers); up to 10 days suspension; possible police notification, possible recommendation of expulsion.	TBD
Grades 9-12 (student to student)	Meet with team (admin, counselor, parent, teachers); up to 10 days suspension; notify police; possible recommendation of expulsion	TBD		
Grades 6-12 (student to staff)	Meet with team (admin, counselor, parent, teachers); up to 10 days suspension; notify police; possible recommendation of expulsion	TBD		

*Restitution or restorative practices applied when appropriate.



Grooming, Dress

Students are expected to dress appropriately for school activities and in keeping with the needs of the learning environment as defined in School Board Policy 504. This is a joint responsibility of the student and the student's parent(s) or guardian(s). The following are considered inappropriate:

- Apparel that can be hazardous to them or present a health problem
- Apparel or footwear that can damage school property
- Apparel that includes words or visuals that are lewd, obscene, disruptive, or discriminatory or advertise drugs, alcohol or tobacco; or any products or activities that are illegal for use by minors.
- Apparel that includes 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 are prohibited.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-12	Student will be required to change or cover inappropriate material; parent contact	Student will be required to change; meet with team (counselor, admin); notify teachers; removal from class; detention; up to 1 day suspension;	Meet with team (counselor, admin, teachers); up to 3 days suspension	Meet with team (counselor, admin, teachers); up to 5 days suspension

*Restitution or restorative practices applied when appropriate.

Harassment

School Board Policy 413 prohibits acts of harassment and violence on the basis of race, color, creed, religion, national origin, sex, sexual orientation including gender identity and expression, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability. Policy 413 generally defines harassment as behavior that 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, sexual orientation including gender identity and expression, age, marital status, familial status, status with regard to public assistance, sexual orientation, 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.

Policy 413 prohibits violence in the form of 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, gender, age, marital status, familial status, status with regard to public assistance, sexual orientation including gender identity and expression, or disability.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Documentation of incident; office referral; investigation; conference with parent; up to 5-day suspension			
Grades 6-12 (student to student)	Documentation of incident; investigation; behavior contract; meet with team (counselor/admin, parent); notify teachers; notify police; up to 3 days suspension	Documentation of incident; revise behavior contract; meet with team (counselor, admin, teachers, parent); notify police; up to 5 days suspension	Documentation of incident; revise behavior contract; meet with team (counselor, admin, teachers, parent); notify police; up to 10 days suspension; possible recommendation of expulsion	TBD
Grades 6-12 (student to staff)	Documentation of incident; behavior contract; meet with team (counselor, admin, teachers, parent); notify police; up to 5 days suspension	Documentation of incident; revise behavior contract; meet with team (counselor, admin, teachers, parent); notify police; up to 10 days suspension; possible recommendation of expulsion	TBD	

*Restitution or restorative practices applied when appropriate.



Hazardous and Nuisance Objects

Hazardous and nuisance objects as judged by teachers or administration are prohibited from school property and school-sponsored events. The following are examples of prohibited items: toys, skateboards, rollerblades/roller-wheel objects, laser pointers, lighters, perfumes, and body sprays. The administration reserves the right to examine district property and the person. The school district assumes no responsibility for finding or protecting items mentioned above.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Verbal warning; confiscation; parent notification; confiscation; meet with team (counselor, admin, teacher)			
Grades 6-12	Verbal warning, discussion; confiscation; parent notification	Confiscation; parent notification; meet with team (counselor, admin, teachers); removal from class; detention	Confiscation; parent notification; meet with team (counselor, admin, teachers); removal from class; detention	Confiscation; parent notification; meet with team (counselor, admin, teachers); removal from class; detention; morning check-in

*Restitution or restorative practices applied when appropriate.

Hazing

School Board Policy 526 specifically addresses hazing. Hazing is defined as 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; and
5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of SSPPS policies or regulations.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Verbal warning; confiscation; parent notification; confiscation; meet with team (counselor, admin, teacher)			
Grades 6-12	Verbal warning, discussion; confiscation; parent notification	Confiscation; parent notification; meet with team (counselor, admin, teachers); removal from class; detention	Confiscation; parent notification; meet with team (counselor, admin, teachers); removal from class; detention	Confiscation; parent notification; meet with team (counselor, admin, teachers); removal from class; detention; morning check-in

*Restitution or restorative practices applied when appropriate.

Horseplay and Play Fighting

Horseplay and play fighting involves no intent to harm. Behaviors include, but are not limited to, the following: (1) pretending to hit, punch, kick, or otherwise make physical contact with another individual; (2) pranks; (3) rough or boisterous play involving physical contact; and (4) running in the building.



Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Classroom consequence; possible office referral; removal from class; conference with parent; up to 3 days suspension			
Grades 6-12	Conversation; meet with team (teacher, parent); possible behavior plan; removal from class; detention; up to 3 days suspension	Conversation; meet with team (teacher, counselor/admin, parent); behavior plan revision; removal from class; detention; up to 5 days suspension	TBD	

*Restitution or restorative practices applied when appropriate.

Illegal Conduct

Any violation of local, state, or federal law.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-12	Conversation; parent conference; up to 3 day suspension; meet with team (admin, counselor, parent, police liaison)	Parent conference; up to 5 day suspension; meet with team (admin, counselor, parent, police liaison)	Up to 5 days suspension; possible recommendation for expulsion	TBD

*Restitution or restorative practices applied when appropriate.

Inappropriate Language

Students are expected to use language that is appropriate in an educational setting. The use of inappropriate language includes language when not directed at a specific person and involves profanity, general sexual connotations or innuendo, put-downs to a particular group of people, or is otherwise not appropriate for a school setting. Isolated references to alcohol, drug and tobacco use, or other illegal behavior, will be inappropriate language, unless the references are made for an educational purpose in connection with an assignment from a classroom teacher.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Classroom consequence; possible office referral; conference with parent; up to 3 days suspension			
Grades 6-12	Parent notification; detention, up to 3 days suspension	Parent notification; meet with team (teacher, counselor/admin, parent); removal from class; detention, up to 5 days suspension	TBD	

*Restitution or restorative practices applied when appropriate.

Inappropriate Physical Contact with Another Person

Students are expected to keep their hands to themselves. Intentionally touching or making physical contact with another individual, without that individual's permission, is not allowed.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Classroom consequence; possible office referral; conference with parent; up to 3 days suspension; possible notification of police			
Grades 6-12	Meet with team (counselor, admin, parent); notify teachers; up to 3 day suspension, notify police	Meet with team (counselor, admin, parent); notify teachers; up to 5 day suspension, notify police	Meet with team (counselor, admin, teachers; parent); up to 10 day suspension, notify police; possible recommendation of expulsion	TBD

*Restitution or restorative practices applied when appropriate.



Leaving Class without Permission

Students are expected to be in class until they are excused, and may not leave class before the end of a class period without permission.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Classroom consequence; possible office referral; conference with parent; up to 3 days suspension			
Grades 6-12	Parent notification; detention	Parent notification; detention	Parent notification; detention; meet with team (teacher, counselor/admin, parent)	TBD

*Restitution or restorative practices applied when appropriate.

