

**Hastings Area Public Schools - ISD 200**  
**School Board Meeting Agenda**

Wednesday, July 28, 2021  
Regular Meeting  
Middle School Media Center

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- I. **Call Meeting to Order**
  - a. Attendance
- II. **Motion to approve the agenda/table file**
  - a. Approval of the minutes from the June 23rd, 2021 Regular Board Meeting and the July 14th, 2021 Special Board Meeting
- III. **Recognition of visitors**
- IV. **Announcements and Recognitions**
- V. **Items for Discussion**
  - a. Policies
    - i. First Reading
      - 1. Policy 203.2 Order of the Regular School Board Meeting
      - 2. Policy 206 Public Participation in School Board Meetings/Complaints About Persons at School Board Meetings and Data Privacy Considerations
      - 3. 206A Listening Session Sign-Up Document
      - 4. Policy 501 School Weapons
      - 5. Policy 502 Search of Student Lockers, Desks, Personal Possessions, and Student's Person
      - 6. Policy 506 Student Discipline
    - ii. Second Reading
      - 1. Policy 503.2 Early Admission to Kindergarten
  - b. Radon Testing
- VI. **Administrative Reports**
  - a. Superintendent
  - b. Building Construction Fund Project Update
  - c. Self Funded Insurance
  - d. Policy Committee
  - e. Community Engagement Committee
  - f. Facility Committee
- VII. **Action Items**
  - a. Consent Agenda
    - i. Bills Payable
    - ii. Personnel Report
    - iii. Yearly Membership Renewals
  - b. Items for Individual Action
    - i. Donations
    - ii. Yearly Review Policies
    - iii. CESO Facilities Contract
    - iv. Resolution Relating to Election of School Board Members and Calling the School District General Election
    - v. Strategic Plan
    - vi. Policy 503.2 Early Admission to Kindergarten
- VIII. **Future Meetings**
- IX. **Adjournment**

**Board of Education  
Independent School District 200  
Hastings, Minnesota**

A Regular Meeting of the School Board of Independent School District No. 200, Hastings, Minnesota, was held on Wednesday, June 23rd, 2021 via Zoom video conferencing.

The meeting was called to order by Chairperson Kelsey Waits at 6:01 PM.

The following Board members were present: Brian Davis, Scott Gergen, Lisa Hedin, Stephanie Malm, Dave Pemble, Kelsey Waits. Becky Beissel was marked absent from the meeting. Superintendent McDowell was also present at the meeting.

A motion to approve the agenda was made by Dave Pemble and seconded by Scott Gergen. The vote was: 6 ayes, and 0 nays, motion carried unanimously.

A motion to approve the minutes from the May 26th, 2021 Regular Board Meeting was made by Stephanie Malm and seconded by Dave Pemble. The vote was: 6 ayes, and 0 nays, motion carried unanimously.

Kelsey Waits took time to welcome and acknowledge those who were attending the Board Meeting via Zoom as well as those watching the meeting remotely.

The first item of discussion for the board was the first reading of policy 503.2 Early Admission to Kindergarten.

The next topic of discussion was the second reading of policy 406 Public and Private Personnel Data and policy 430 Employee Recognition Compensation. A motion to move policy 406 to an action item was made by Scott Gergen and seconded by Lisa Hedin. The vote was: 6 ayes, and 0 nays, motion carried unanimously.

A motion to move policy 430 to an action item was made by Scott Gergen and seconded by Stephanie Malm. The vote was: 6 ayes, and 0 nays, motion carried unanimously.

The next item to discuss was the move from Zoom meetings to in-person Board meetings. The decision was made to continue to meet in person for work sessions and meet via Zoom for Board Meetings until the Media Center upgrades have been completed.

The final topic of discussion was how the Board would like to handle public listening sessions with the public once the Board returns to in-person meetings.

With no further items to discuss the time was turned over to Superintendent McDowell for the Superintendent's report. Superintendent McDowell gave an update on the change for the 21-22 calendar start date for 6th graders, the in-person plan for Hastings Schools in the fall of 2021, Summer school programming, locations for summer meals, and the Raider Update changes.

Jennifer Seubert, Director of Business, gave an update on the fundraiser report, the building construction fund project, and student enrollment.

Lisa Hedin updated the Board on the Facility Committee meeting held earlier in the month and Kelsey Waits provided an update on the Policy Committee meeting.

The first item of business was to approve the consent agenda. A motion to approve the consent agenda was made by Dave Pemble and seconded by Lisa Hedin. The vote was: 6 ayes, and 0 nays, motion carried unanimously.

The following resolution was read aloud for a roll call vote by the Board:

Member, Dave Pemble, introduced the following resolution and moved for its adoption: A RESOLUTION ESTABLISHING DATES FOR FILING AFFIDAVITS OF CANDIDACY.

BE IT RESOLVED by the School Board of Independent School District No. 200. State of Minnesota, as follows:

1. The period for filing Affidavits of Candidacy for the office of school board member of Independent School District NO. 200 shall begin on July 27th, 2021, and shall close on August 10th, 2021. An Affidavit of Candidacy must be filed in the office of the school district clerk and the \$2.00 filing fee paid prior to 5:00 PM on August 10th, 2021.
2. The clerk is hereby authorized and directed to cause notice of said filing dates to be published in the official newspaper of the 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  
INDEPENDENT SCHOOL DISTRICT NO. 200  
(HASTINGS 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 Independent School District No. 200 shall begin on July 27th, 2021, and shall close at 5:00 PM on August 10th, 2021.

The general election shall be held on Tuesday, November 2nd, 2021. At that election, three (3) members will be elected to the School Board for terms of four (4) years each.

Affidavits of Candidacy are available from the school district clerk, Independent School District no. 200. 1000 11th Street W, Hastings, MN 55033-2597. The filing fee for this office is \$2.00. The 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 general and 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 school district clerk and the filing fee paid prior to 5:00 o'clock PM on August 10th, 2021.

Dated: June 23rd, 2021

BY ORDER OF THE SCHOOL BOARD

/s/  \_\_\_\_\_

School District Clerk  
Independent School District No. 200  
(Hastings Public Schools)  
State of Minnesota

The motion of the foregoing resolution was duly seconded by Scott Gergen.

On a roll call vote, the following voted in favor:

Brian Davis  
Kelsey Waits  
Scott Gergen  
Dave Pemble  
Stephanie Malm  
Lisa Hedin

The following voted against the same:

None

WHEREUPON said resolution was declared duly passed and adopted.

A motion to approve changing the first day of school for 6th-grade students from September 9th to the 8th for the 2021-2022 school calendar was made by Scott Gergen and seconded by Dave Pemble. The vote was: 6 ayes, and 0 nays, motion carried unanimously.

A motion to approve the ISD 200 LTFM was made by Lisa Hedin and seconded by Scott Gergen. The vote was: 6 ayes, and 0 nays, motion carried unanimously.

A motion to approve the 2021-2022 adopted budget was made by Brian Davis and seconded by Dave Pemble. The vote was: 6 ayes, and 0 nays, motion carried unanimously.

A motion to adopt policy 406 Public and Private Personnel Data was made by Stephanie Malm and seconded by Dave Pemble. The vote was: 6 ayes, and 0 nays, motion carried unanimously.

A motion to adopt policy 430 Employee Recognition Compensation was made by Stephanie Malm and seconded by Brian Davis. The vote was: 6 ayes, and 0 nays, motion carried unanimously.

With no further business to discuss, a motion to adjourn the meeting was made by Dave Pemble and seconded by Stephanie Malm. The vote was: 6 ayes, and 0 nays, motion carried unanimously. The Regular Meeting of the Board was adjourned at 7:22 PM.

**Board of Education  
Independent School District 200  
Hastings, Minnesota**

A Special Meeting of the School Board of Independent School District No. 200, Hastings, Minnesota, was held on Wednesday, July 14th, 2021 at the Hastings District Office Board Room.

The meeting was called to order by Chairperson Kelsey Waits at 5:00 PM.

The following members of the Board were present: Becky Beissel, Brian Davis, Scott Gergen, Lisa Hedin, and Stephanie Malm. Kelsey Waits was present virtually via a Zoom meeting link from the Hampton Inn in Titusville, FL. Superintendent Robert McDowell was also present at the meeting. Board member Dave Pemble was absent.

A motion to move from an open session to a closed meeting was made by Scott Gergen and seconded by Becky Beissel. The vote was: 6 ayes, 0 nays, motion carried unanimously.

With no further business to discuss, a motion to adjourn the Special Meeting was made by Scott Gergen and seconded by Brian Davis. The vote was: 6 ayes, 0 nays, motion carried unanimously. The Special Meeting of the Board was adjourned at 5:59 PM.



# 2021 Summer Program

Brittney Hirschauer

# Feeding Students in our community



# Summer Food Transportation



# Summer Numbers

	Breakfast	Lunch
June (3 weeks)	8107	8040
July (3 weeks)	7253	7952
Total	15360 (2560 per week avg)	15992 (2665 per week avg)

# Locations

## *Distribution Locations* June 14<sup>th</sup> - August 23<sup>rd</sup>, 2021

- ▶ Pincrest 11:00AM-12:00PM
- ▶ Middle School 11:00AM-12:00PM
- ▶ High School 11:00AM-12:00PM
- ▶ McAuliffe 11:00AM-11:15AM
- ▶ Kennedy 11:25AM-11:40AM
- ▶ Lake Isabel Park 11:50AM-12:15PM

# Locations Continued

Once per week: **Mondays (Weekly Meal Kits 5 breakfast and 5 lunches)**

- ▶ Our Saviors Lutheran Church 5:00PM-6:00PM
- ▶ Crossroads Church 11:00AM-11:15AM
- ▶ St John the Baptist Catholic School- Vermillion, MN 8:45AM-11:15AM
- ▶ St Mathias- Hampton, MN 11:25AM-11:40AM
- ▶ Wiederholts - Miesville, MN 11:55AM-12:15PM

# Menu Items

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
<b>Pepperoni &amp; Cheese Pizza Kit</b> 1 oz veggie pack 1 whole apple/orange/banana 8 oz milk	Mini Pancakes 1 oz veggie pack 1 whole apple/orange/banana 8 oz milk	Chicken Waffle Sandwich 1 oz veggie pack 1 whole apple/orange/banana 1 1 8 oz milk	PB&J Sandwich w/String Cheese 1 oz veggie pack 1 whole apple/orange/banana 1 1 oz bag chip 8 oz milk	Turkey & Cheese Sandwich 1 oz veggie pack 1 whole apple/orange/banana 1 1 1 oz bag chip 1 8 oz milk
<b>Deep dish Cheese Pizza</b> 1 oz veggie pack 1 whole apple/orange/banana 1 1 1 oz bag chip 1 8 oz milk	Cheeseburger 1 1 oz bag chip 1 oz veggie pack 1 whole apple/orange/banana 8 oz milk	Bean & Cheese Burrito 1 oz veggie pack 1 whole apple/orange/banana 1 1 8 oz milk	PB&J Sandwich w/String Cheese 1 oz veggie pack 1 whole apple/orange/banana 1 1 oz bag chip 8 oz milk	Turkey & Cheese Sandwich 1 oz veggie pack 1 whole apple/orange/banana 1 1 1 oz bag chip 1 8 oz milk
<b>Cheese Pizza Lunch Kit</b> 1 oz veggie pack 1 whole apple/orange/banana 1 1 8 oz milk	Mini Pancakes 1 oz veggie pack 1 whole apple/orange/banana 8 oz milk	Chicken Waffle Sandwich 1 oz veggie pack 1 whole apple/orange/banana 1 1 8 oz milk	PB&J Sandwich w/String Cheese 1 oz veggie pack 1 whole apple/orange/banana 1 1 oz bag chip 8 oz milk	Turkey & Cheese Sandwich 1 oz veggie pack 1 whole apple/orange/banana 1 1 1 oz bag chip 1 8 oz milk
<b>Deep dish Cheese Pizza</b> 1 oz veggie pack 1 whole apple/orange/banana 1 1 8 oz milk	Chicken Tenders 1 1 oz bag chip 1 oz veggie pack 1 whole apple/orange/banana 8 oz milk	Bean & Cheese Burrito 1 oz veggie pack 1 whole apple/orange/banana 1 1 8 oz milk	PB&J Sandwich w/String Cheese 1 oz veggie pack 1 whole apple/orange/banana 1 1 oz bag chip 8 oz milk	Turkey & Cheese Sandwich 1 oz veggie pack 1 whole apple/orange/banana 1 1 1 oz bag chip 1 8 oz milk

# Market on the Move - a partnership with Hastings Family Services





## 203.2 ORDER OF THE REGULAR SCHOOL BOARD MEETING

### I. PURPOSE

The purpose of this policy is to ensure consistency in the order of business at regular school board meetings.

### II. GENERAL STATEMENT OF POLICY

It is the policy of the school board to consider matters that come before it in a consistent and orderly manner.

### III. ORDER

A. The school board shall conduct an orderly school board meeting. The school board will, at all regular school board meetings, follow an agenda order similar to:

1. Call to order.
2. Approval of agenda, table agenda, and minutes.
3. Recognition of visitors, and correspondence, ~~and public comment.~~
4. Items for discussion.
5. Reports.
6. Action Items.
7. Future Meetings.
8. Adjournment.