Microaggressions

The verbal, nonverbal, and environmental slights, snubs, or insults, whether intentional or unintentional, which communicate hostile, derogatory, or negative messages to target persons based solely upon their marginalized group membership, often about race.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Classroom consequence; office referral; aren't notification/conference, removal from class; up to 3 days suspension, or refer to consequences for Bullying or Harassment if applicable.			
Grades 6-12	Classroom consequence; Parent notification;* office referral; removal from class; behavior plan	Parent notification;* Revise behavior plan; Refer to Consequences for Abusive Language/Verbal Abuse, or Bullying, or Harassment if applicable	Refer to Consequences for Bullying or Harassment if applicable.	TBD

Restitution or restorative practices applied when appropriate to stop, diminish, deflect, or put an end to the harmful act; (1) educate the perpetrator; (2) validate and support the targets; (3) act as an ally; (4) seek social support; (5) enlist outside authority or institutional intervention; or (6) achieve any combination of these objectives.

Misuse of Property

Students are expected to be respectful of all property. Misuse of property occurs when a student uses property without permission or uses property in a way that is inconsistent with the intended use of the property.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Office referral; confiscation of item; conference with parent; removal from class; up to 5 days suspension; possible notification of police			
Grades 6-12	Confiscation of item; parent notification; removal from class; detention; up to 3 days suspension	Confiscation of item; parent notification; removal from class; detention; up to 5 days suspension	TBD	

*Restitution or restorative practices applied when appropriate.

Misuse of Technology Acceptable Use Policy

The use of the school district computer system and access to the internet is a privilege, not a right. Students are expected to utilize technology in a manner that is consistent with the educational mission of SSPPS. District Policy 536 outlines SSPPS's expectations for student use of technology, to include the use of all electronic devices (e.g. cell phones, smartphones, smartwatches, etc.). All students are expected to act in accordance with this policy. Misuse of technology includes conduct resulting in harm or potential harm to the student, another individual, or another individual's property. Students should be aware that misconduct involving the misuse of technology may also meet the definitions of other offenses outlined in this handbook (e.g., cheating or plagiarism, cyberbullying, harassment or discrimination).



Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Classroom consequence; confiscation; office referral; parent notification; loss of other technology privileges			
Grades 6-12	Confiscation; parent notification	Confiscation; parent notification; removal from class; detention; meet with team (counselor, admin, teachers)	Confiscation; parent notification; removal from class; detention; meet with team (counselor, admin, teachers); loss of other technology privileges	Confiscation; parent notification; removal from class; detention; meet with team (counselor, admin, teachers); morning check-in

*Restitution or restorative practices applied when appropriate.

Ordering Food

Ordering of food from an outside vendor/restaurant for delivery during the school day.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-12	Confiscation; parent notification	Confiscation; parent notification, removal from class; detention	Confiscation; parent notification, removal from class; detention	TBD

*Restitution or restorative practices applied when appropriate.

Photographic or Recording Device Misuse

Any photographic, video image or audio recording taken of a teacher or student during the instructional day without the consent of the individual(s). Any photographic or movie image taken of a teacher or other students during the instructional day cannot be published or posted on a public forum (e.g., YouTube, Facebook, Twitter, Instagram, Snapchat, etc.) without the written consent of each individual. District Policy 514 states posting or sending images without permission is a violation and could be considered cyberbullying.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-12	Confiscation of device; parent notification	Confiscation of device; parent conference; hold device for one day	Confiscation of device; parent conference; parent must pick-up device.	TBD

*Restitution or restorative practices applied when appropriate.

Possession of Alcohol, Chemicals, Prescription, Over the Counter (OTC) products

The possession, use, purchase, intent to purchase, or the sale, distribution, and/or transmission (including giving away) or intent to sell, distribute or give away controlled substances, including but not limited to, any narcotic drug, inhalant, hallucinogenic drug, toxic or mood-altering substances, intoxicating beverage, tobacco (including e-cigarettes, pipes, etc.), any paraphernalia associated with controlled substances, and the unauthorized use of prescription drugs is strictly prohibited on school property, on the school bus, or at any school-sponsored extracurricular activity or event.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Classroom consequence; confiscation; office referral; parent notification; loss of other technology privileges			
Grades 6-12				
POSSESSION/USE of Tobacco (including e-cigarettes, e-cigars, e-pipes, paraphernalia)	Confiscation; up to 3 days suspension; notify police	Confiscation; up to 3 days suspension; notify police	Confiscation; up to 5 days suspension; notify police	TBD

Continued on next page



Grades 6-12	1st Offense	2nd Offense	3rd Offense	4th Offense
POSSESSION/USE of Alcohol, Chemical, Prescription, OTC	Confiscation; up to 10 days suspension; notify police; possible MSHSL consequences	Confiscation; up to 10 days suspension; notify police; possible recommendation for expulsion	TBD	
SALE/DISTRIBUTION of Alcohol, Chemical, Prescription, OTC	Confiscation; 10 day suspension; notify police; recommendation for expulsion	TBD		

**Restitution or restorative practices applied when appropriate.*

Possession of Weapons, Explosives, Incendiary Devices, or Combustible Substances

School Board Policy 501 prohibits students from possessing, using, or distributing weapons. In order to assure a safe school environment for students, staff and the public, no student or non-student, including adults and visitors, shall possess, use or distribute a weapon in a school location. A “weapon” means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any firearm whether loaded or unloaded; air guns; pellet guns; BB guns; rifles, pistols, all knives; blades; clubs; metal knuckles; nunchucks; throwing stars; any combustible or flammable liquid; explosives; fireworks; tear gas, mace and other propellants; stun guns; ammunition; poisons; chains; arrows; objects that may have been modified to serve as a weapon and look-alike weapons.

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. 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 of a weapon.

“School Location” includes a school building, school grounds, 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, and all school-related functions.

“Possession” means having a weapon on one person or in an area subject to one’s control in a school location. A student who finds a weapon on the way to school or in the school building, or a student who discovers that they accidentally have a weapon in their possession, and takes the weapon immediately to the Principal’s Office shall not be considered to possess a weapon.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Confiscation of item; office referral; conference with parent; up to 5 days suspension; notification of police			
Grades 6-12	Confiscation of item; parent notification; out of school suspension; notify police; recommendation for expulsion	TBD		

**Restitution or restorative practices applied when appropriate.*

Property Damage, Vandalism

Property damage is a violation when it involves the intentional damage, destruction, vandalism, or breaking of another individual’s property or SSPPS property. For example, property damage includes intentional acts such as damaging or destroying textbooks and other school equipment, using technology to download or deploy unauthorized or malicious software, spray painting surfaces, acts of vandalism, and damaging or destroying the property of another student.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Confiscation of item; office referral; conference with parent; up to 5 days suspension; possible notification of police			
Grades 6-12	Restitution; up to 10 days suspension; notify police	Restitution; up to 10 days suspension; notify police; recommendation for expulsion		

**Restitution or restorative practices applied when appropriate.*



Sexual Assault

Sexual assault is any type of sexual contact or behavior that occurs without the explicit consent of the individual who is the recipient of the contact or behavior.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Office referral; investigation; documentation; conference with parent; up to 5 days suspension; notify police			
Grades 6-12	Meet with team (admin, counselor, parent); notify teachers; up to 3 day suspension; notify police	Meet with team (admin, counselor, parent); notify teachers; up to 5 day suspension; notify police	Meet with team (admin, counselor, paren, teachers); up to 10 day suspension; notify police; possible recommendation of expulsion	TBD

*Restitution or restorative practices applied when appropriate.

Sexual Misconduct

Sexual misconduct includes verbal attempts to initiate sexual contact with another person and any form of touching of a sexual nature, with or without consent of the other party. Sexual misconduct also includes exchanging pornographic, obscene, or otherwise sexually suggestive photographs or messages with another person, including behavior commonly referred to as “sexting.” Pornographic material or pornography is defined as material (such as writings, photographs, or videos) depicting sexual activity or erotic behavior in a way that is designed to arouse sexual excitement.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Office referral; investigation; documentation; conference with parent; removal from class; up to 5 days suspension; notify police			
Grades 6-12	Meet with team (admin, counselor, parent); notify teachers; removal from class; detention; up to 3 day suspension; notify police	Meet with team (admin, counselor, parent); notify teachers; removal from class; detention; up to 5 day suspension; notify police	Meet with team (admin, counselor, parent, teacher); removal from class; detention; up to 10 day suspension; notify police; possible recommendation for expulsion	TBD

*Restitution or restorative practices applied when appropriate.

Substantial Interruption to the Learning Environment

A substantial interruption to the learning environment occurs when a student engages in behavior that interferes with the learning environment in a school building to the degree that SSPPS personnel are unable to deliver instruction to other students. Students do not have the right to interfere with other students’ right to receive an education. If a teacher or other personnel makes an office referral for a substantial interruption to the learning environment, they must describe to building administration the specific interventions that were attempted before the student’s behavior was determined to cause a substantial interruption. If the teacher or personnel did not attempt an intervention, they must describe to building administration why it was determined an intervention would not be successful.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Classroom consequence, office referral; conference with parent; up to 3 days suspension			
Grades 6-12	Conversation; meeting with team (parent, teacher); possible behavior plan; removal from class; detention; up to 3 days suspension	Conversation; meeting with team (admin/ counselor, parent, teacher); revise behavior plan; removal from class; detention; up to 5 days suspension	TBD	

*Restitution or restorative practices applied when appropriate.

Theft

Theft is the taking of another person’s property with the intent to deprive the owner of the property. For purposes of this student handbook, theft includes extortion. Extortion is the act of obtaining something through threats of force or coercion.



Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Office referral; investigation; documentation; conference with parent; up to 5 days suspension; possible notification of police			
Grades 6-12	Restitution; up to 3 days suspension; notify police	Restitution; up to 5 days suspension; notify police	Restitution; up to 10 days suspension; notify police; possible recommendation for expulsion	TBD

*Restitution or restorative practices applied when appropriate.

Threat of Violence

Threats of violence are either direct or indirect threats to commit an act of violence for the purpose of causing serious inconvenience or disruption in the school environment or to cause the evacuation of a school building, event, or vehicle. A bomb threat or school shooting is an example of a threat of violence.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-12	Parent notification; detention, up to 3 days suspension; possible recommendation for expulsion	Meet with team (counselor, admin, parent); detention, up to 5 days suspension; possible recommendation for expulsion	TBD	

*Restitution or restorative practices applied when appropriate.

Trespassing

Students must stay in designated areas of the school to which they have been assigned. Students must have permission from a building administrator or must be escorted by a parent, guardian, caregiver, or emergency contact person if they enter a building other than their school. Trespassing includes breaking and entering into locked or private areas, such as other students' lockers, administrative office areas, and supply cabinets.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-5	Office referral; investigation; documentation; conference with parent; up to 5 days suspension; possible notification to police			
Grades 6-12	Conversation; parent notification; removal from class; detention; 1 day suspension	Parent notification; up to 3 days suspension	TBD	

*Restitution or restorative practices applied when appropriate.

Violation of Closed Campus

Leaving during school hours without prior approval.

Grade	POTENTIAL CONSEQUENCES*			
	1st Offense	2nd Offense	3rd Offense	4th Offense
Grades K-12	Conversation; parent notification; removal from class; detention; possible loss of parking privileges (if applicable)	Parent notification; removal from class; detention; possible loss of parking privileges (if applicable)	Parent notification; up to 3 days suspension	TBD

*Restitution or restorative practices applied when appropriate.

Unique Situations

Misconduct that occurs which is not covered by the infractions and guidelines above will be handled on a case-by-case basis. Behaviors that are willful and disruptive or potentially harmful may be subject to disciplinary action regardless of whether the specific behavior is defined above. Unique or special situations at a particular school may call for an adjustment in the discipline policies to meet the needs of the school and/or district.



DISCIPLINE GUIDELINES STUDENTS WITH SPECIAL NEEDS (504, IEP, AND STUDENTS UNDER EVALUATION)

In accordance with state and federal law, the following provides guidelines for discipline consequences for students identified as special education.

	IEP Team Required	1 Manifestation Determination	2 Functional Behavioral Assessment Plan Required	Alternative Education Services Required
Student suspended for one school day or less	NO*	NO*	NO*	NO*
Student suspended for less than five consecutive school days or less	NO*	NO*	NO*	NO*
Student suspended for five OR MORE consecutive school days	YES	YES*	NO*	YES
Student suspended for 10 cumulative days in a school year or more	YES*	YES*	NO*	NO*
Student suspended for 11 cumulative days in a school year or more	YES	YES	YES	YES
Student placed on in-school suspension	NO**	NO**	NO**	NO**
Student suspended from the bus	DEPENDS**	DEPENDS**	DEPENDS**	DEPENDS**

* Unless the student has been suspended 11 or more cumulative days in a school year. (Minn. Stat. §121A.43(a))

** In-school suspension is not considered a day of suspension for a student with a disability as long as the student continues to receive regular and special education services during the in-school suspension.

*** If bus transportation is part of the student's IEP, a bus suspension would be treated as a removal unless the school provides transportation in some other way, because that transportation is necessary for the student to obtain access To the location where all other services will be delivered. If bus transportation is not a part of the student's IEP, a bus suspension typically would not be a removal.

¹ "Manifestation Determination" is a process to determine if a student's behavior problem was or was not a manifestation of the student's disability.

² A "Functional Behavioral Assessment" is a process for gathering information to understand the structure and function of a student's behavior(s) in order to develop an effective and efficient behavioral support plan that teaches and encourages alternative behaviors.

STUDENT BUS RIDER RESPONSIBILITIES

South St. Paul Public Schools is committed to providing a safe and enjoyable riding experience for its bus riders. Parents or guardians are responsible for the safety of their student(s) until they are on the school bus. The district's student bus rider responsibilities section has been established by the district. Please review this information and discuss it with your child(ren). This information is being provided so that your child(ren) will clearly understand bus behavior expectations.

Riding the school bus or school van is a privilege, not a right that can be revoked if a student chooses not to comply with the rules for bus riders. The school district's general student behavior rules are in effect for all students on school buses. Consequences for school bus/bus stop misconduct will be imposed by the school district under adopted administrative discipline procedures. In addition, all school bus/bus stop misconduct will be reported to the school district's transportation department. Serious misconduct may be reported to local law enforcement.



STUDENT BUS RIDER RESPONSIBILITIES

The district's goal is to provide safe and enjoyable transportation for our students. This occurs when we work in cooperation with students, parents, teachers and drivers. Students are expected to ride their assigned bus everyday, and be picked up and dropped off at their assigned bus stop, unless alternative plans are approved by administration. All students who ride the bus are expected to follow and observe the school district's safety rules, as well as those of the bus driver. Students who do not follow rules will be subject to suspension of bus-riding privileges as designated in the policy below. For the safety of all riders, please review the following rider responsibilities with your child(ren) before the school year begins.