B. Items in this order may be considered as part of a consent agenda.

C. The school board may depart from the order of business with the consent of the majority of members present.



*Hastings Public School District  
ISD #200*

***Legal References:*** Minn. Stat. § 123B.09, Subd. 7 (School Board Powers)

***Cross References:*** MSBA/MASA Model Policy 203 (Operation of the School Board –  
Governing Rules)  
MSBA/MASA Model Policy 203.5 (School Board Meeting Agenda)  
MSBA/MASA Model Policy 203.6 (Consent Agendas)

*Policy Reviewed: 07.28.2021*

*Policy Adopted: 08.26.2020*

*Policy Revised: 02.21.2020*



*Hastings Public School  
District ISD #200*

*MSBA/MASA Model Policy 206  
Orig. 1995  
Rev. 2017*

## **206 PUBLIC PARTICIPATION IN SCHOOL BOARD MEETINGS/COMPLAINTS ABOUT PERSONS AT SCHOOL BOARD MEETINGS AND DATA PRIVACY CONSIDERATIONS**

### **I. PURPOSE**

- A. The school board recognizes the value of participation by the public in deliberations and decisions on school district matters. At the same time, the school board recognizes the importance of conducting orderly and efficient proceedings, with opportunity for expression of all participants' respective views.
- B. The purpose of this policy is to provide procedures to assure open and orderly public discussion as well as to protect the due process and privacy rights of individuals under the law.

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

- A. The policy of the school board is to encourage discussion by persons of subjects related to the management of the school district at school board meetings. The school board may adopt reasonable time, place, and manner restrictions on public expression in order to facilitate free discussion by all interested parties.
- B. The school board shall, as a matter of policy, protect the legal rights to privacy and due process of employees and students.

### **III. DEFINITIONS**

- A. "Personnel data" means government data on individuals maintained because the individual is or was an employee or applicant for employment. For purposes of this policy, "employee" includes a volunteer or an independent contractor.
- B. Personnel data on current and former employees that is "public" includes:  
  
Name; employee identification number, which must not be the employee's social security number; actual gross salary; salary range; terms and conditions of employment relationship; contract fees; actual gross pension; the value and nature of employer paid fringe benefits; the basis for and the amount of any added

remuneration, including expense reimbursement, in addition to salary; bargaining unit; job title; job description; education and training background; previous work experience; date of first and last employment; the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action; the final disposition of any disciplinary action as defined in Minn. Stat. § 13.43, Subd. 2(b), together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the public body; the complete terms of any agreement settling any dispute arising out of the employment relationship, including a buyout agreement as defined in Minn. Stat. § 123B.143, Subd. 2, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money; work location; work telephone number; badge number; work-related continuing education; honors and awards received; and payroll time sheets or other comparable data that are only used to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.

- C. Personnel data on current and former applicants for employment that is "public" includes:

Veteran status; relevant test scores; rank on eligible list; job history; education and training; and work availability. Names of applicants shall be private data except when certified as eligible for appointment to a vacancy or when applicants are considered by the appointing authority to be finalists for a position in public employment. For purposes of this subdivision, "finalist" means an individual who is selected to be interviewed by the appointing authority prior to selection.

- D. "Educational data" means data maintained by the school district which relates to a student.
- E. "Student" means an individual currently or formerly enrolled or registered in the school district, or applicants for enrollment, or individuals who receive shared time services.
- F. Data about applicants for appointments to a public body, including a school board, collected by the school district as a result of the applicant's application for appointment to the public body are private data on individuals, except that the following are public: name; city of residence, except where the appointment has a residency requirement that requires the entire address to be public; education and training; employment history; volunteer work; awards and honors; prior government service; any data required to be provided or that is voluntarily provided in an application to a multimember agency pursuant to Minn. Stat. § 15.0597; and veteran status. Once an individual has been appointed to a public body, the following additional items of data are public: residential address; either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee; the first and last dates of service

on the public body; the existence and status of any complaints or charges against an appointee; and, upon completion of an investigation of a complaint or charge against an appointee, the final investigative report unless access to the data would jeopardize an active investigation. Any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.

#### **IV. RIGHTS TO PRIVACY**

- A. School district employees have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:
1. Right to a private hearing for teachers, pursuant to Minn. Stat. § 122A.40, Subd. 14 (Teachers Discharge Hearing);
  2. Right to privacy of personnel data as provided by Minn. Stat. § 13.43 (Personnel Data);
  3. Right to consideration by the school board of certain data treated as not public as provided in Minn. Stat. § 13D.05 (Not Public Data);
  4. Right to a private hearing for licensed or nonlicensed head varsity coaches to discuss reasons for nonrenewal of a coaching contract pursuant to Minn. Stat. § 122A.33, Subd. 3.
- B. School district students have a legal right to privacy related to matters which may come before the school board, including, but not limited to, the following:
1. Right to a private hearing, Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing);
  2. Right to privacy of educational data, Minn. Stat. § 13.32 (Educational Data); 20 U.S.C. § 1232g (FERPA);
  3. Right to privacy of complaints as provided by child abuse reporting and discrimination laws, Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors) and Minn. Stat. Ch. 363A (Minnesota Human Rights Act).

#### **V. THE PUBLIC'S OPPORTUNITY TO BE HEARD**

The school board will strive to give all persons an opportunity to be heard and to have complaints considered and evaluated, within the limits of the law and this policy and subject to reasonable time, place, and manner restrictions. Among the rights available to the public is the right to access public data as provided by Minn. Stat. § 13.43, Subd. 2 (Public Data).

## VI. PROCEDURES FOR REQUESTING TO ADDRESS BOARD

### ~~A. Agenda Items~~ A. School Board Listening Sessions

1. There will be at least two school board members available fifteen minutes prior to the start of each Regular Board Meeting ~~or Work Session~~. This time is for citizens who wish to **address the board regarding** ~~have a subject discussed~~ that is or is not on the Regular Board Agenda. **A maximum of five speakers will be allowed during each listening session. The school board will not engage in discussion or provide responses during this time, however may respond at a later time and/or direct administration to provide a response.**
2. ~~Citizens who wish to address the school board on an agenda item may speak during the public comment in accordance with the Policy 206 addendum.~~ **To be recognized, citizens must sign up on the listening session document no later than 5:40 pm, on the day of the corresponding board meeting. Speakers must provide, on the document, their name, address, topic to which they are speaking, and their relationship to the district. Speakers may provide email addresses and phone numbers, if they choose.**
3. **In order to speak, the citizen must meet one of the following connections to the district: Resident of the district, family member/guardian of a student in the district, or taxpayer of the district.**
4. The school board chair will recognize one speaker at a time, and will rule out of order other speakers who are not recognized. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, school board, or the proceedings may be directed to leave.
5. The school board retains the discretion to limit ~~discussion of any agenda item~~ **each speaker** to a reasonable period of time as determined by the school board. If a group or organization wishes to address the school board on a topic, the school board reserves the right to require designation of one or more representatives or spokespersons to speak on behalf of the group or organization.
6. Matters proposed for placement on the agenda which may involve data privacy concerns, which may involve preliminary allegations, or which may be potentially libelous or slanderous in nature shall not be considered in public, but shall be processed as determined by the school board in accordance with governing law.
7. The school board chair shall promptly rule out of order any discussion by any person, including school board members, that would violate the provisions of state or federal law, this policy or the statutory rights of privacy of an individual.
8. Personal attacks by anyone addressing the school board are unacceptable. Persistence in such remarks by an individual shall terminate that person's privilege to address the school board.

9. Depending upon the number of persons in attendance seeking to be heard, the school board reserves the right to impose such other limitations and restrictions as necessary in order to provide an orderly, efficient, and fair opportunity for those present to be heard.

B. Complaints

1. Routine complaints about a teacher or other employee should first be directed to that teacher or employee or to the employee's immediate supervisor.
2. If the complaint is against an employee relating to child abuse discrimination, racial, religious, or sexual harassment, or other activities involving an intimidating atmosphere, the complaint should be directed to the employee's supervisor or other official as designated in the school district policy governing that kind of complaint. In the absence of a designated person, the matter should be referred to the superintendent.
3. Unresolved complaints from Paragraph 1. of this section or problems concerning the school district should be directed to the superintendent's office.
4. Complaints which are unresolved at the superintendent's level may be brought before the school board by notifying the school board in writing.

~~C. School Board Listening Sessions~~

~~There will be at least two school board members available fifteen minutes prior to the start of each Regular Board Meeting or Work Session. This time is for citizens who wish to have a subject discussed that is or is not on the Regular Board Agenda.~~

D. No Board Action at Same Meeting

Except as determined by the school board to be necessary or in an emergency, the school board will not take action at the same meeting on an item raised for the first time by the public.

## VII. **PENALTIES FOR VIOLATION OF DATA PRIVACY**

- A. The school district is liable for damages, costs and attorneys' fees, and, in the event of a willful violation, punitive damages for violation of state data privacy laws. (Minn. Stat. § 13.08, Subd. 1)
- B. A person who willfully violates data privacy or whose conduct constitutes the knowing unauthorized acquisition of not public data is guilty of a misdemeanor. (Minn. Stat. § 13.09)

- C. In the case of an employee, willful violation of the Minnesota data practices law, Chapter 13, and any rules adopted thereunder, including any action subject to a criminal penalty, constitutes just cause for suspension without pay or dismissal. (Minn. Stat. § 13.09)

***Legal References:*** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act) Minn. Stat. § 13.43 (Personnel Data)  
Minn. Stat. § 13.601, Subd. 3 (Applicants for Appointment)  
Minn. Stat. § 13D.05 (Open Meeting Law)  
Minn. Stat. § 121A.47, Subd. 5 (Student Dismissal Hearing)  
Minn. Stat. § 122A.33, Subd. 3 (Coaches; Opportunity to Respond)

Minn. Stat. § 122A.40, Subd. 14 (Teacher Discharge Hearing)  
Minn. Stat. § 122A.44 (Contracting with Teachers)  
Minn. Stat. § 123B.02, Subd. 14 (Employees; Contracts for Services)  
Minn. Stat. § 123B.143, Subd. 2 (Disclose Past Buyouts or Contract is Void)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
Minn. Op. Atty. Gen. 852 (July 14, 2006)

***Cross References:*** MSBA/MASA Model Policy 205 (Open Meetings and Closed Meetings)  
MSBA/MASA Model Policy 207 (Public Hearings)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA Service Manual, Chapter 13, School Law Bulletin “C” (Minnesota’s Open Meeting Law)  
MSBA Service Manual, Chapter 13, School Law Bulletin “I” (School Records – Privacy – Access to Data)

*Policy Reviewed: 07.07.2021*  
*Policy Adopted: 03.25.2020*  
*Policy Revised: 02.21.2020*

**Listening Session Sign-up Document for \_\_\_\_\_ (Date)  
Independent School District 200, Hastings, MN**

As per district Policy 206, there will be at least two school board members available fifteen minutes prior to the start of each Regular Board Meeting. This time is for citizens who wish to address the board regarding a subject that is or is not on the Regular Board Agenda. A maximum of five speakers will be allowed during each listening session.

To be recognized, those wishing to address the board must sign up on the listening session document no later than 5:40 pm, on the day of the corresponding board meeting. Speakers must provide, on the document, their name, address, and topic to which they are speaking. Speakers may provide email addresses and phone numbers, if they choose. In order to speak, the speaker must meet one of the following connections to the district: Resident of the district, family member/guardian of a student in the district, or taxpayer of the district.

The school board chair will recognize one speaker at a time, and will rule out of order other speakers who are not recognized. Only those speakers recognized by the chair will be allowed to speak. Comments by the others are out of order. Individuals who interfere with or interrupt speakers, school board, or the proceedings may be directed to leave.

The school board retains the discretion to limit each speaker to a reasonable period of time as determined by the school board. If a group or organization wishes to address the school board on a topic, the school board reserves the right to require designation of one or more representatives or spokespersons to speak on behalf of the group or organization.

Please understand that the board will not directly respond to speaker comments, but invites individuals to follow-up with individual board members, by appointment.

First/Last Name	Topic to speak about	Relationship to the District			Email
		Resident	Family/ Guardian of a student	Taxpayer	
		Resident	Family/ Guardian of a student	Taxpayer	
		Resident	Family/ Guardian of a student	Taxpayer	
		Resident	Family/ Guardian of a student	Taxpayer	
		Resident	Family/ Guardian of a student	Taxpayer	



## 501 SCHOOL WEAPONS POLICY

### I. PURPOSE

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

### II. GENERAL STATEMENT OF POLICY

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

### III. DEFINITIONS

#### A. "Weapon"

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



- B. “School Location” includes any school building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the school district.
- C. “Possession” means having a weapon on one’s person or in an area subject to one’s control in a school location.

#### **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 Minn. Stat. §§ 624.714 or 624.715 or other firearms in accordance with § 97B.045;
    - a. Section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Section 624.715 defines an exception to the pistol permit requirements for “antique firearms which are carried or possessed as curiosities or for their historical significance or value.”
    - b. Section 97B.045 generally provides that a firearm may not be



transported in a motor vehicle unless it is (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 §§ 624.714 and 624.715.

5. firearm safety or marksmanship courses or activities for students or nonstudents conducted on school property;
6. possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;
7. a gun or knife show held on school property;
8. possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center; or
9. persons who are on unimproved property owned or leased by a child care center, school or school district unless the person knows that a student is currently present on the land for a school-related activity.

~~C. Policy Application to Instructional Equipment/Tools~~

~~The following exceptions to the possession of an instrument that could be used as a weapon will be made as follows:~~

~~1. An instrument which could be used as a weapon may be allowed onto school property after explicit written permission is granted by a school principal or school district administrator. In such a case, the permission statement shall contain the reason for the instrument to be allowed upon the school property, the specific dates and times when the instrument may be on the property, and the specific safeguards that would be taken in regard to the particular exception.~~

~~2. An instrument that is used in a way in which it is both appropriate and non-threatening in the orderly conduct of a person's business or professional activities. Examples may include such items as:~~

- ~~-knives and tools used by maintenance personnel~~
- ~~starter pistols which fire blanks and are used~~
- ~~-starter pistols which fire blanks and are used for track meets~~
- ~~-personal pocket knives used for non-threatening usage~~
- ~~-tools used for educational purposes such as those used in~~



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industrial arts, home economics and art and science courses.