Going to the Bus Stop

- Use sidewalks where provided.
- If there are no sidewalks, walk single file on the left shoulder of the street facing traffic.
- Cross streets only at corners.
- Use a direct route, but avoid crossing yards or empty lots.
- Arrive at your bus stop no more than five minutes before the scheduled stop. The bus driver cannot wait for late students.
- Be aware of suspicious individuals on foot or in motor vehicles. Report these persons to your bus driver or school principal. Even if you have missed the bus, do not accept rides from strangers.

Waiting at the Bus Stop

- Wait away from the traffic. Stay at least five feet off the road or street.
- Respect the property of others while waiting at the bus stop. Do not pick flowers, disturb shrubs, throw stones or snowballs, litter, etc.
- Use appropriate language at all times.
- Respect other students by not pushing, shoving or fighting.
- Stay back from the street until the bus is actually stopped. A push at the middle or end of the line can send the front person into the bus or under its wheels.
- Older students should be helpful to younger ones.
- The district's student behavior policies, guidelines, and rules are enforceable while a student waits at the bus stop.

Boarding the Bus

- Wait until the bus has stopped and the door is opened before starting to board.
- Board the bus single file.
- Continue to show respect for others by not pushing or shoving.
- Use the handrail to keep from slipping, falling, or tripping.
- Greet the bus driver.
- Move directly to your seat and sit down.
- Put large items (e.g. musical instrument, packages) in seat area or under the seat, but not in the aisle.
- Wait until the bus is at least a half a block away before proceeding home.
- Do not go in back of or underneath the bus for any reason.

Riding on the Bus

- Follow directions of the driver.
- Stay in your seat.
- Keep all parts of your body in the bus.
- No pushing, shoving, cutting in, fighting at any time.
- No eating, drinking, smoking, or spitting.
- No loud talking, horseplay, throwing things, or inappropriate language.

Getting off the Bus

- Wait for the bus to be completely stopped and the door to be opened before standing up.
- Stay respectful of others – no shoving or pushing.
- Walk five big steps away from the bus, turn and look at the bus driver.



CONSEQUENCES FOR MISBEHAVIOR ON THE BUS

If a student chooses to break a rule, the following consequences are applied:

1st incident	Verbal warning
2nd incident	Bus conduct report is issued. Parents contacted via phone or email and letter sent home. Letter must be signed and returned. Possible consequences include apology, assigned seat or suspension from riding the bus.
3rd incident	A second bus conduct report is issued and a one to three day suspension from riding the bus is applied.
4th incident	A third bus conduct report is issued and five-day suspension from riding the bus is applied.
5th incident	A fourth bus conduct report is issued and permanent removal from bus privileges may be applied, which includes all school activities.

The following inappropriate behavior will result in **automatic suspension of transportation privileges**:

- A. Physical harm to another student
- B. Property damage
- C. Physical harm or threat of physical harm to driver (may result in arrest)
- D. Refusal to obey driver or verbal abuse of driver
- E. Disruption; which creates a safety hazard
- F. Possession of any dangerous weapon

STUDENT USE OF PERSONAL ELECTRONIC DEVICES (E.G. CELL PHONES)

South St. Paul Public Schools believes the use of personal electronic devices is a privilege and can be an acceptable communication and educational tool that requires responsible use by all students. Use of electronic devices including, but not limited to, cellular phones, smartphones and smartwatches, digital cameras, laptop computers, tablets and other personal electronic devices capable of transmitting data or images during instructional time **may be allowed with explicit permission from the instructor**.

STUDENT RESPONSIBILITIES FOR PERSONAL ELECTRONIC DEVICE

SSPPS is not responsible for lost or stolen property. Personal property includes personal electronic devices. All property should be clearly identified or labeled. Articles are much more likely to be returned to the proper person if they are marked clearly.

EXPECTATIONS OF USE

GRADE	EXPECTATIONS	POTENTIAL CONSEQUENCES
K-8	<p><i>Use of personal electronic devices is reserved for use during instructional time only and is forbidden in all other settings of the school grounds.</i></p> <ul style="list-style-type: none"> • Students are required to turn off all devices when entering the building. • Students may turn the devices back on again when exiting the building. • Uses of these devices in the school will result in the phones being confiscated, and the family needing to come pick them up. <p><i>Parents are asked to not disrupt the school environment by contacting their children via their cell phone and should instead contact the school's main office to leave their child a message.</i></p> <ul style="list-style-type: none"> • Students are not allowed to contact parents during the school day using their personal device. • Students must ask permission to contact parents and will use a school phone when given permission by school personnel. 	<ul style="list-style-type: none"> • Verbal warning • Confiscation and family must pick-up device • Classroom consequences • Parent notification • Removal from class • Detention • Team meeting (teacher, parent, counselor, admin) • Morning check-in • Loss of other technology privileges

Continued on next page



GRADE	EXPECTATIONS	POTENTIAL CONSEQUENCES
9-12	<p><i>Use of personal devices is subject to teacher discretion.</i></p> <ul style="list-style-type: none"> • Use of personal electronic devices is a right, not a privilege. • Students are discouraged from using personal electronic devices during the school day unless for instructional use. • Misuse of devices in the classroom or at other times during the school day are subject to the consequences listed. <p><i>Parents are asked to not disrupt the school environment by contacting their children via their cell phone during class.</i></p>	<ul style="list-style-type: none"> • Verbal warning • Confiscation • Classroom consequences • Parent notification • Removal from class • Detention • Team meeting (teacher, parent, counselor, admin) • Morning check-in • Loss of other technology privileges

FREQUENTLY ASKED QUESTIONS

1. What is the role of a school resource officer?

School resource officers are not SSPPS employees. SSPPS expects school resource officers to demonstrate professionalism at all times and to act as a positive role model for students. Their role in the school setting is outlined in a contract between SSPPS and the City of South St. Paul. The primary role of a school resource officer is to deter and address criminal activity on school property and at school-sponsored events and activities. School resource officers are not involved in determining student discipline and they are not involved in addressing student misconduct that does not involve suspected criminal conduct.

SSPPS staff will consult with school resource officers to the extent necessary to report any potential criminal activity at school or a school-sponsored event or activity. In addition, SSPPS staff will consult with school resource officers to the extent necessary to comply with mandatory reporting obligations, such as the obligation to report suspected maltreatment of minors under Minn. Stat. § 626.556. To the extent permitted by State and Federal law, SSPPS staff may also disclose information to law enforcement in emergency situations where law enforcement’s knowledge of the information is necessary to protect the health and safety of a student or other individuals.

2. How does SSPPS address attendance issues?

District Policy 503 generally outlines SSPPS’s expectations with respect to student attendance. Policy 503 can be found in its entirety on the school district website. As noted above, isolated instances in which a student is tardy will be handled at the classroom level. Repeated tardiness may warrant an office referral. Unexcused absences are otherwise addressed in the behavior and consequences section of this handbook in accordance with specific statutory provisions related to compulsory school attendance (Minn. Stat. §120A.22).

3. How does SSPPS treat behavior in school parking lots?

School parking lots are considered school grounds for purposes of implementing SSPPS discipline policies and procedures. The same behavioral expectations that apply in school buildings apply in school parking lots. Parking on school grounds is a privilege, not a right. Students only may park in areas that are designated for student parking. In addition to the behavioral consequences outlined in this Handbook, a student who engages in misconduct in a SSPPS parking lot may have their parking privileges suspended or revoked. If a student parks in an unauthorized area or if an unauthorized vehicle is parked in a SSPPS parking lot, SSPPS may move the vehicle, require the owner to move the vehicle, or have the vehicle removed from SSPPS property and towed to a location off SSPPS grounds at the owner’s expense. Student vehicles parked on SSPPS property may be subject to a search if SSPPS personnel have a reasonable suspicion that the search will uncover evidence of illegal conduct or a violation of SSPPS rules and policies. Policy 527 specifically addresses student use and parking of motor vehicles. Policy 503 can be found in its entirety on the school district website.



4. Is there an appeals process for student discipline?

Minnesota's Pupil Fair Dismissal Act provides for an appeals process in situations involving a student expulsion or exclusion. See [Minn. Stat. §121A.47](#). There is not a formal appeals process for other forms of discipline. As noted above, families who believe a disciplinary matter was not handled properly at the building level should first contact the building principal. If concerns remain, families may contact Superintendent Zambreno. Dr. Zambreno serves as a resource to help resolve complaints related to specific disciplinary incidents.

5. What is the district's policy on locker searches?

District Policy 502 addresses locker searches as well as personal possessions. Students have no expectation of privacy in their school lockers and school officials may search student lockers at any time, for any reason, without the permission of the student and without providing any advance notice to the student. However, personal possessions within a locker (i.e. purses, backpacks, jacket pockets) may only be searched by school officials when there is a reasonable suspicion that the search will uncover evidence of a violation of school rules or the law. For example, a school official may open a locker at any time to see what is in the locker, but may only then search a backpack in the locker if they have reason to believe it contains contraband, such as in the case where a drug dog indicates the presence of drugs in a locker.

6. What is the district's policy around searches of student cell phones and personal computers?

Searches of student cell phones and computers are similar to the search of locked or closed items in a student locker. If the school official has reasonable suspicion that a search will uncover a violation of the law or school rules, the school official may search a student's personal possessions, such as cell phones and computers.

This search need not be done with a parent present. Normally the school official would request permission from the student and for the student to provide a password. (Note that for school-owned computers, the search would be similar to a locker. Students have no expectation of privacy on such devices, which may be searched at any time, for any reason by school officials.)

Refusal to provide a password or unlock a phone may be grounds for discipline, in the same way that a student who refuses to unlock their car in the school parking lot to allow the district to search the car may be disciplined.

In general, students within the school environment have a lesser expectation of privacy than members of the general population. School districts have broad discretion in determining the extent to which students are allowed to use personal electronic devices during the school day. Violations of district policy are subject to discipline.

7. What is the district communications policy regarding serious incidents, suspensions and expulsions? Do you inform all parents of students who were involved? Do you inform all parents of the school?

In general, the district informs the parents of students who are either victims or perpetrators of serious incidents that may lead to discipline. However, state and federal law prevent the district from discussing the details of any discipline that it imposes against students with any other students or parents.

[The Minnesota Government Data Practices Act \(MGDPA\)](#) and [the Family Educational Rights and Privacy Act \(FERPA\)](#) bind the district's hands, and only allow the district to discuss a student's discipline with that student and the student's parents/guardians. Even in a situation where a student is a victim of a serious infraction, that student (victim) and their parents/guardians will not find out what discipline, if any, was given to the perpetrator. While this can be very frustrating for both school officials and parents, the district must follow the law.

Similarly, because the students who attend a school may already know the identity of a student involved in a major incident, the District is often prevented from sharing background details or information since sharing such information may tend to identify or confirm the identity of the student or students who were involved.

In certain circumstances, the District may provide general background information to parents of all students in an attempt to be proactive and allow parents to talk to their children about issues that may be occurring at school (e.g. an email regarding Appropriate Use of Technology). While the district is not required to provide such general notice to all parents, we seek to keep parents involved in order to discuss these issues at home and encourage partnership with the district in providing a safe and healthy learning environment.



8. DOES SSPPS HAVE RECOMMENDED RESOURCES TO ASSIST FAMILIES IN DEALING WITH STUDENT BEHAVIOR CONCERNS AND HELPING STUDENTS DEVELOP SELF-MANAGEMENT SKILLS?

Yes. Information about these resources may be obtained from your building leadership team or by visiting our website at: <https://www.sspps.org/departments/student-services>

SUMMARY OF ADDITIONAL DISTRICT POLICIES

Besides the policies that are included and/or referred to in this Handbook, students are expected to be aware of and to abide by all of the district's policies. The following is a summary of SSPPS's policies that define student rights and responsibilities. Complete texts of these and all district policies are available on the district's website at <https://www.sspps.org/about-us/school-board/policies> or upon request from a school office.

Assessment of Standard Achievement ([Policy 618](#))

The district provides a structure and framework for assessing student learning in the district. The grading and assessment should assist in the student's learning experiences. Each school program level will establish standardized assessments and track mastery of academic standards. The criteria will reflect the age of the student and the level of content learning.

Attendance ([Policy 503](#))

Students are required to attend all assigned classes 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 district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence. Each school has established attendance procedures that support regular school attendance. These procedures will be shared by each school and require the support of students and families.

Corporal Punishment ([Policy 507](#))

Corporal punishment is prohibited. No employee or agent of the district will engage in or cause the infliction of corporal punishment on any student.

Distribution of Non School-Sponsored Materials on School Premises ([Policy 505](#))

The district seeks to protect students' and employees' rights to free speech, while at the same time preserving the integrity of the educational objectives and responsibilities of the district. This protection includes the right to distribute nonschool-sponsored material at a reasonable time and place and in a reasonable manner. Distribution guidelines have been established by district policy and will be supervised by school administration.

Do Not Attempt Resuscitation ([Policy 518](#))

When any student experiences sudden illness or injury, the role of an employee is to render emergency health care to preserve life and prevent disability. In life-threatening emergencies, the emergency medical system (911) will be activated. School district staff will not accept or honor requests to withhold emergency care or DNR-DNI orders. The school district will not convey such orders to emergency medical personnel. Notwithstanding this school district policy, IEP and Section 504 teams must develop individualized medical emergency care plans for students when appropriate in accordance with state and federal law.

Dress and Appearance ([Policy 504](#))

Students are encouraged to dress appropriately for school activities and in keeping with the standards of a learning environment. The responsibility for student dress lies with both the student and the student's parent/guardian. Additional expectations are outlined in this handbook.

Education of Homeless Children

Students experiencing homelessness as defined under federal McKinney-Vento law shall have access to the education and other services they need to provide educational stability, and school access to meet state and district standards, including transportation to and from their school of origin.



Electronic Technologies Acceptable Use ([Policy 536](#))

Students may access online resources from their classrooms via the internet. Procedures and guidelines have been established for access to the district's networks and acceptable and safe use of the internet. The administration will supervise the guidelines. Specific expectations, including the Online Code of Ethics, are outlined by the district policy.

Parents or guardians must give approval for their child(ren) to access internet resources and students must agree to follow the acceptable use procedures. Forms are available in the district portal and Family Handbook.