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 Minn. Stat. § 624.714 to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle. 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 takes a position of “Zero Tolerance” in regard to the possession, use or distribution of weapons by students.~~

A. The school district does not allow the possession, use, or distribution of weapons by students. Consequently, the minimum consequence for students possessing, using, or distributing weapons shall include:

1. immediate out-of-school suspension;

2. confiscation of the weapon;

3. immediate notification of police;



4. parent or guardian notification; and

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

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

C. 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



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the member of the public from the school location.

**Legal References:** Minn. Stat. § 97B.045 (Transportation of Firearms)  
Minn. Stat. § 121A.05 (Referral to Police)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)  
Minn. Stat. § 609.02, Subd. 6 (Definition of Dangerous Weapon)  
Minn. Stat. § 609.605 (Trespass)  
Minn. Stat. § 609.66 (Dangerous Weapons)  
Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)

Minn. Stat. § 624.715 (Exemptions; Antiques and Ornaments)  
18 U.S.C. § 921 (Definition of Firearm)  
*In re C.R.M.* 611 N.W.2d 802 (Minn. 2000)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 525 (Violence Prevention)

*Policy Reviewed:* 07.07.2021

*Policy Adopted:*

*Policy Revised:*



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

B. Desks

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  
Minn. Stat. § 121A.72 (School Locker Policy)  
*New Jersey v. T.L.O.*, 469 U.S. 325, 105 S.Ct. 733, 83 L.Ed.2d 720 (1985)  
*G.C. v. Owensboro Public Schools*, 711 F.3d 623 (6<sup>th</sup> Cir. 2013)

**Cross References:** MSBA/MASA Model Policy 417 (Chemical Use and Abuse)  
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)



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MSBA/MASA Model Policy 501 (School Weapons)  
MSBA/MASA Model Policy 506 (Student Discipline)

*Policy Reviewed:*      *07.07.2021*

*Policy Adopted:*

*Policy Revised:*



## 506 STUDENT DISCIPLINE

### I. PURPOSE

The purpose of this policy is to ensure that all members of the school community work collaboratively to create a safe, supportive, and equitable school climate through the use of positive discipline practices. Effective positive discipline stresses student self-direction, decision-making, and responsibility. Students have the right to be safe and free from threatening situations on school property, at school activities, and in district vehicles. Therefore, 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

1. All students have the right to an education and the right to learn.
2. The School Board recognizes that individual responsibility and mutual respect are essential components of the educational process. Students must conduct themselves in an appropriate manner in order to maintain a climate where learning can take place with minimal interference.
3. The District believes that a positive and equitable learning environment is essential for students to thrive academically and developmentally.
4. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.
5. The Board recognizes that no policy will cover all situations. Therefore, the building administrator(s) or designee will make a determination of the violation and/or consequences/disciplinary action when student actions are not specifically addressed. All actions by an administrator/designee will be made on a case-by-case basis.

### 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



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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 a positive atmosphere at events sponsored by the school district or held on school district property. See School Board Policy 903 (Visitors



to School District Buildings and Sites) for additional information.

#### IV. STUDENT RIGHTS and RESPONSIBILITIES

Hastings Public Schools strives to create a safe and welcoming place for all students. All of us help create this positive and respectful learning environment.

- A. While each school’s approach may differ in details, the table below offers a summary of the responsibilities we share to create a positive school and district culture:

	<b>Students</b>	<b>Parents/ Guardians</b>	<b>All Hasting Staff</b>
<b>Beliefs</b>	Believe that you have the capacity to be your best self. -Belief that you are important -Belief that you can do big things	Believe your child has the capacity to be their best self...	Believe staff have the capacity to support students in being their best selves...
<b>Positive Relationships</b>	Actively build and maintain positive relationships with staff and students.	Build and maintain a positive relationship with staff at the school. Build and maintain a positive relationship with staff at the school.	Build and maintain positive relationships with all students and their families.
<b>Respect</b>	Respect yourself, the learning environment, other students, their parents/ guardians, families and all staff.	Respect and support the learning environment and emphasize the importance of being prepared for school. Respect and support the learning environment and emphasize the importance of being prepared for school.	Develop a learning community and a respectful environment that supports social-emotional and academic success.
<b>Support</b>	Ask for and accept help when you need assistance.	Ask for help when you need assistance. Advocate for your	Regularly communicate with students and families.



		child through regular communication with school staff.	Support them when they ask for assistance.
Attendance	Go to school everyday on time, ready to learn, and give your best effort	Make sure your child arrives at school everyday on time and prepared to learn.	Create a welcoming environment. Have high expectations for all students.
Expectations and Procedures	Learn and follow school expectations and procedures	Learn and talk with your child about the expectations and procedures at their school	Teach, model, and reinforce school expectations and procedures. Follow the school-wide discipline plan
Technology Use	Use technology and equipment in a responsible way.	Review the technology agreement with your child.	Tailor instruction for student voice and choice within a technology rich learning environment.
Learn	Personalize your learning by bringing your creativity to your assignments.	Encourage your child's passion to learn and grow toward their own goals for college and career.	Provide personalized, engaging and academically appropriate instruction, including culturally responsive teaching that represents and invites students' identities.
Safety	Conduct yourself in a manner to ensure your safety and the safety of others.	Contact your child's school if you observe or are aware of potentially unsafe activities or conditions.	Create and monitor safe conditions in the school environment.



- B. In addition to collective expectations and responsibilities, specific student Rights, Opportunities and Responsibilities are outlined in the table below.

<b>Access to Records</b>
<p><b>Rights/Opportunities</b></p> <ul style="list-style-type: none"><li>• Students’ parents/guardians and eligible students under federal law generally have the right to view their school records according to state and federal laws.</li><li>• Students have the right to privacy regarding their school records. Any disclosure of information from student records will be consistent with legal requirements and policy established by the school district.</li><li>• <b>Responsibilities</b> Eligible students are responsible for following established building and district procedures regarding access to their school records.</li></ul>
<b>Attendance and Tardiness</b>
<p><b>Rights/Opportunities</b></p> <ul style="list-style-type: none"><li>• Absence or tardiness of students because of religious holidays and observances shall be recorded as excused absences or tardiness at the written request of the parent/guardian. For more details, see Board Policy 503.</li></ul> <p><b>Responsibilities</b></p> <ul style="list-style-type: none"><li>• Students and parents/guardians are responsible for following the school’s attendance and tardiness rules and procedures.</li><li>• Students and parents/guardians are responsible for notifying the school (e.g., a written note, phone call) before an absence or upon returning to school after an absence.</li><li>• Students are responsible for following the school’s procedures, i.e. obtaining a pass from a staff person, when late for class or if there is a need to leave class.</li><li>• Students and parents/guardians are responsible for notifying the school if the student must leave during the school day. For more details, see Board Policy 503.</li></ul>
<b>Equal Opportunity</b>
<p><b>Rights/Opportunities</b></p> <ul style="list-style-type: none"><li>• Students have the right of equal opportunity, as allowed by law, to participate in all school activities and school education programs for which they are eligible.</li></ul> <p><b>Responsibilities</b></p> <ul style="list-style-type: none"><li>• Students are responsible for following the rules and procedures of the school-sponsored activity in which they, or others, participate. Students may not discourage, impede or prevent the participation of other students.</li></ul>



## Fair Treatment

### Rights/Opportunities

- Students have the right to due process, as defined in the Minnesota Pupil Fair Dismissal Act, when involved in a violation of district rules. Included is the opportunity to hear the nature of the violation and to give their account of the situation.
- Students have the right to be informed of all applicable classroom and school rules, expectations and procedures.
- Students have the right to be treated respectfully by district employees and other students.
- Students have the right to be free from unreasonable physical contact from staff and other students. Reasonable force by staff to restrain or correct a student from injuring self or other persons, however, is allowable.

### Responsibilities

- Students are responsible for responding to all directions or questions from staff and for following all laws, policies, rules and expectations that apply to them.
- Students should assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect
- Students are responsible for knowing and following all applicable classroom rules, expectations, and procedures.
- Students are responsible for treating all persons respectfully.
- Students are responsible for respecting the space and freedom of those around them.
- Students are expected to treat the property of others and the district responsibly.
- Students are responsible for refraining from using force or physical contact to inflict harm on another.
- Students are responsible for not engaging in conduct that threatens to physically or mentally injure themselves, other persons or property.

## Free Speech and Expression

### Rights/Opportunities

- Students have the right to free speech subject to certain Constitutional limitations.

### Responsibilities

- Students are responsible for expressing opinions, publishing written materials and distributing literature in such a manner that is not libelous, obscene, discriminatory or sexually explicit; that does not contain references to alcohol, chemicals, tobacco, or other products that are illegal for use by minors; that does not interfere with the rights of others; that does not materially and substantially disrupt the atmosphere of learning in the school; and that follows school rules and procedures regarding time, place and manner.
- Permission of the school principal is required for distribution or posting of written materials.

## Gender Identity

### Rights/Opportunities



- Students have the right to be identified by their preferred name, pronoun, and asserted gender in school records, learning spaces, facilities, and extracurricular activities consistent with Board Policy and procedures. For more information see Board Policy 536.

**Responsibilities**

- Students must communicate with school staff if their school records are not reflective of their preferred name, pronoun, and/or gender identity.
- School record name and/or gender changes connected to gender identity require submitting updates to the placement office in accordance with Board procedures.

**Learning and Academic Work**

**Rights/Opportunities**

- Eligible resident students have the right to a free public education according to state and federal laws.
- Students have the right to attend school and gain an education as provided by law. Attendance at a particular school is a privilege, not a right. For more details, see Minn. Stat. § 120A.36 at [revisor.mn.gov/statutes](http://revisor.mn.gov/statutes).
- Students have the right to attend school in a safe environment that is free from disruptive behavior by others. Students have the right to experience learning opportunities that reflect their cultural experiences in a non-racist, non-sex-biased, gender and disability fair manner. Students have the right to make up school work missed during any excused absence.
- When absent for an extended period as a result of a medical issue, students have the right to necessary home/hospital instruction as regulated by state guidelines.

**Responsibilities**

- Students are responsible for daily attendance, for completing class assignments on time, and for bringing appropriate materials required for class use.
- Students are responsible for behaving in such a manner that supports learning for all, does not pose a potential or actual danger to themselves or others, and is not disruptive to the learning process for others.
- Students are responsible for respecting the cultural experiences shared by their peers.
- Students are responsible for obtaining and completing make-up work assigned for periods of absence.
- Avoid inaccuracies in publications.

**Medications**

**Rights/Opportunities**

- Students have the right to receive medications and medical procedures that must be administered during the school day in order for a student to attend school consistent with Board policy and procedure. For more information see Board policy 516.

**Responsibilities**

- Families are responsible for communicating with the school nurse or other school staff about changes in medications or medical procedures when they must be administered during the school day.
- Students are responsible for cooperating with school staff regarding medications and medical procedures to be administered during the school day.



## Non-Discrimination/Harassment-Free Environment

### Rights/Opportunities

- Students have the right to a learning environment free from discrimination, harassment and violence based on an individual's race, creed, sex, marital status, national origin, age, color, religion, familial status, status with respect to public assistance, sexual or affectional orientation, gender identity and expression, disability, or membership or activity in a local commission as defined by Minn. Stat. § 363A.03.
- Students have a right not to be retaliated against for making good faith reports of discrimination, harassment, or violence.

### Responsibilities

- Students are responsible for treating other students and district employees respectfully and in a manner that does not discriminate or harass an individual based on protected class.
- Students are responsible for reporting to staff (i.e., teacher or principal) incidents of bullying, discrimination, harassment, violence or retaliation that they have experienced or of which they are aware.

## Personal Property and Privacy

### Rights/Opportunities

- Students generally have a right of privacy in their persons and in their personal property on school district property and at school-sponsored or -associated events.
- According to Minnesota law, students have the right to use school-owned property (e.g., lockers, desks, iPads, ChromeBooks) for storing appropriate items of personal property with the understanding that all school-owned property is within the exclusive control of the school district and may be searched by school authorities for any reason, at any time, without permission, consent or requirement for a search warrant. For more details, see Minn. Stat. § 121A.72, subd. 1 at [revisor.mn.gov/statutes/](http://revisor.mn.gov/statutes/).

### Responsibilities

- Students must not bring onto school district property, or to school-sponsored or -associated events, any item or material that violates school district policy, school rules, or state or federal law, or that would cause, or tend to cause, a disruption or endanger the health or safety of students or other people. Items prohibited include, but are not limited to, stolen goods, weapons and lookalike weapons, and other illegal items.
- When reasonable suspicion exists to believe a student possesses prohibited items or that a search will uncover evidence of a violation of a school rule or of the law, school officials may conduct a reasonable search of a student's person or property.
- Students are responsible for keeping their lockers/desks in good condition and free of any items that are illegal or prohibited.
- The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school authorities must provide notice of the search to students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.



For more details, see Minn. Stat. § 121A.72, subd. 1 at [revisor.mn.gov/statutes/](http://revisor.mn.gov/statutes/).

- Students must respect and maintain school property and the property of others.

### **Pledge of Allegiance**

#### **Rights/Opportunities**

- Minnesota law requires all public schools to provide students the opportunity to recite the Pledge of Allegiance at least once a week (unless the School Board votes to waive this requirement).