Emergency Health Situations and District Insurance Limitations

The district does not purchase medical, health or accident insurance for your child. If your child has an accident, is ill, or is injured while at school or participating in district-sponsored activities; families will need to access their own insurance plans to cover any associated costs (e.g., medical care, emergency transportation). The district cannot pay these associated costs.

Employee Background Checks ([Policy 404](#))

The district places a high priority on ensuring a safe and healthy learning environment for students. This priority includes requiring all applicants who have been offered district positions to complete a criminal background check as part of the process for determining employment. This process meets legal requirements.

Equal Educational Opportunity ([Policy 102](#))

The district provides equal educational opportunity for all students, and does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation or age. No student will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination under any educational program or activity operated by the district on the basis of race, color, creed, religion, national origin, sex, marital status, parental status, pregnancy, status with regard to public assistance, disability, sexual orientation or age.

Extended School Year ([Policy 508](#))

Extended School Year (ESY) services are provided to a student who has an Individualized Education Plan (IEP) if the IEP team determines the ESY services are necessary during a break in instruction to provide a free appropriate public education.

Field Trips and Travel ([Policy 610](#))

The district supports and approves student field trips and travel beyond the classroom and areas of competition that are properly planned, well organized, and carefully supervised. Students participating in approved field trips and travel will be permitted to prepare assignments in advance or make up work missed in classes from which they are absent. All trips and travel require parent/guardian authorization.

Immunization Requirements ([Policy 530](#))

Students are required to provide proof of immunization or appropriate documentation exempting the student from immunizations and other data necessary to ensure that the student is free from any communicable diseases, as a condition of enrollment.

Interviews of Students by Outside Agencies ([Policy 519](#))

Students are required to provide proof of immunization or appropriate documentation exempting the student from immunizations and other data necessary to ensure that the student is free from any communicable diseases, as a condition of enrollment.

Medication ([Policy 516](#))

The district acknowledges that students may require prescription and nonprescription medication during the school day. In such cases, medication may be administered only by the licensed school nurse or other trained school employees. The district strongly discourages students from possessing and self-administering nonprescription medication without written authorization from the student's parent/guardian on file in the health office.

Pledge of Allegiance ([Policy 531](#))

Students shall recite the Pledge of Allegiance to the flag of the United States of America one or more times each week. Pursuant to Minn. Stat. §121A.11, subdivision 3(c), anyone who does not wish to participate in reciting the Pledge of Allegiance for any personal reasons may elect not to do so. Students and school employees must respect another person's right to make that choice.



Promotion, Acceleration, Retention and Program Design ([Policy 513](#))

The district does not purchase medical, health or accident insurance for your child. If your child has an accident, is ill, or is injured while at school or participating in district-sponsored activities; families will need to access their own insurance plans to cover any associated costs (e.g., medical care, emergency transportation). The district cannot pay these associated costs.

Protection and Privacy of Student Records ([Policy 515](#))

The district recognizes its responsibilities in regard to the collection, maintenance and dissemination of student educational records and data. District policy defines the procedures and practices for protecting the privacy of student information in accordance with state and federal laws.

Examples of student directory information are below and may be made available to the public. A parent/guardian may refuse to have any or all of the directory information made public by notifying the building principal in writing in accordance with district policy.

- Student name, address, telephone number and electronic mail address
- Student photograph
- Student date and place of birth
- Student dates of attendance, major field of study, grade level, and enrollment status
- Student participation in officially recognized activities and sports, weight and height of members of athletic teams, degree, honors and awards received, and
- Student degrees, awards most recent educational agency or institution attended
- Parent/Guardian name, address, telephone number

Search of Lockers, Desks, Possessions and Persons ([Policy 502](#))

(See FAQ regarding searches, page 29)

School lockers are the property of the district. The district maintains exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school employees 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 or on a student's person may be searched only when school employees have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practical after the search of a student's personal possessions within a locker, a school employee will notify the student whose personal possessions within a locker were searched unless disclosure would impede an ongoing investigation by police or school employees. Schools may also use specially trained dogs in school parking areas, to detect and alert officials to the presence of prohibited items and illicit substances.

Selection of Instructional Text, Materials and Content ([Policy 606](#))

The district recognizes the selection of textbooks and instructional materials is vital to the support of the district's academic standards and curriculum. The school board has the authority to make final decisions on the selection of instructional texts, materials and content. The district has a process, referenced Policy 606 in, for families and community members to review or seek reconsideration of selected instructional texts and materials.

Special Accommodations and Services for Students with Special Needs ([Policy 608](#))

The district provides a full range of special services and accommodations necessary for meeting students' special needs. Families are encouraged to contact building principals for additional information related to student identification, assessment, service availability and other options.

Staff Notification of Violent Behavior of Students ([Policy 529](#))

The district does not purchase medical, health or accident insurance for your child. If your child has an accident, is ill, or is injured while at school or participating in district-sponsored activities; families will need to access their own insurance plans to cover any associated costs (e.g., medical care, emergency transportation). The district cannot pay these associated costs.



Student Fundraising ([Policy 511](#))

The district recognizes the desire by district-sponsored student groups and student organizations to raise funds to meet their needs and goals and to fund student activities. School groups or organizations raising funds must meet the established district criteria and follow district policy for fundraising. National and international fundraising groups may apply for approval of specific fundraising activities through the building principals. Violations of the student fundraising policy may result in disciplinary action up to suspension or expulsion.

Student Surveys ([Policy 520](#))

The district may conduct student surveys as determined necessary. The superintendent may refuse to permit a survey to be conducted based on the alignment of the survey to the mission of the district or the impact the administration of the survey would have on the instructional day.

Student Use and Parking of Motor Vehicles ([Policy 527](#))

Students are allowed the limited use and parking of motor vehicles in district locations in accordance with district policy. Students permitted to park at a district location do so as a privilege, not a right.

Students With Communicable Diseases and Infectious Conditions ([Policy 420](#))

Students with communicable diseases are not to be excluded from attending school in their daily attendance setting so long as their health permits and their attendance does not create a significant health risk of the transmission of illness to students or employees.

Video/Electronic Surveillance ([Policy 712](#))

Maintaining the health, welfare and safety of students, employees and visitors while on school district property and protecting district property are important functions of the district. The district recognizes the value of video/electronic surveillance systems in monitoring activity on school property in providing these functions.

Wellness ([Policy 534](#))

The district recognizes that nutrition education and physical education are essential components of the educational process and that good health fosters student attendance and learning. The school environment should promote and protect a student's health, well-being and ability to learn by encouraging healthy eating and physical activity. The district encourages the involvement of students, parents, teachers, nutrition service employees, and other interested persons in implementing, monitoring and reviewing district nutrition and physical activity policies.