#### **Responsibilities**

- Anyone who does not wish to participate in reciting the Pledge of Allegiance for any personal reasons may elect not to do so, and students must respect another person's right to make that choice. For more details, see Minn. Stat. § 121A.11, subd. 3(b) at [revisor.mn.gov/statutes/](http://revisor.mn.gov/statutes/)

### **Police Interviews**

#### **Rights/Opportunities**

- Students have the right to be free from interview or interrogation by private parties, such as attorneys and private investigators, during the school day.
- Students have the right to be free from interview or interrogation during the school day by the Hastings Police Department unless the student's building administration determines it is unwise or unsatisfactory for the Hastings Police Department to contact the student outside of school.
- When interviewed during the school day by the Hastings Police Department, students have the right to be interviewed in private and with confidentiality and in the presence of the student's principal or the principal's designee, without interruption and without observance by other school personnel or students. For more details, see Board Policy 519.

### **Student Dress**

#### **Rights/Opportunities**

- Students have the right to choose their manner of dress and personal grooming unless it presents a clear danger to the student's health or safety, causes an interference with school work or creates classroom or school disruption.

#### **Responsibilities**

- Students are responsible for wearing clothes that are appropriate for school. To maintain a safe learning environment, student dress cannot be a health and/or safety hazard, obscene, sexually explicit or discriminatory. Clothing that displays words or images that communicate a message that is racist, sexist, or otherwise derogatory is not permitted. Clothing that displays references to alcohol, chemicals, tobacco or other products that are illegal for use by minors is not permitted.
- Students are responsible for abiding by the school principal's mandated minimum standards of cleanliness and neatness. For more details, see Board Policy 504.

### **Student Government**

#### **Rights/Opportunities**

- Students have the opportunity to form and participate in student government that is open to all of the student body being represented. The purpose of the existence of student government is to represent and



to be responsive to the needs of all students.

### **Responsibilities**

- Students are responsible, when forming a student government, for establishing purposeful governing rules. The student government is responsible for communicating with the student body, faculty and administration, and for being aware of and complying with any school district policies affecting the student government procedures.

## **Technology Usage and Safety**

### **Rights/Opportunities**

- Students have the opportunity to access a variety of district technology resources in support of personalized learning.

### **Responsibilities**

- Students are responsible for using the district technology resources, including iPads, properly and following all district and school rules and procedures.
- Students are responsible for respecting the privacy of other users, and not intentionally seeking information on, obtaining copies of, or modifying files, other data or passwords belonging to other users without permission.
- Students are responsible for maintaining the security of the district technology resources and recognizing and honoring the intellectual property rights of others.
- Students are responsible for immediately disclosing inadvertent access of unacceptable materials or an unacceptable Internet site to an appropriate school district administrator.
- Students are responsible for using the district technology resources without making changes to device operating systems and security profiles or installing any apps other than those authorized by Hastings Public Schools.
- Students are responsible for ensuring that any digital content on district technology resources is school-appropriate.
- Unacceptable use of district technology resources, including e-mail and the Internet, may result in one or more of the following consequences: suspension or cancellation of use or access privileges, discipline under applicable district policies and procedures, or civil or criminal liability under applicable laws. For more details, see Board Policy 524.

## **Transportation**

### **Rights/Opportunities**

- When riding a school bus or van to or from school, a student has the right to a safe ride that is free from intimidation, threat, or harassment.
- Parents/Guardians and students have the right to be informed that transportation service is a privilege that is granted to a student contingent upon appropriate behavior. In accordance with Minnesota Statute § 121A.59, transportation is a privilege, not a right, for eligible students.

### **Responsibilities**

- Students are responsible for adhering to the expected behaviors, set by the Board of Education, while on the school bus and while in school bus loading and unloading areas. Misbehaviors occurring on the school bus will be managed in accordance with the [Rights & Responsibilities Student Handbook](#).



- Parents/Guardians of transported students are responsible for supervising their children until their children board the school bus in the morning and after their children leave the bus at the end of the school day.
- Students who are involved in serious or repeated incidents of unacceptable student conduct on the school bus or at the school bus stop may have their riding privileges suspended or revoked, including bus transportation for field trips.
- The parent or guardian of a student suspended from transportation is responsible for ensuring that the student travels safely to and from school and that the student arrives at school on time.
- Bus drivers and school staff are responsible for teaching, modeling and reinforcing positive behavioral expectations to all students.

## **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.
1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
  2. The use of profanity or obscene language, or the possession of obscene materials;
  3. Gambling, including, but not limited to, playing a game of chance for stakes;
  4. Violation of the school district's Hazing Prohibition Policy;



5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
6. Violation of the school district's Student Attendance Policy;
7. Opposition to authority using physical force or violence;
8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;
9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;



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18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district' Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or



pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;

31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
40. Verbal assaults or verbally abusive behavior including, but not limited to, use of words, symbols, acronyms, or language, whether oral or written, that are discriminatory, abusive, obscene, threatening, intimidating, degrading to other people, or threatening to school property;
41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public



assistance, disability, national origin, or sexual orientation;

43. Violation of the school district's Distribution of Non School-Sponsored Materials on School Premises by Students and Employees Policy;
44. Violation of the school district's one-to-one device rules and regulations;
45. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
46. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

## **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. Hastings Public Schools works to ensure developmentally appropriate, age appropriate, and context appropriate interventions/consequences are applied as uniformly as possible. While the specific form of discipline chosen in a particular case is solely within the discretion of the school district, the district has developed a Matrix which establishes a range of intervention and consequence options commensurate with a violation of the Student Code of Conduct. 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. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

### **VIII. REMOVAL OF STUDENTS FROM CLASS**

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 period or activity period for a period of time not to exceed five (5) days after each occurrence, pursuant to this district discipline policy adopted by the school board. A class period or



activity period is defined as a block of time devoted to one subject area or activity.

- 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 as appropriate by student developmental level based on each school's discipline procedure and framework such as PBIS, Restorative Practices and Conscious Discipline. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy.

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 is at the discretion of the teacher or administration, requires removal of the student from class.

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.

- B. If a student is removed from class more than ten (10) times in a school year, the school district shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.
- C. Each building may develop a specific set of procedures for removing a student from class. However, when a building does not have such procedures, the general procedures outlined below, will be expected for staff to follow:

- If a student is removed from class, the teacher, principal, or other



District employee will complete a report describing the student's behavior in accordance with the building level procedure.

- Teachers removing students from class are required to direct the student to the school office or other predesignated location and verify his or her arrival as soon as practicable. Teachers will determine whether a student needs to be accompanied to the office, and, if so, make the necessary arrangements.
- The administrator may, at his/her option, assign the student to supervision in another area specially designated for this purpose.
- The student will remain in the custody of the building administrator or his/her designee for the duration of the time prescribed.
- Students removed for more than one class period will receive assignments from the teachers to enable the student to keep up with his/her class work.

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

1. The student may return to class after a conference with the appropriate administrator, teacher, and/or the parent(s)/Guardian(s). At the time of this conference, a plan of action will be established.
2. Students removed from class will be required to examine and take measures to correct it. (Language specific to each building level framework of behavior interventions- best practices like PBIS, Restitution, Restorative practices).

E. Procedures for Notification.

- Parents/guardians of students removed from class will be notified as soon as practicable of the rule violation that led to the removal, and any conditions for readmission.
- Disabled Students; Special Provisions.
  - In cases involving students receiving special education services, appropriate special education staff will be notified of the removal to determine compliance with the student's IEP and to determine whether further assessment or change in the student's IEP is necessary
  - In cases involving students with suspected disability, the student assistance team or school counselor will be notified and the school's pre-referral intervention process will be followed.

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



1. The District has established a chemical /alcohol abuse pre-assessment team (Student Support Teams or Student Intervention Teams) pursuant to Minnesota Statute 121A.26;
  2. The District has established teacher reporting procedures to the chemical/alcohol abuse pre-assessment team, pursuant to Minnesota Statute 121A.29
- G. Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior.
1. During the enrollment process, schools will gather as much information from parent(s)/guardian(s) as possible to determine any pre-existing academic, behavioral, or attendance concerns.
  2. School administrators will ensure the building is adequately supervised and that a system is in place for reporting behavior concerns, regardless of the time and day.
  3. School administration will have a plan for reviewing attendance records on a regular basis and then act on the attendance concerns in accordance with the appropriate county truancy program.
  4. Schools will establish a structure for teachers to discuss student behavior concerns that is clearly communicated and followed up by administration.
  5. Schools must have a team including administration, counselors, the school nurse, and other staff as available to review student academic, attendance, behavior and social/emotional concerns.
  6. Staff will intervene and support students early on as behavior concerns are surfacing.
  7. Schools will work with chemical health support staff to assess student behavior and determine whether or not chemical issues are present.
  8. In conjunction with the Special Education process, schools will have regularly scheduled meetings to consider whether students with academic, behavioral, or social/emotional concerns might need to be assessed for special education services.
  9. A formal structure will be created to share information as students transition between schools and grades to assist in continuous support and intervention.



10. Schools will communicate with parent/guardian about academic progress and encourage parents/guardians to assist in identifying concerns.

## 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 student'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 (6<sup>th</sup>) consecutive day of suspension or the tenth (10<sup>th</sup>) 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 Minn. Stat. § 123A.05 selected to allow the student to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.

6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
7. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
  - a. strongly encourage a parent or guardian of the student to attend school with the student for one day;
  - b. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
  - c. petition the juvenile court that the student is in need of services under Minn. Stat. Ch. 260C.
8. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)
9. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.



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

D. Expulsion and Exclusion Procedures

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



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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



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the right to present evidence and testimony, including expert psychological or educational testimony.

15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of Education (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minn. Stat. § 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.



## **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 Minn. Stat. § 120B.232, Subd. 1, and require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

## **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. DISABLED STUDENTS**

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

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

#### **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 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 (Reasonable Force)
  - Minn. Stat. §§ 121A.60-121A.61 (Removal from Class)
  - Minn. Stat. § 122A.42 (General Control of Schools)
  - Minn. Stat. § 123A.05 (Area Learning Center Organization)
  - Minn. Stat. § 124D.03 (Enrollment Options Program)
  - Minn. Stat. § 124D.08 (Enrollment in Nonresident District)
  - Minn. Stat. Ch.125A (Students with Disabilities)
  - Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
  - Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
  - Minn. Stat. Ch. 260A (Truancy)
  - Minn. Stat. Ch. 260C (Juvenile Court Act)
  - 20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Improvement Act of 2004)
  - 29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
  - 34 C.F.R. § 300.530(e)(1) (Manifestation Determination)
- Cross References:**
- MSBA/MASA Model Policy 413 (Harassment and Violence)
  - MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)
  - 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 Nonschool-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)



*Hastings Public School District*  
*ISD #200*

MSBA/MASA Model Policy 711 (Video Recording on School Buses)  
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on  
Buses)

*Policy Reviewed: 07.07.2021*

*Policy Adopted:*

*Policy Revised:*



*Hastings Public School District  
ISD #200*

## **503.2 Early Admission to Kindergarten**

### **I. Purpose**

The Purpose of this policy is to provide guidance for early admission to Hastings Public Schools for a student who has not met the kindergarten age requirements established in statute.

### **II. General Statement of Policy**

Pursuant to Minnesota Statutes 2012, Section 124D.02, subdivision 1, the Hastings ISD 200 School Board chooses to provide opportunities for children who have not reached the age of five years by September one (1) in any year to be considered for early admission into kindergarten for that year upon application by the parent/guardian and successfully meeting the District's requirements.

A. Kindergarten enrollment. Entrants, in general, must be five (5) years of age by September 1 of the current school year.

1. Children born between September 2 through October 31 who, after a comprehensive evaluation in cognitive, social, and emotional development domains, have been determined by District staff to have demonstrated superior cognitive ability, above average social and emotional maturity, and have led District staff to determine that the child has the ability to satisfactorily meet kindergarten expectations and the ability to progress to first grade in the subsequent year may be admitted if qualified under provisions specified below.

- a) Testing, information obtained from a parent/guardian, and teacher observations of the child's knowledge, skills, and abilities will be used to determine placement. The comprehensive evaluation will use valid and reliable instruments and be aligned with Minnesota's kindergarten expectations in addition to the expectations noted above.
- b) Students are required to undergo an evaluation administered by a School District school psychologist.
- c) Students are required to be current on immunizations and, for students seeking admission into kindergarten, must undergo early childhood health and developmental screening.



*Hastings Public School District*  
*ISD #200*

- d) parent(s)/guardian(s) are required to complete a child development inventory as selected by District personnel.
- e) Costs associated with individual student testing will be borne by the student's parent(s)/guardian(s). However, the district may assist families with costs associated with district delivered assessments, due to financial hardship.
- f) The final decision for determining early entrance will be made by the Superintendent/Designee after the evaluation is concluded.
- g) The Superintendent (or designee) will establish a timeline and procedures to administer this policy.

**Legal References:** Minn. Stat. § 120A.20 (Admission to Public School)  
Minn. Stat. § 124D.02 (School Board Powers; Enrollment)

*Policy Reviewed:* 07.07.2021  
*Policy Adopted:*  
*Policy Revised:* 07.07.2021



BRIDGE TO SUCCESS

# Hastings Public Schools

INDEPENDENT SCHOOL DISTRICT 200  
1000 11<sup>TH</sup> STREET WEST  
HASTINGS, MN 55033-2597  
Phone (651) 480-7000  
Fax (651) 480-7004

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## Policy Committee Mission

This ad-hoc board committee serves to review current policies and make recommendations for revision or adoption of new policies. The current goal of the committee is to add critical new policies, insure the mandatory annual review of specific policies per statute, and complete a cycle of policy review to ensure that the district policy manual is complete and in a standardized format within a two-year period (January, 2022).