South St. Paul Public Schools
 104 5th Avenue South
 South St. Paul, MN 55075'
 www.sspps.org

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SOUTH ST. PAUL PUBLIC SCHOOLS

2023-24 STUDENT RIGHTS AND RESPONSIBILITIES



Passionate Learners



Positively Changing Our World

Meeting Date: Monday, June 26, 2023

Place on Agenda: Regular Meeting

Action Requested: Approval

Attachment: Resolution Filling School Board Vacancy
Resolution Establishing Dates for Filing Affidavits of Candidacy

<p>Topic: Board Elections</p>
<p>Presenter(s): Lisa Brandecker, Executive Assistant to the Superintendent and School Board and Board Chair John Raasch</p>
<p>Background:</p> <p>Following the unexpected passing of Director Beermann, the School Board, at their regular meeting on Monday, May 8, approved a resolution declaring a School Board vacancy. Subsequently, the Board opened a two-week application process where three qualified community members submitted applications. Interviews were conducted with the three applicants at a special meeting on Thursday, June 22 where one candidate was selected to move forward for appointment at the Monday, June 26 Board meeting.</p> <p>Following the approval of the <i>Resolution Filling a School Board Vacancy</i> on June 26, state statute indicates the newly appointed member must wait 30 days before being seated. The appointed member's first official meeting and swearing in will be Monday, August 14, 2023. The appointed member will remain in office until the conclusion of the special election on Tuesday, November 7, 2023. The newly elected member will be sworn in and seated on Monday, November 13, 2023, and fill the remainder of Director Beermann's term which expires in January of 2027.</p> <p>The second election resolution before the Board this evening is to establish filing dates for the special election. The <i>Resolution Establishing Dates for Filing Affidavits of Candidacy</i> includes the following details for interested and eligible voters to file for the office of School Board member.</p> <ul style="list-style-type: none"> • The filing period for the office of School Board member opens on Tuesday, August 1, 2023, and closes at 5:00 PM on Tuesday, August 15, 2023. • There is a \$2 filing fee that must be submitted in conjunction with the Affidavit of Candidacy. • The Affidavit of Candidacy and \$2 filing fee must be submitted to the office of the City Clerk at the South St. Paul City Hall (125 – 3rd Avenue North, South St. Paul), prior to the closing of the filing period on Tuesday, August 15, 2023.
<p>Recommendation: Approval of both election resolutions.</p>
<p>Alternatives: N/A</p>

**Special School District No. 6
(South St. Paul Public Schools)
State of Minnesota**

Pursuant to due call and notice thereof, a regular meeting of the School Board of South St. Paul Public Schools, Special School District 6, State of Minnesota, was duly held in said school district on the 26th day of June, 2023, at 6:00 o'clock p.m.

Member _____ introduced the following Resolution and moved its adoption:

RESOLUTION FILLING SCHOOL BOARD VACANCY BY APPOINTMENT

WHEREAS, a vacancy exists in the office of School Board member with a term expiring the first Monday in January, 2027.

WHEREAS, the vacancy occurred more than ninety (90) days prior to the first Tuesday after the first Monday in November in the year the vacancy occurred and prior to the fourth year of the vacant term;

WHEREAS, three applications were submitted during the two-week application period.

WHEREAS, the School Board held a special meeting on Thursday, June 22, 2023, to conduct interviews with the three candidates.

NOW THEREFORE BE IT RESOLVED that the South St. Paul School Board, Special School District 6, State of Minnesota, as follows:

Pursuant to Minnesota Statutes, Section 123B.09, Subd. 5b, _____ is hereby appointed to fill the vacancy and to serve until a successor is **elected** at the Tuesday, November 7, 2023 special election. The appointment shall be effective thirty (30) days after the adoption of this resolution unless a valid petition to reject the appointee is filed with the school district clerk pursuant to Minnesota Statutes, Section 123B.09, Subd. 5b(b) within that thirty (30) day time period.

The motion for the adoption of the foregoing resolution was duly seconded by _____, and upon a vote being taken thereon, the following voted in favor thereof:

And the following voted against the resolution:

Whereupon this Resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
)SS.
COUNTY OF DAKOTA)

I, the undersigned, being the fully qualified and acting secretary-clerk of Special School District No. 6, State of Minnesota, hereby certify that the attached and foregoing is a full, true and correct transcript of the minutes of a meeting of the School Board of said school district, duly called and held on the date therein indicated, so far as such minutes relate to *Filling a School Board Vacancy by Appointment*, and that said resolution included therein is a full, true and correct copy of the original thereof.

WITNESS MY HAND officially as such Secretary-Clerk this 26th day of June, 2023.

Secretary-Clerk
Special School District No. 6
State of Minnesota

EXTRACT OF MINUTES OF MEETING
OF SCHOOL BOARD
OF SPECIAL SCHOOL DISTRICT NO. 6
(SOUTH ST. PAUL PUBLIC SCHOOLS)
STATE OF MINNESOTA

HELD: JUNE 26, 2023

Pursuant to due call and notice thereof, a regular meeting of the School Board of Special School District No. 6 (South St. Paul Public Schools), State of Minnesota, was held in the School District on June 26, 2023, at 6:00 o'clock p.m., for the purpose, in part, of establishing dates for filing affidavits of candidacy for the 2023 School District special election.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION ESTABLISHING DATES
FOR FILING AFFIDAVITS OF CANDIDACY**

BE IT RESOLVED by the School Board of Special School District No. 6, State of Minnesota, as follows:

1. The period for filing Affidavits of Candidacy for the office of school board member of Special School District No. 6 shall begin on August 1, 2023, and shall close on August 15, 2023. An Affidavit of Candidacy must be filed in the office of the School District Clerk and the \$2 filing fee paid prior to 5:00 o'clock p.m. on August 15, 2023.

2. The Clerk is hereby authorized and directed to cause notice of said filing dates to be published in the official newspaper of the School District, at least two (2) weeks prior to the first day to file Affidavits of Candidacy. Publication of said notice prior to the date of adoption of this resolution is hereby ratified and approved in all respects.

3. The Clerk is hereby authorized and directed to cause notice of said filing dates to be posted at the administrative offices of the School District at least ten (10) days prior to the first day to file Affidavits of Candidacy.

4. The notice of said filing dates shall be in substantially the following form:

**NOTICE OF FILING DATES FOR ELECTION TO THE SCHOOL BOARD
SPECIAL SCHOOL DISTRICT NO. 6
(SOUTH ST. PAUL PUBLIC SCHOOLS)
STATE OF MINNESOTA**

NOTICE IS HEREBY GIVEN that the period for filing Affidavits of Candidacy for the office of School Board member of Special School District No. 6 shall begin on August 1, 2023, and shall close at 5:00 o'clock p.m. on August 15, 2023.

The special election shall be held on Tuesday, November 7, 2023. At that election, one (1) individual will be elected to the School Board to fill a vacancy in term expiring January 4, 2027.

Affidavits of Candidacy are available from the City Clerk, City of South St. Paul, 125 – 3rd Avenue South, South St. Paul, MN 55075. The filing fee for this office is \$2. A candidate for this office must be an eligible voter, must be 21 years of age or more on assuming office, must have been a resident of the School District from which the candidate seeks election for thirty (30) days before the special election, and must have no other affidavit on file for any other office at the same primary or general election.

The Affidavits of Candidacy must be filed in the office of the City Clerk and the filing fee paid prior to 5:00 o'clock p.m. on August 15, 2023.

Dated: _____, 2023

BY ORDER OF THE SCHOOL BOARD

/s/ _____
School District Clerk
Special School District No. 6
(South St. Paul Public Schools)
State of Minnesota

The motion for the adoption of the foregoing resolution was duly seconded by _____ . On a roll call vote, the following voted in favor:

and the following voted against:

whereupon said resolution was declared duly passed and adopted.