## Policy Committee Meetings

Time: July 7 2021 5:00 PM Central Time

- Policy 503.2: Kindergarten Age Policy – Based on board feedback at our June meeting, adjustments were made to parts (e) and (f). These changes designate the Superintendent as the final decision maker and incorporates language for families who may be unable to afford testing due to financial hardship.
- Policy 506: Student Discipline – Policy was discussed in depth at the committee meeting. The recommendation is to bring this policy forward as a discussion item at our July work session, if the board approves, it will move forward for a first reading in July.
- Policy 206 and 206A: Public Participation – As we move back to in person meetings, the Policy Committee reviewed and is recommending changes to these policies. A number of adjustments are being made in order to clarify language and ensure consistency between policy sections. The main change is the collapsing sections for discussion on agenda items or non-agenda items into a broader public comment period. The Committee recommends this be brought forward for a first reading in July.
- Policy 406: Public and Private Personnel Data – This policy references Policy 206. Given that changes are being recommended to 206, this policy was also reviewed to ensure no changes needed to be here as well. The Policy Committee saw no need for changes and recommends that this policy remain as is.

## Policies for Annual Review

- MSBA recommended no changes to the following policies. The Policy Committee recommends that the board approves the annual review at the July meeting:
    - Policy 413: Harassment and Violence
    - Policy 414: Mandated Reporting of Child Neglect or Physical or Sexual Abuse
    - Policy 514: Bullying
    - Policy 524: Internet Acceptable Use and Safety Policy
    - Policy 616: School District System Accountability
  - Policy 501: School Weapons – Changes were made to this policy based on MSBA recommendations. Changes include adding a section regarding classroom tools, updating the consequences for student possession of weapons, as well as removing some of the exceptions that were previously in place. The Committee recommends this come forward as a first reading in July.
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- Policy 502: Search of Student Lockers, Desks, Possessions, Persons – Changes were made based on MSBA recommendations. A section was added that indicated strip searches would only be done in times of imminent danger. The Committee recommends this come forward as a first reading in July.

**Future Meetings**

- August 2 at 5 pm
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## Community Engagement Committee Mission

The Community Engagement Committee is a link between the Hastings School District and the ISD200 community. The committee focuses on identifying avenues to continuously improve the district’s communication process for increased transparency. It also aims to articulate the district’s goals more effectively with community stakeholders. The committee seeks opportunities for shared learning, knowledge, awareness, experience, and growth to create a stronger, more united community.

## Community Engagement Committee Meeting

Time: June 28, 2021 6:00 PM Central Time (US and Canada)

Members/Attendees:

<b>Becky Beissel – Board Member</b>	<b>Kari Gorr - District Communications Director</b>
<b>Stephanie Malm – Board Member</b>	<b>Marta Tierney, Marty Weber, Anthony Cournoyea – IDEA</b>
<b>Kelsey Waits – Board Member</b>	<b>Don Olson – Veterans Rep</b>
<b>Bob McDowell – Superintendent</b>	<b>Craig Beissel – Rotary</b>
<b>Mari Mellick – United Way</b>	<b>Kristy Barse – Chamber of Commerce</b>
<b>Jessica Monson – Hastings Parents Groups</b>	<b>Rachel Koenigs – Dakota County</b>
<b>Jen Fox and Tina Folch – City of Hastings</b>	

## 6.28.2021 Meeting

The committee reviewed the results of the community survey sent out to the community in June. Based off the results, we discussed top priorities the community would like to see from the district and that is community involvement. Digging deeper into this we asked the question of how the district and community can build a relationship and those connections.

The committee provided input on opportunities that are feasible, desirable, and sustainable:

- Connect non-school groups with the district such as dance programs, Black Dirt Theater, the Hastings arts community for painting or music, Student Impact Council, United Way learning buddies, mentorship opportunities, providing volunteer opportunities for community members to be in the schools such as reading programs. Would like to dive deeper into what resources we can partner on that are engaging and cost effective.
- Junior Achievement opportunities
- Organize a local community event similar to a career fair where students can meet local business members/community members and explore opportunities for growth. Encourage students to be comfortable in Hastings and understand what opportunities are available to them.
- Volunteer opportunities during and after school to encourage equitable access to these opportunities.

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The committee would like to know, what opportunities students have that bridge that connection between the district and the community? What service programs and projects do we have? How can we build upon these and/or expand opportunities?

They would also like to know if and how community opportunities are/would be communicated to parents/guardians so we can get support from them too.



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## Facilities Committee Summary

*The mission of the Facilities Committee is to provide strategic oversight of substantial facilities investment activities on behalf of ISD 200. The Committee will support sustainability, transparency, and equity throughout the School Board and the community at large. This will in turn enhance public confidence in the district's ability to effectively manage, maintain and improve District facilities through communication of the results of its work to the School Board, and by educating the public regarding the facility usage, condition and outlook for the District.*

**July 19, 2021**

Attendees – Bob McDowell, Jen Seubert, Cam Peterson, Sal Bagley, Kyle Edsten, Lisa Hedin, and Kelsey Waits.

### Project Updates

- **MS Improvements** – There is a long punch list remaining. A letter will be sent to the contractor stating the District's intent to "self-perform" a couple key items (HVAC and plumbing flush of the restrooms by the auditorium) required before school begins.
- **District Office Updates** – Furniture purchase order has been signed and anticipate receipt around mid-October. Construction will be timed to coincide with furniture arriving. It is anticipated that District Office employees will be displaced for 1 month. Currently plan to use space in the MS, work from home and the Curriculum Center as needed. Signage focused on the mission and values will be incorporated and be added to other sites as well (including within the frame of cameras to be used for Board Meetings).
- **Board Room Updates (Media Center)** – Working on the exact layout. Some equipment has begun to arrive, but it is anticipated that everything will not be installed and functional until the September Board meetings (optimistic people can continue to hold onto hope for August).
- **High School Baseball Field** – Initial investigation has begun. One failed drain-tile section was identified and will be replaced this fall. The site will be monitored to determine if vertical drains are required to improve drainage. If identified in the spring it could be considered as bond work if funds remain. A likely upper limit estimate for vertical drain installation will be developed prior to the next Facility Committee meeting.

### Planning/Budget Updates

- **Remaining Bond Contingency Allocation** – A revised Bond Contingency Update table was reviewed. A "Go/No Go" column has been added to provide insight into the decision-making timeline.
  - HMS Track Replacement – The range of the project budget has been reduced to surface improvements only, as there is not committee support to consider a full foundation improvement.

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- HHS Team Lock Privacy Improvements – The Go/No Go date on this work item is set to allow the work to be included in the same contract as the HHS bathrooms and PE locker rooms. This work can be put out as a separate contract or an added later. The committee does not anticipate making a decision on this work item until an estimate is developed for the required ALC improvements.
  - ALC – In September a user’s group (including administration, staff and students) will be formed to consider modifications to the lower level of HHS Pod C. A recommendation will be developed in October and action from the Board is scheduled for November 2021.
  - **Additional Project List** – Meetings will be held with principals at each site to identify additional projects; likely in the areas of energy efficiency upgrades, grounds/site improvements, and principal feedback items. Site engineers will be included in the discussion (synchronously or asynchronously). It is anticipated that specific project ideas and initial estimates will be available at the September Facility Committee meeting.
  - **Todd Field Sign** – District staff are investigating what it would take to get this sign working again, and the City of Hastings is being asked to articulate their interest in maintaining their side of the sign. Once the scope of work is understood a recommendation about re-invigorating or removing the sign will be made to the school board.

Committee guidance:

In summary, facility committee guidance is as follows:

- Letters will be sent to the HMS contractor to incentives completion of critical items prior to 6 August. If the contractor does not complete the identified work it will be “self-performed” by the District and charged back.
- Time to consider HHS Team Locker Room Privacy work will be extended to allow ALC project estimates to be developed.
- Todd Field Sign investigation will continue.
- Project estimates for potential project adds will be developed prior to the next Facility Committee meeting.

Next Meetings

August 16, 2021 meeting will be cancelled. September and October meeting dates will be established ASAP.

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**Approval of District 200 Donations****April-June 2021**

<u>Date</u>	<u>Building</u>	<u>Description</u>	<u>Amount</u>
4/9/21	Community Ed	Disabilities Program - 1st Qtr. 2021	\$375.00
	Community Ed	Youth STEAM - 1st Qtr. 2021	\$375.00
	High School	Field Biology Class - 1st Qtr. 2021	\$1,250.00
			<hr/>
			\$2,000.00
4/12/21	District Wide	SHIP School Wellness	\$2,382.00
4/13/21	High School	Tennis Coach	\$1,157.80
4/14/21	High School	Special Services	\$72.00
4/14/21	High School	Basketball Coach	\$1,500.00
4/20/21	High School	Joel Seleskie Family Scholarship	\$222.75
4/22/21	High School	Tecla Karpen/HEP Scholarship	\$500.00
4/23/21	McAuliffe	Classroom Party	\$20.00
4/26/21	High School	High School Faculty Scholarship	\$126.00
4/26/21	High School	Baseball Coaches	\$8,194.81
4/27/21	High School	Kirk Johnson Memorial Scholarship	\$100.00
4/27/21	High School	Marching Band Donation	\$50.00
4/28/21	Pinecrest	Pinecrest Donation	\$20.00
4/30/21	High School	Loyalty Donation	\$1.60
5/5/21	High School	Morris Chamberlain Memorial Scholarship	\$1,000.00
5/6/21	High School	Boys Golf - Golf Balls	\$459.30
5/7/21	High School	Boys Golf - Team Uniforms	\$97.23
5/7/21	Pinecrest	Classroom Party	\$30.00
5/7/21	High School	Mike Kranz Memorial Scholarship	\$550.00
5/11/21	High School	Mike Hovgaard Leadership Scholarship	\$1,000.00

5/11/21	High School	Mike Hovgaard Leadership Scholarship	\$1,000.00
5/12/21	District Wide	SHIP School Wellness	\$910.05
5/14/21	High School	Penny Pettit Memorial Scholarship	\$2,000.00
5/14/21	High School	Wally Pettit Memorial Scholarship	\$2,500.00
5/18/21	High School	Muriel Scholarship Foundation	\$3,000.00
5/21/21	High School	Gender Equality Weight	\$5,450.00
	High School	Noteworthy Non-Fiction	\$2,500.00
	High School	CNC Mill	\$45,043.00
	High School	Scholarships	\$35,000.00
	Kennedy	Singing With Animals	\$700.00
	Pinecrest	Diversifying Libraries	\$2,500.00
	Middle School	CNC Router	\$5,000.00
	Middle School	Pollinator Garden	\$1,000.00
			<u>\$97,193.00</u>
5/26/21	Middle School	Band Postage	\$39.78
5/26/21	High School	High School Faculty Scholarship	\$126.00
5/27/21	McAuliffe	Coca-Cola Give Donation	\$56.31
5/28/21	Community Ed	Hastings Reads	\$1,500.00
5/28/21	Community Ed	Youth Services Leadership Scholarship	\$100.00
6/1/21	District Wide	Lunch Balance Donated to Angel Fund	\$695.55
6/7/21	Community Ed	Hastings Reads	\$3,000.00
6/14/21	District Wide	Lunch Balance Donated to Angel Fund	\$220.10
6/15/21	Middle School	Response & Recovery Grant	\$3,100.00
6/15/21	District Wide	SHIP School Wellness	\$520.00
6/18/21	Community Ed	Little Learners	\$500.00
6/24/21	High School	High School Faculty Scholarship	\$174.00

**Total Fourth Quarter Donations**

**\$136,118.28**

**In-Kind Donations - Values are approximate per information available**

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7/20/20	District Wide	50,000 Face Masks	\$50,000.00
8/22/20	District Wide	500 Medical Face Shields	\$475.00
	District Wide	16,800 Disposable Surgical Masks	\$840.00
	District Wide	1,320 Child Cloth Face Masks	\$2,640.00
	District Wide	4,000 Cloth Face Masks	<u>\$4,000.00</u>
			\$7,955.00
2/5/21	District Wide	800 Disposable Face Shields	\$800.00
4/9/21	Pinecrest	120 face masks for staff	\$600.00
4/15/21	Middle School	Gibson Baldwin Trumpet	\$60.00



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

### **I. PURPOSE**

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

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

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

### **III. DEFINITIONS**

#### **A. “Covered active duty” means:**

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

#### **B. “Covered servicemember” means:**

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



covered veteran.

- C. “Eligible employee” means an employee who has been employed by the school district for a total of at least 12 months and who has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave. An employee returning from fulfilling their Uniformed Services Employment and Reemployment Rights Act (USERRA)-covered service obligation shall be credited with the hours of service that would have been performed but for the period of absence from work due to or necessitated by USERRA-covered service. In determining whether the employee met the hours of service requirement, and to determine the hours that would have been worked during the period of absence from work due to or necessitated by USERRA-covered service, the employee’s pre-service work schedule can generally be used for calculations. While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven years or more may not be counted unless the break is occasioned by the employee’s fulfillment of their USERRA-covered service obligation or a written agreement, including a collective bargaining agreement, exists concerning the school district’s intention to rehire the employee after the break in service.
- D. “Military caregiver leave” means leave taken to care for a covered servicemember with a serious injury or illness.
- E. “Next of kin of a covered servicemember” means the nearest blood relative other than the covered service member’s spouse, parent, or child, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as their nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember’s next of kin, and the employee may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember’s only next of kin.
- F. “Outpatient status” means, with respect to a covered servicemember who is a current member of the Armed Forces, the status of a member of the Armed Forces assigned to:
1. a military medical treatment facility as an outpatient; or
  2. a unit established for the purpose of providing command and control of members of the Armed Forces receiving care as outpatients.



- G. “Qualifying exigency” means a situation where the eligible employee seeks leave for one or more of the following reasons:
1. to address any issues that arise from a short-notice deployment (seven calendar days or less) of a covered military member;
  2. to attend military events and related activities of a covered military member;
  3. to address issues related to childcare and school activities of a covered military member’s child;
  4. to address financial and legal arrangements for a covered military member;
  5. to attend counseling provided by someone other than a health care provider for oneself, a covered military member, or their child;
  6. to spend up to 15 calendar days with a covered military member who is on short-term, temporary rest and recuperation leave during a period of deployment;
  7. to attend post-deployment activities related to a covered military member;
  8. to address parental care needs; and
  9. to address other events related to a covered military member that both the employee and school district agree is a qualifying exigency.
- H. “Serious health condition” means an illness, injury, impairment, or physical or mental condition that involves:
1. inpatient care in a hospital, hospice, or residential medical care facility; or
  2. continuing treatment by a health care provider.
- I. “Spouse” means a husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one state. This definition includes an individual in a same-sex or common law marriage that either: (1) was entered into in a state that recognizes such marriages; or (2) if entered into outside of any state, is valid in the place where entered into and could have been entered into in



at least one state.

J. “Veteran” has the meaning given in 38 U.S.C. § 101.

#### IV. LEAVE ENTITLEMENT

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

1. Eligible employees are entitled to a total of 12 work weeks of unpaid family or medical leave during the applicable 12-month period as defined below, plus any additional leave as required by law. Leave may be taken for one or more of the following reasons in accordance with applicable law:
  - a. birth of the employee’s child and to care for such child;
  - b. placement of an adopted or foster child with the employee;
  - c. to care for the employee’s spouse, child or parent with a serious health condition; including incapacity due to pregnancy and for prenatal medical care;
  - d. the employee’s serious health condition makes the employee unable to perform the functions of the employee’s job; and/or
  - e. any qualifying exigency arising from the employee’s spouse, child, or parent being on covered active duty, or notified of an impending call or order to cover active duty in the Armed Forces.
2. For the purposes of this policy, “year” is defined as a rolling 12-month period measured backward from the date an employee’s leave is to commence.
3. An employee’s entitlement to FMLA leave for the birth, adoption, or foster care of a child expires at the end of the 12-month period beginning on the date of the birth or placement.
4. A “serious health condition” typically requires either inpatient care or continuing treatment by or under the supervision of a health care provider, as defined by applicable law. Family and medical leave generally is not intended to cover short-term conditions for which treatment and recovery are very brief.
5. A “serious injury or illness,” in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means:



- a. injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and
  - b. in the case of a covered veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time, during the period of five years preceding the date on which the veteran undergoes the medical treatment, recuperation, or therapy, means a qualifying injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member's active duty and was aggravated by service in the line of duty in the Armed Forces and that manifested itself before or after the member became a veteran, and is:
    - (1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember's office, grade, rank, or rating; or
    - (2) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability (VASRD) rating of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
    - (3) a physical or mental condition that substantially impairs the covered veteran's ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or
    - (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.
6. Eligible spouses employed by the school district are limited to an aggregate of 12 weeks of leave during any 12-month period for the birth



and care of a newborn child or adoption of a child, the placement of a child for foster care, or to care for a parent. This limitation for spouses employed by the school district does not apply to leave taken: by one spouse to care for the other spouse who is seriously ill; to care for a child with a serious health condition; because of the employee's own serious health condition; or pursuant to Paragraph IV.A.1.e. above.

7. Depending on the type of leave, intermittent or reduced schedule leave may be granted at the discretion of the school district or when medically necessary. However, part-time employees are only eligible for a pro-rata portion of leave to be used on an intermittent or reduced schedule basis, based on their average hours worked per week. Where an intermittent or reduced schedule leave is foreseeable based on planned medical treatment, the school district may transfer the employee temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position, and which has equivalent pay and benefits.
8. If an employee requests a leave for the serious health condition of the employee or the employee's spouse, child, or parent, the employee will be required to submit sufficient medical certification. In such a case, the employee must submit the medical certification within 15 days from the date of the request or as soon as practicable under the circumstances.
9. If the school district has reason to doubt the validity of a health care provider's certification, it may require a second opinion at the school district's expense. If the opinions of the first and second health care providers differ, the school district may require certification from a third health care provider at the school district's expense. An employee may also be required to present a certification from a health care provider indicating that the employee is able to return to work.
10. Requests for leave shall be made to the school district. When leave relates to an employee's spouse, child, parent, or covered servicemember being on covered active duty, or notified of an impending call or order to covered active duty pursuant to Paragraph IV.A.1.e. above, and such leave is foreseeable, the employee shall provide reasonable and practical notice to the school district of the need for leave. For all other leaves, employees must give 30 days' written notice of a leave of absence where practicable. The failure to provide the required notice may result in a delay of the requested leave. Employees are expected to make a reasonable effort to schedule leaves resulting from planned medical treatment so as not to disrupt unduly the operations of the school district, subject to and in coordination with the health care provider.



11. The school district may require that a request for leave under Paragraph IV.A.1.e. above be supported by a copy of the covered military member's active duty orders or other documentation issued by the military indicating active duty or a call to active duty status and the dates of active duty service. In addition, the school district may require the employee to provide sufficient certification supporting the qualifying exigency for which leave is requested.
12. During the period of a leave permitted under this policy, the school district will provide health insurance under its group health plan under the same conditions coverage would have been provided had the employee not taken the leave. The employee will be responsible for payment of the employee contribution to continue group health insurance coverage during the leave. An employee's failure to make necessary and timely contributions may result in termination of coverage. An employee who does not return to work after the leave may be required, in some situations, to reimburse the school district for the cost of the health plan premiums paid by it.
13. The school district may request or require the employee to substitute accrued paid leave for any part of the 12-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave. The superintendent shall be responsible to develop directives and guidelines as necessary to implement this policy. Such directives and guidelines shall be submitted to the school board for annual review. The school district shall comply with written notice requirements as set forth in federal regulations.
14. Employees returning from a leave permitted under this policy are eligible for reinstatement in the same or an equivalent position as provided by law. However, the employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave.

B. Twelve-week Leave under State Law

An employee who does not qualify for parenting leave under Paragraphs IV.A.1.a. or IV.A.1.b. above may qualify for a 12-week unpaid leave which is available to a biological or adoptive parent in conjunction with the birth or adoption of a child, or to a female employee for prenatal care or incapacity due to pregnancy, childbirth, or related health conditions. The length of the leave shall be determined by the employee but must not exceed 12 weeks unless agreed by the



employer. The employee may qualify if he or she has worked for the school district for at least 12 months and has worked an average number of hours per week equal to one-half of the full time equivalent during the 12-month period immediately preceding the leave. This leave is separate and exclusive of the family and medical leave described in the preceding paragraphs but may be reduced by any period of paid parental, disability, perchildal, or medical, or sick leave, or accrued vacation provided by the employer so that the total leave does not exceed 12 weeks, unless agreed by the employer, or leave taken for the same purpose under the FMLA. The leave taken under this section shall begin at a time requested by the employee. An employee who plans to take leave under this section must give the employer reasonable notice of the date the leave shall commence and the estimated duration of the leave. For leave taken by a biological or adoptive parent in conjunction with the birth or adoption of a child, the leave must begin within 12 months of the birth or adoption; except that, in the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital.

C. Twenty-six-week Servicemember Family Military Leave

1. An eligible employee who is the spouse, child, parent, or next of kin of a covered servicemember shall be entitled to a total of 26 work weeks of leave during a 12-month period to care for the servicemember. The leave described in this paragraph shall be available only during a single 12-month period. For purposes of this leave, the need to care for a servicemember includes both physical and psychological care.
2. During a single 12-month period, an employee shall be entitled to a combined total of 26 work weeks of leave under Paragraphs IV.A. and IV.C. above.
3. The 12-month period referred to in this section begins on the first day the eligible employee takes leave to care for a covered servicemember and ends 12 months after that date.
4. Eligible spouses employed by the school district are limited to an aggregate of 26 weeks of leave during any 12-month period if leave is taken for birth of the employee's child or to care for the child after birth; for placement of a child with the employee for adoption or foster care or to care for the child after placement; to care for the employee's parent with a serious health condition; or to care for a covered servicemember with a serious injury or illness.
5. The school district may request or require the employee to substitute accrued paid leave for any part of the 26-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the



requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave.

6. An employee will be required to submit sufficient medical certification issued by the health care provider of the covered servicemember and other information in support of requested leave and eligibility for such leave under this section within 15 days from the date of the request or as soon as practicable under the circumstances.
7. The provisions of Paragraphs IV.A.7., IV.A.10., IV.A.12., IV.A.13., and IV.A.14. above shall apply to leaves under this section.

## **V. SPECIAL RULES FOR INSTRUCTIONAL EMPLOYEES**

- A. An instructional employee is one whose principal function is to teach and instruct students in a class, a small group, or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors, and special education assistants.
- B. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule leave greater than 20 percent of the work days in the leave period may be required to:
  1. take leave for the entire period or periods of the planned medical treatment; or
  2. move to an available alternative position for which the employee is qualified, and which provides equivalent pay and benefits, but not necessarily equivalent duties.
- C. Instructional employees who request continuous leave near the end of a semester may be required to extend the leave through the end of the semester. The number of weeks remaining before the end of a semester does not include scheduled school breaks, such as summer, winter, or spring break.
  1. If an instructional employee begins leave for any purpose more than five weeks before the end of a semester and it is likely the leave will last at least three weeks, the school district may require that the leave be continued until the end of the semester.
  2. If the employee begins leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the school district may require that the leave be continued until the end of the



semester if the leave will last more than two weeks or if the employee's return from leave would occur during the last two weeks of the semester.

3. If the employee begins leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, the school district may require the employee to continue taking leave until the end of the semester.

- D. The entire period of leave taken under the special rules will be counted as leave. The school district will continue to fulfill the school district's leave responsibilities and obligations, including the obligation to continue the employee's health insurance and other benefits, if an instructional employee's leave entitlement ends before the involuntary leave period expires.

## VI. OTHER

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

## VII. DISSEMINATION OF POLICY

- A. This policy shall be conspicuously posted in each school district building in areas accessible to employees.
- B. This policy will be reviewed at least annually for compliance with state and federal law.

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

**Cross References:** MSBA Service Manual, Chapter 13, School Law Bulletin "M" (Statutory Provisions Which Grant Leaves to Licensed as well as Non-Licensed School District Employees – Family and Medical Leave Act Summary)



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*Policy Reviewed: 07.07.2021  
Policy Adopted: 02.24.2021  
Policy Revised: 02.02.2021*



## 413 HARASSMENT AND VIOLENCE

### I. PURPOSE

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

### II. GENERAL STATEMENT OF POLICY

A. The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other

school district personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, as defined by this policy. (For purposes of this policy, school district personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)

C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

D. The school district will act to investigate all complaints, either formal or informal,



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verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who is found to have violated this policy.

### **III. DEFINITIONS**

- A. "Assault" is:
1. an act done with intent to cause fear in another of immediate bodily harm or death;
  2. the intentional infliction of or attempt to inflict bodily harm upon another; or
  3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability when the conduct:
1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
  2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
  3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
    - a. has a physical, sensory, or mental impairment which materially limits one or more major life activities;
    - b. has a record of such an impairment; or



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- 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 on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
  3. “Marital status” means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
  4. “National origin” means the place of birth of an individual or of any of the individual’s lineal ancestors.
  5. “Sex” includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
  6. “Sexual orientation” means 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 consists of unwelcome sexual advances, requests for



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sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:

- a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
- b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- c. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.

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

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

G. Sexual Violence; Definition

1. Sexual violence is a physical act of aggression or force or the threat thereof which involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minn. Stat. § 609.341, includes the primary genital area, groin, inner thigh,



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buttocks, or breast, as well as the clothing covering these areas.

2. Sexual violence may include, but is not limited to:
  - a. touching, patting, grabbing, or pinching another person's intimate parts, whether that person is of the same sex or the opposite sex;
  - b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
  - c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
  - d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence; Definition

Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to, race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.

**IV. REPORTING PROCEDURES**

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct which may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.



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- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. In the District. The school board hereby designates 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 District Superintendent.<sup>1</sup>

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<sup>1</sup> In some school districts the superintendent may be the human rights officer. If so, an alternative individual should be designated by the school board.



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- 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**



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- 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,



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Minnesota and federal law, and applicable school district policies and regulations.

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

## **VII. RETALIATION OR REPRISAL**

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

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

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

## **IX. HARASSMENT OR VIOLENCE AS ABUSE**

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minn. Stat. § 626.556 may be applicable.



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- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

**X. DISSEMINATION OF POLICY AND TRAINING**

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

**Legal References:** Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)  
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
Minn. Stat. § 609.341 (Definitions)  
Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)  
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)  
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)  
29 U.S.C. § 794 (Rehabilitation Act of 1973, § 504)  
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)  
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)  
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)  
  
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

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



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

*Policy Reviewed: 07.07.2021*

*Policy Adopted: 07.22.2020*

*Policy Revised: 07.17.2020*



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

**I.        PURPOSE**

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

**II.       GENERAL STATEMENT OF POLICY**

- A.        The policy of the school district is to fully comply with Minn. Stat. § 626.556 requiring school personnel to report suspected child neglect or physical or sexual abuse.
- B.        A violation of this policy occurs when any school personnel fails to immediately report instances of child neglect or physical or sexual abuse when the school personnel knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years.

**III.      DEFINITIONS**

- A.        “Accidental” means a sudden, not reasonably foreseeable, and unexpected occurrence or event which:
  - 1.        is not likely to occur and could not have been prevented by exercise of due care; and
  - 2.        if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence of the event.
- B.        “Child” means one under age 18 and, for purposes of Minn. Stat. Ch. 260C (Child Protection) and Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18).
- C.        “Immediately” means as soon as possible but in no event longer than 24 hours.