Meeting Date: Monday, June 26, 2023

Place on Agenda: Regular Meeting

Action Requested: Approval

Attachment: Resolution Filling School Board Vacancy
Resolution Establishing Dates for Filing Affidavits of Candidacy

<p>Topic: Board Elections</p>
<p>Presenter(s): Lisa Brandecker, Executive Assistant to the Superintendent and School Board and Board Chair John Raasch</p>
<p>Background:</p> <p>Following the unexpected passing of Director Beermann, the School Board, at their regular meeting on Monday, May 8, approved a resolution declaring a School Board vacancy. Subsequently, the Board opened a two-week application process where three qualified community members submitted applications. Interviews were conducted with the three applicants at a special meeting on Thursday, June 22 where one candidate was selected to move forward for appointment at the Monday, June 26 Board meeting.</p> <p>Following the approval of the <i>Resolution Filling a School Board Vacancy</i> on June 26, state statute indicates the newly appointed member must wait 30 days before being seated. The appointed member's first official meeting and swearing in will be Monday, August 14, 2023. The appointed member will remain in office until the conclusion of the special election on Tuesday, November 7, 2023. The newly elected member will be sworn in and seated on Monday, November 13, 2023, and fill the remainder of Director Beermann's term which expires in January of 2027.</p> <p>The second election resolution before the Board this evening is to establish filing dates for the special election. The <i>Resolution Establishing Dates for Filing Affidavits of Candidacy</i> includes the following details for interested and eligible voters to file for the office of School Board member.</p> <ul style="list-style-type: none"> • The filing period for the office of School Board member opens on Tuesday, August 1, 2023, and closes at 5:00 PM on Tuesday, August 15, 2023. • There is a \$2 filing fee that must be submitted in conjunction with the Affidavit of Candidacy. • The Affidavit of Candidacy and \$2 filing fee must be submitted to the office of the City Clerk at the South St. Paul City Hall (125 – 3rd Avenue North, South St. Paul), prior to the closing of the filing period on Tuesday, August 15, 2023.
<p>Recommendation: Approval of both election resolutions.</p>
<p>Alternatives: N/A</p>

**Special School District No. 6
(South St. Paul Public Schools)
State of Minnesota**

Pursuant to due call and notice thereof, a regular meeting of the School Board of South St. Paul Public Schools, Special School District 6, State of Minnesota, was duly held in said school district on the 26th day of June, 2023, at 6:00 o'clock p.m.

Member _____ introduced the following Resolution and moved its adoption:

RESOLUTION FILLING SCHOOL BOARD VACANCY BY APPOINTMENT

WHEREAS, a vacancy exists in the office of School Board member with a term expiring the first Monday in January, 2027.

WHEREAS, the vacancy occurred more than ninety (90) days prior to the first Tuesday after the first Monday in November in the year the vacancy occurred and prior to the fourth year of the vacant term;

WHEREAS, three applications were submitted during the two-week application period.

WHEREAS, the School Board held a special meeting on Thursday, June 22, 2023, to conduct interviews with the three candidates.

NOW THEREFORE BE IT RESOLVED that the South St. Paul School Board, Special School District 6, State of Minnesota, as follows:

Pursuant to Minnesota Statutes, Section 123B.09, Subd. 5b, _____ is hereby appointed to fill the vacancy and to serve until a successor is **elected** at the Tuesday, November 7, 2023 special election. The appointment shall be effective thirty (30) days after the adoption of this resolution unless a valid petition to reject the appointee is filed with the school district clerk pursuant to Minnesota Statutes, Section 123B.09, Subd. 5b(b) within that thirty (30) day time period.

The motion for the adoption of the foregoing resolution was duly seconded by _____, and upon a vote being taken thereon, the following voted in favor thereof:

And the following voted against the resolution:

Whereupon this Resolution was declared duly passed and adopted.

STATE OF MINNESOTA)
)SS.
COUNTY OF DAKOTA)

I, the undersigned, being the fully qualified and acting secretary-clerk of Special School District No. 6, State of Minnesota, hereby certify that the attached and foregoing is a full, true and correct transcript of the minutes of a meeting of the School Board of said school district, duly called and held on the date therein indicated, so far as such minutes relate to *Filling a School Board Vacancy by Appointment*, and that said resolution included therein is a full, true and correct copy of the original thereof.

WITNESS MY HAND officially as such Secretary-Clerk this 26th day of June, 2023.

Secretary-Clerk
Special School District No. 6
State of Minnesota

EXTRACT OF MINUTES OF MEETING
OF SCHOOL BOARD
OF SPECIAL SCHOOL DISTRICT NO. 6
(SOUTH ST. PAUL PUBLIC SCHOOLS)
STATE OF MINNESOTA

HELD: JUNE 26, 2023

Pursuant to due call and notice thereof, a regular meeting of the School Board of Special School District No. 6 (South St. Paul Public Schools), State of Minnesota, was held in the School District on June 26, 2023, at 6:00 o'clock p.m., for the purpose, in part, of establishing dates for filing affidavits of candidacy for the 2023 School District special election.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

**RESOLUTION ESTABLISHING DATES
FOR FILING AFFIDAVITS OF CANDIDACY**

BE IT RESOLVED by the School Board of Special School District No. 6, State of Minnesota, as follows:

1. The period for filing Affidavits of Candidacy for the office of school board member of Special School District No. 6 shall begin on August 1, 2023, and shall close on August 15, 2023. An Affidavit of Candidacy must be filed in the office of the School District Clerk and the \$2 filing fee paid prior to 5:00 o'clock p.m. on August 15, 2023.

2. The Clerk is hereby authorized and directed to cause notice of said filing dates to be published in the official newspaper of the School District, at least two (2) weeks prior to the first day to file Affidavits of Candidacy. Publication of said notice prior to the date of adoption of this resolution is hereby ratified and approved in all respects.

3. The Clerk is hereby authorized and directed to cause notice of said filing dates to be posted at the administrative offices of the School District at least ten (10) days prior to the first day to file Affidavits of Candidacy.

4. The notice of said filing dates shall be in substantially the following form:

**NOTICE OF FILING DATES FOR ELECTION TO THE SCHOOL BOARD
SPECIAL SCHOOL DISTRICT NO. 6
(SOUTH ST. PAUL PUBLIC SCHOOLS)
STATE OF MINNESOTA**

NOTICE IS HEREBY GIVEN that the period for filing Affidavits of Candidacy for the office of School Board member of Special School District No. 6 shall begin on August 1, 2023, and shall close at 5:00 o'clock p.m. on August 15, 2023.

The special election shall be held on Tuesday, November 7, 2023. At that election, one (1) individual will be elected to the School Board to fill a vacancy in term expiring January 4, 2027.

Affidavits of Candidacy are available from the City Clerk, City of South St. Paul, 125 – 3rd Avenue South, South St. Paul, MN 55075. The filing fee for this office is \$2. A candidate for this office must be an eligible voter, must be 21 years of age or more on assuming office, must have been a resident of the School District from which the candidate seeks election for thirty (30) days before the special election, and must have no other affidavit on file for any other office at the same primary or general election.

The Affidavits of Candidacy must be filed in the office of the City Clerk and the filing fee paid prior to 5:00 o'clock p.m. on August 15, 2023.

Dated: _____, 2023

BY ORDER OF THE SCHOOL BOARD

/s/ _____
School District Clerk
Special School District No. 6
(South St. Paul Public Schools)
State of Minnesota

The motion for the adoption of the foregoing resolution was duly seconded by _____ . On a roll call vote, the following voted in favor:

and the following voted against:

whereupon said resolution was declared duly passed and adopted.