- D. “Mandated reporter” means any school personnel who knows or has reason to believe a child is being neglected or physically or sexually abused, or has been neglected or physically or sexually abused within the preceding three years.
- E. “Neglect” means the commission or omission of any of the acts specified below, other than by accidental means:
1. failure by a person responsible for a child’s care to supply a child with necessary food, clothing, shelter, health care, medical care, or other care required for the child’s physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;
  2. failure to protect a child from conditions or actions that seriously endanger the child’s physical or mental health when reasonably able to do so;
  3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors such as the child’s age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for his or her own basic needs or safety or the basic needs or safety of another child in his or her care;
  4. failure to ensure that a child is educated in accordance with state law, which does not include a parent’s refusal to provide his or her child with sympathomimetic medications;
  5. prenatal exposure to a controlled substance used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child’s birth, or medical effects or developmental delays during the child’s first year of life that medically indicate prenatal exposure to a controlled substance or the presence of a fetal alcohol spectrum disorder;
  6. medical neglect as defined by Minn. Stat. § 260C.007, Subd. 6, Clause (5);
  7. chronic and severe use of alcohol or a controlled substance by a parent or person responsible for the care of the child that adversely affects the child’s basic needs and safety; or
  8. emotional harm from a pattern of behavior which contributes to impaired emotional functioning of the child which may be demonstrated by a substantial and observable effect in the child’s behavior, emotional response, or cognition that is not within the normal range for the child’s age and stage of development, with due regard to the child’s culture.



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Neglect does not include spiritual means or prayer for treatment or care of disease



where the person responsible for the child's care in good faith has selected and depended on those means for treatment or care of disease, except where the lack of medical care may cause serious danger to the child's health.

- F. "Non Maltreatment mistake" means: (1) at the time of the incident, the individual was performing duties identified in the center's child care program plan required under Minn. Rules Part 9503.0045; (2) the individual has not been determined responsible for a similar incident that resulted in a finding of maltreatment for at least seven years; (3) the individual has not been determined to have committed a similar non maltreatment mistake under this paragraph for at least four years; (4) any injury to a child resulting from the incident, if treated, is treated only with remedies that are available over the counter, whether ordered by a medical professional or not; and (5) except for the period when the incident occurred, the facility and the individual providing services were both in compliance with all licensing requirements relevant to the incident. This definition only applies to child care centers licensed under Minn. Rules Ch. 9503.
- G. "Physical abuse" means any physical injury, mental injury, or threatened injury, inflicted by a person responsible for the child's care other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child's history of injuries or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minn. Stat. § 125A.0942 or § 245.825.

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

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



or school zone, an act by a person responsible for the child's care that is a violation under Minn. Stat. § 121A.58.

- H. "Report" means any communication received by the local welfare agency, police department, county sheriff, or agency responsible for child protection pursuant to this section that describes neglect or physical or sexual abuse of a child and contains sufficient content to identify the child and any person believed to be responsible for the neglect or abuse, if known.
- I. "School personnel" means professional employee or professional's delegate of the school district who provides health, educational, social, psychological, law enforcement, or child care services.
- J. "Sexual abuse" means the subjection of a child by a person responsible for the child's care, by a person who has a significant relationship to the child (as defined in Minn. Stat. § 609.341, Subd. 15), or by a person in a current or recent position of authority (as defined in Minn. Stat. § 609.341, Subd. 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration, sexual contact, solicitation of children to engage in sexual conduct, and communication of sexually explicit materials to children. Sexual abuse also includes any act involving a minor which constitutes a violation of Minnesota statutes prohibiting prostitution or use of a minor in a sexual performance. Sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation which requires registration under Minn. Stat. § 243.166, Subd. 1b(a) or (b) (Registration of Predatory Offenders).
- K. "Mental injury" means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child's ability to function within a normal range of performance and behavior with due regard to the child's culture.
- L. "Person responsible for the child's care" means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employees or agents, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.
- M. "Threatened injury" means a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person



responsible for the child's care who has subjected the child to, or failed to protect a child from, egregious harm, or a person whose parental rights were involuntarily terminated, been found palpably unfit, or one from whom legal and physical custody of a child has been involuntarily transferred to another.

#### **IV. REPORTING PROCEDURES**

- A. A mandated reporter as defined herein shall immediately report the neglect or physical or sexual abuse, which he or she knows or has reason to believe is happening or has happened within the preceding three years, to the local welfare agency, police department, county sheriff, tribal social services, or tribal police department. The reporter will include his or her name and address in the report.
- B. If the immediate report has been made orally, by telephone or otherwise, the oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) to the appropriate police department, the county sheriff, local welfare agency, or agency responsible for assisting or investigating maltreatment. The written report shall identify the child, any person believed to be responsible for the abuse or neglect of the child if the person is known, the nature and extent of the abuse or neglect and the name and address of the reporter.
- C. Regardless of whether a report is made, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.
- D. A mandated reporter who knows or has reason to know of the deprivation of parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.
- E. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated reporter shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.
- F. A person mandated by Minnesota law and this policy to report who fails to report may be subject to criminal penalties and/or discipline, up to and including termination of employment.
- G. Submission of a good faith report under Minnesota law and this policy will not adversely affect the reporter's employment, or the child's access to school.



- H. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, and the reckless making of a false report may result in discipline. The court may also award attorney's fees.

## **V. INVESTIGATION**

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



- E. Upon request by MDE, the school district shall provide all requested data that are relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The school district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

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

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

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

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

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

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

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act) Minn. Stat. § 121A.58 (Corporal Punishment)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)



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Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)  
Minn. Stat. § 243.166, Subd. 1b(a)(b) (Registration of Predatory Offenders)  
Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)  
Minn. Stat. § 260C.007, Subd. 6, Clause (5) (Child in Need of Protection)  
Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18)  
Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment)  
Minn. Stat. § 609.02, Subd. 6 (Definitions – Dangerous Weapon)  
Minn. Stat. § 609.341, Subd. 10 (Definitions – Position of Authority)  
Minn. Stat. § 609.341, Subd. 15 (Definitions – Significant Relationship)  
Minn. Stat. § 609.379 (Reasonable Force)  
Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)  
Minn. Stat. § 626.5561 (Reporting of Prenatal Exposure to Controlled Substances)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

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

*Policy Reviewed: 07.07.2021*

*Policy Adopted: 08.26.2020*

*Policy Revised:*



## **514 BULLYING PROHIBITION POLICY**

### **I. PURPOSE**

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

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

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



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



- E. False accusations or reports of bullying against another student are prohibited.
- F. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures, including the school district's discipline policy (See MSBA/MASA Model Policy 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:



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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.



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- D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action.



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

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

## **VI. RETALIATION OR REPRISAL**

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

## **VII. TRAINING AND EDUCATION**



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- 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 Minn. Stat. § 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:
  - 1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
  - 2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
  - 3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
  - 4. The incidence and nature of cyberbullying; and
  - 5. Internet safety and cyberbullying.
  
- C. The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.
  
- D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.
  
- E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing



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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**



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

**IX. POLICY REVIEW**

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

***Legal References:*** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definition of Public School)  
Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 121A.03 (Sexual, Religious and Racial Harassment and Violence)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. § 121A.0311 (Notice of Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.69 (Hazing Policy)  
Minn. Stat. Ch. 124E (Charter School)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)  
34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)



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***Cross References:*** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal)



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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 (Student Sex Nondiscrimination)  
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 526 (Hazing Prohibition)  
MSBA/MASA Model Policy 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)

*Policy Reviewed: 07.07.2021*

*Policy Adopted: 07.22.2020*

*Policy Revised: 07.15.2020*



## **524 INTERNET ACCEPTABLE USE AND SAFETY POLICY**

### **I. PURPOSE**

The purpose of this policy is to set forth policies and guidelines for access to the school district computer system and acceptable and safe use of the Internet, including electronic communications.

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

In making decisions regarding student and employee access to the school district computer system and the Internet, including electronic communications, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of the school district computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

### **III. LIMITED EDUCATIONAL PURPOSE**

The school district is providing students and employees with access to the school district computer system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

### **IV. USE OF SYSTEM IS A PRIVILEGE**

The use of the school district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school



district policies, including suspension, expulsion, exclusion, or termination of employment; or civil or criminal liability under other applicable laws.

## **V. UNACCEPTABLE USES**

- A. The following uses of the school district system and Internet resources or accounts are considered unacceptable:
1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit, or distribute:
    - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
    - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
    - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
    - d. information or materials that could cause damage or danger of disruption to the educational process;
    - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
  2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
  3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.
  4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
  5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information,



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or files without the implied or direct permission of that person.

6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.
  - a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
  - b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
    - (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
    - (2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

In addition, prior to posting any personal contact or personally identifiable information on a school-related webpage, employees shall obtain written approval of the content of the postings from the building administrator.

- c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited



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to,



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social networks such as “Facebook,” “Twitter,” “Instagram,” “Snapchat,” and “Reddit,” and similar websites or applications.

7. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person’s account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.
  8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person’s property without the person’s prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
  9. Users will not use the school district system (to include electronic messaging) for conducting business, for unauthorized commercial purposes, for outside organizational information, or for personal/financial gain unrelated to the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.
  10. Users will not use the school district system to engage in bullying or cyberbullying in violation of the school district’s Bullying Prohibition Policy (MSBA/MASA Model Policy 514). This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.
- B. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations include, but are not limited to, situations where the school district system is compromised or if a school district employee or student is negatively impacted. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.



- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

## **VI. FILTER**

- A. With respect to any of its computers with Internet access, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:
1. Obscene;
  2. Child pornography; or
  3. Harmful to minors.
- B. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:
1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
  2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
  3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
- D. An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.



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- E. The school district will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

## **VII. CONSISTENCY WITH OTHER SCHOOL POLICIES**

Use of the school district computer system and use of the Internet shall be consistent with school district policies and the mission of the school district.

## **VIII. LIMITED EXPECTATION OF PRIVACY**

- A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. Parents have the right at any time to investigate or review the contents of their child's files and email files. Parents have the right to request the termination of their child's individual account at any time.
- E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and email files. In addition, school district employees should be aware that data and other materials in files maintained on the school district system may be subject to review, disclosure or discovery under Minn. Stat. Ch. 13 (the Minnesota Government Data Practices Act).
- F. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

## **IX. INTERNET USE AGREEMENT**

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents, and employees of the school district.



- B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.
- C. The Internet Use Agreement form for students must be read and signed by the user, the parent or guardian, and the supervising teacher. The form must then be filed at the school office. As supervising teachers change, the agreement signed by the new teacher shall be attached to the original agreement.

## **X. LIMITATION ON SCHOOL DISTRICT LIABILITY**

Use of the school district system is at the user's own risk. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage, or unavailability of data stored on school district diskettes, tapes, hard drives, or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system. The school district will not be responsible for financial obligations arising through unauthorized use of the school district system or the Internet.

## **XI. USER NOTIFICATION**

- A. All users shall be notified of the school district policies relating to Internet use.
- B. This notification shall include the following:
  - 1. Notification that Internet use is subject to compliance with school district policies.
  - 2. Disclaimers limiting the school district's liability relative to:
    - a. Information stored on school district diskettes, hard drives, or servers.
    - b. Information retrieved through school district computers, networks, or online resources.
    - c. Personal property used to access school district computers, networks, or online resources.
    - d. Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
  - 3. A description of the privacy rights and limitations of school



sponsored/managed Internet accounts.

4. Notification that, even though the school district may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents.
6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by Policy 406, Public and Private Personnel Data, and Policy 515, Protection and Privacy of Pupil Records.
7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
8. Notification that all provisions of the acceptable use policy are subordinate to local, state, and federal laws.

## **XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE**

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies, and other possibly offensive media. Parents are responsible for monitoring their student's use of the school district system and of the Internet if the student is accessing the school district system from home or a remote location.
- B. Parents will be notified that their students will be using school district resources/accounts to access the Internet and that the school district will provide parents the option to request alternative activities not requiring Internet access. This notification should include:
  1. A copy of the user notification form provided to the student user.
  2. A description of parent/guardian responsibilities.
  3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.



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4. A statement that the Internet Use Agreement must be signed by the user, the parent or guardian, and the supervising teacher prior to use by the student.
5. A statement that the school district's acceptable use policy is available for parental review.

### **XIII. IMPLEMENTATION; POLICY REVIEW**

- A. The school district administration may develop appropriate user notification forms, guidelines, and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms, and procedures shall be an addendum to this policy.
- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The school district Internet policies and procedures are available for review by all parents, guardians, staff, and members of the community.
- D. Because of the rapid changes in the development of the Internet, the school board shall conduct an annual review of this policy.

- Legal References:**
- 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 (2<sup>nd</sup> 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 (8<sup>th</sup> Cir. 2012)
  - Kowalski v. Berkeley County Sch.*, 652 F.3d 565 (4<sup>th</sup> Cir. 2011)
  - Layshock v. Hermitage Sch. Dist.*, 650 F.3d 205 (3<sup>rd</sup> 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)



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*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)

*Policy Reviewed:* 07.07.2021

*Policy Adopted:* 01.27.2021

*Policy Revised:* 01.19.2021



## **616 SCHOOL DISTRICT SYSTEM ACCOUNTABILITY**

### **I. PURPOSE**

The purpose of this policy is to focus public education strategies on a process which promotes higher academic achievement for all students and ensures broad-based community participation in decisions regarding the implementation of the Minnesota Academic Standards and federal law.

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

Implementation of the Minnesota Academic Standards and federal law will require a new level of accountability for the school district. The school district will establish a system to transition to the graduation requirements of the Minnesota Academic Standards. The school district also will establish a system to review and improve instruction, curriculum, and assessment which will include substantial input by students, parents or guardians, and local community members. The school district will be accountable to the public and the state through annual reporting.

### **III. DEFINITIONS**

- A. “Credit” means a student’s successful completion of an academic year of study or a student’s mastery of the applicable subject matter, as determined by the school district.
- B. “Graduation Standards” means the credit requirements and locally adopted content standards or Minnesota Academic Standards that school districts must offer and certify that students complete to be eligible for a high school diploma.
- C. “World’s best workforce” means striving to: meet school readiness goals; have all third grade students achieve grade-level literacy; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.

### **IV. ESTABLISHMENT OF GOALS; IMPLEMENTATION; EVALUATION AND REPORTING**

- A. School District Goals



1. The school board has established school district-wide goals which provide broad direction for the school district. Incorporated in these goals are the graduation and education standards contained in the Minnesota Academic Standards and federal law. The broad goals shall be reviewed annually and approved by the school board. The school board shall adopt annual goals based on the recommendations of the school district's World's Best Workforce (WBWF) Committee.
2. The WBWF Committee will be established by the school board to ensure active community participation in all phases of planning and improving the instruction and curriculum affecting state and district academic standards.
3. The school district-wide improvement goals should address recommendations identified through the WBWF Committee process. The school district's goal setting process will include consideration of individual site goals. School district goals may also be developed through an education effectiveness program, an evaluation of student progress committee, or through some other locally determined process.
4. Recommendations of the WBWF Committee shall be published annually to the community. The school board shall receive public input and comment and shall adopt or update this policy at least annually.
5. The school board shall annually review and determine if student achievement levels at each school site meet federal expectations.
6. The educational assessment system component utilized by the school board to measure individual students' educational progress must be based, to the extent annual tests are administered, on indicators of achievement growth that show an individual student's prior achievement.

D. Comprehensive Continuous Improvement of Student Achievement

1. By October 15 of each year, the WBWF Committee will meet to advise and assist the school district in the implementation of the school district system accountability and comprehensive continuous improvement process.
2. The WBWF Committee, working in cooperation with other committees of the school district [*District Staff Development, Pre-K Leadership team, American Indian Parent Advisory Committee, Elementary Literacy Committee and Achievement and Integration Implementation Committee*], will provide active community participation in:



- a. Reviewing the WBWF plan
  - b. Identifying district and school improvement goals for recommendation to the school board;
  - c. Making recommendations regarding the evaluation process that will be used to measure school district progress toward its goals;
  - d. Advising the school board about development of the annual budget.
3. The WBWF Committee shall meet the following criteria:
- a. The WBWF Committee shall ensure active community participation in all planning for instruction and curriculum affecting Graduation Standards.
  - b. Building teams may be established as subcommittees to develop and implement an education effectiveness plan and to carry out methods to improve instruction, curriculum, and assessments as well as methods to use technology in meeting the school district improvement plan.
  - c. A local plan to evaluate student progress, using a local process, shall be used for developing a plan for assessment of student progress toward the Graduation Standards, as well as program evaluation data for use by the WBWF Committee in the instruction and curriculum review process. This plan shall annually be approved by the school board.
4. The WBWF Committee shall, when possible, be comprised of at least two-thirds community representatives and shall reflect the diversity of the community. To the extent possible, the WBWF Committee shall reflect the diversity of the school district and its school sites and include teachers, parents, support staff, students, and other community residents. Included in its membership should be:
- a. The Director of Teaching and Learning (or similar educational leader)
  - b. At least one elementary and secondary Principal representative
  - c. School Board Member



- d. Student Representative
  - e. One teacher from each instructional level
  - f. Two parents from Parent Curriculum Advisory Committee
  - g. At least one resident without school-aged children, non-representative of local business or industry
  - h. At least one resident representative of local business or industry
  - i. District Assessment Coordinator (if different from “a.” above)
5. Translation services should be provided to the extent appropriate and practicable.
  6. The Advisory Committee shall meet the following timeline each year:
    - By October 15: Organizational meeting of the Committee to review the authorizing legislation and/or statutes and the roles and responsibilities of the Committee as determined by the school board; approve annual WBWF goals.
    - By December 15: Share annual WBWF report (outlining progress made in previous school year)
    - Spring/Summer: Review evaluation results and prepare recommendations for revised WBWF goals.
- E. Evaluation of Student Progress Committee. A committee of professional staff shall develop a plan for assessment of student progress toward Literacy by Grade 3, the Graduation Standards, as well as program evaluation data for use by the WBWF Committee to review instruction and curriculum, cultural competencies, including cultural awareness and cross-cultural communication, and student achievement at the school site. This plan shall annually be approved by the school board.
- F. Reporting
1. Consistent with Minn. Stat. § 120B.36, Subd. 1, the school board shall publish a report in the local newspaper with the largest circulation in the district, by mail, or by electronic means on the school district website. The school board shall hold an annual public meeting to review and revise, where appropriate, student achievement goals, local assessment outcomes, plans, strategies, and practices for improving curriculum and



instruction and cultural competency and efforts to equitably distribute diverse, effective, experienced, and in-field teachers, and to review school district success in realizing the previously adopted student achievement goals and related benchmarks and the improvement plans leading to the world's best

workforce. The school board must transmit an electronic summary of its report to the Commissioner in the form and manner the Commissioner determines. The school district shall periodically survey affected constituencies in their native languages, where appropriate and practicable, about their connection to and level of satisfaction with school. The school district shall include the results of this evaluation in its published reports and in its summary report to the Commissioner.

2. The school performance report for a school site and a school district must include performance reporting information and calculate proficiency rates as required by the most recently reauthorized Elementary and Secondary Education Act.

**Legal References:**

Minn. Stat. § 120B.018 (Definitions)  
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota's Students)  
Minn. Stat. § 120B.11 (School District Process)  
Minn. Stat. § 120B.35 (Student Achievement Levels)  
Minn. Stat. § 120B.36 (School Accountability; Appeals Process)  
Minn. Stat. § 122A.40, Subd. 8 (Employment; Contracts; Termination)  
Minn. Stat. § 122A.41, Subd. 5 (Teacher Tenure Act; Cities of the First Class; Definitions)  
Minn. Stat. § 123B.04 (Site Decision Making Agreement)  
Minn. Stat. § 123B.147, Subd. 3 (Principals)  
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 3501.0800-3501.0815 (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



*Hastings Public School District  
ISD #200*

Instruction Goals)

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 619 (Staff Development for Standards)

MSBA/MASA Model Policy 620 (Credit for Learning)

*Policy Reviewed: 07.07.2021*

*Policy Adopted: 11.18.2020*

*Policy Revised: 10.13.2020*

Member \_\_\_\_\_, introduced the following resolution and moved for its adoption: A RESOLUTION RELATING TO ELECTION OF SCHOOL BOARD MEMBERS AND CALLING THE SCHOOL DISTRICT GENERAL ELECTION.

BE IT RESOLVED by the School Board of Independent School District No. 200, State of Minnesota, as follows:

1. (a) It is necessary for the school district to hold its general election for the purpose of electing three (3) school board members for terms of four (4) years each.

(b) The clerk shall include on the general election ballot the names of the individuals who file or have filed Affidavits of Candidacy during the period established for filing such affidavits, as though they had been included by name in this resolution. The clerk shall not include on the ballot the names of individuals who file timely affidavits of withdrawal in the manner specified by law.

2. The general election is hereby called and directed to be held on Tuesday, the 2nd day of November, 2021, between the hours of 7:00 o'clock AM and 8:00 o'clock PM. For polling locations located within the limits of the City of Cottage Grove, the District's general election shall be conducted in conjunction with the City of Cottage Grove elections.

3. Pursuant to Minnesota Statutes, Section 205A.11, the school district combined polling places and the precincts served by those polling places, as previously established and designated by school board resolution for school district elections not held on the day of a statewide election, are hereby designated for this general election. However, because the City of Cottage Grove will be holding a municipal special election on November 2nd, 2021, the polling places for voters residing in the precincts in that city shall be polling places designated by that municipality. According to the City of Cottage Grove, the polling places for School District voters in precincts located in the City of Cottage Grove shall be as follows:

Cottage Grove Precinct 3: Cottage Grove Middle School, 9775 Indian Blvd.  
South, Cottage Grove, MN

Cottage Grove Precinct 7: National Guard Armory, 8180 Belden Blvd S, Cottage  
Grove, MN

4. The clerk is hereby authorized and directed to cause written notice of said general election to be provided to the County Auditor of each county in which the school district is located, in whole or in part, at least seventy-four (74) days before the date of said general election. The notice shall specify the date of said election and the office or offices to be voted on at said general election. Any notice given prior to the adoption of this resolution is ratified and confirmed in all respects.

The clerk is hereby authorized and directed to cause notice of said general election to be posted at the administrative offices of the school district at least ten (10) days before the date of said general election.

The clerk is hereby authorized and directed to cause a sample ballot to be posted at the administrative offices of the school district at least four (4) days before the date of said general election and to cause two sample ballots to be posted in each combined polling place on election day. The sample ballot shall not be printed on the same color paper as the official ballot. The sample ballot for a polling ballot shall not be printed on the same color paper as the official ballot. The sample ballot for a polling place must reflect the offices, candidates and rotation sequence on the ballots used in that polling place.

The clerk is hereby authorized and directed to cause notice of said elections to be published in the official newspaper of the school district, for two (2) consecutive weeks with the last publication being at least one (1) week before the date of the general election.

The notice of election so posted and published shall state the offices to be filled as set forth in the form of ballot below, and shall include information concerning each established precinct and polling place.

The clerk is hereby authorized and directed to cause the rules and instructions for use of the optical scan voting system to be posted in each combined polling place on Election Day.

5. The clerk is authorized and directed to acquire and distribute such election materials and to take other such actions as may be necessary for the proper conduct of this general election and generally to cooperate with any election authorities conducting other elections on that date. The clerk and members of the administration are authorized and directed to take such actions as may be necessary to coordinate this election with those other elections, including entering into agreements or understandings with appropriate officials regarding preparation and distribution of ballots, election administration and cost sharing.
6. The clerk is further authorized and directed to cause or to cooperate with the proper election officials to cause ballots to be prepared for use at said election in substantially the following form, which such changes in form, color and instructions as may be necessary to accommodate an optical scan voting system:

General Election Ballot

Independent School District No. 200  
Hastings

November 2, 2021

**Instructions to Voters:**

**To vote, completely fill in the oval(s) next to your choice(s) like this:** 

**School Board Member  
Vote for Up to Three**

- Candidate U
- Candidate V
- Candidate W
- Candidate X
- \_\_\_\_\_  
write-in, if any
- \_\_\_\_\_  
write-in, if any
- \_\_\_\_\_  
write-in, if any

Optical scan ballots must be printed in black ink on white colored material, except that marks to be read by the automatic tabulating equipment may be printed in another color ink. The name of the precinct and machine-readable identification must be printed on each ballot. Voting instructions must be printed at the top of the ballot on each side that includes ballot information. The instructions must include an illustration of the proper mark to be used to indicate a vote. Lines for initials of at least two election judges must be printed on one side of the ballot so that the judges' initials are visible when the ballots are enclosed in a secrecy sleeve.

7. The name of each candidate for office at each election shall be rotated with the names of the other candidates for the same office in the manner specified in Minnesota law.
8. If the School District will be contracting to print the ballots for this election, the Clerk is hereby authorized and directed to prepare instructions to the printer for layout of the ballot. Before a contract in excess of \$1,000 is awarded for printing ballots, the printer shall, if requested by the election official, furnish, in accordance with Minnesota Statutes, Section 204D.04, a sufficient bond, letter of credit, or certified check acceptable to the

clerk in an amount not less than \$1,000 conditioned on printing the ballots in conformity with the Minnesota election law and the instructions delivered. The clerk shall set the amount of the bond, letter of credit, or certified check in an amount equal to the value of the purchase.

9. The clerk is hereby authorized and directed to provide for testing of the optical scan voting system within fourteen (14) days prior to the general election date. The clerk shall cause notice of the time and the place of the test to be given at least two (2) days in advance of publication once in the official newspaper, by posting a notice, and by notifying the county of legislative district chair of each major political party.
10. The clerk is hereby authorized and directed to cause notice of the location of the counting center or the place where the ballots will be counted to be published in the official newspaper at least once during the week preceding the week of the general election and in the newspaper of widest circulation once on the day preceding the general election, or once the week preceding the general election if the newspaper is a weekly.
11. As required by Minnesota Statutes, Section 203B.121, the Board hereby established a ballot board to process, accept and reject absentee ballots at school district elections not held in conjunction with the state primary or state general election or that are conducted by a municipality on behalf of the school district and generally to carry out the duties of a ballot board as provided by Minnesota Statutes, Section 203B.121 and other applicable laws. The ballot board must consist of a sufficient number of election judges trained in the handling of absentee ballots. The ballot board may include deputy county auditors and deputy city clerks who have received training in the processing and counting of absentee ballots. The clerk or the clerk's designee is hereby authorized and directed to appoint the members of the ballot board. The clerk or the clerk's designee shall establish, maintain and update a roster of members appointed to and currently serving on the ballot board and shall report to the Board from time to time as to its status. Each member of the ballot board shall be paid reasonable compensation for services rendered during an election at the same rate as other election judges; provided, however, if a staff member is already being compensated for regular duties, additional compensation shall not be paid for ballot board duties performed during that staff member's duty day.
12. The clerk is hereby authorized and directed to begin assembling names of trained election judges to serve at the combined polling places during the November 2nd, 2021 general election. The election judges shall act as clerks of election and submit the results to the school board for canvass in the manner provided for other school district elections. The general election must be canvassed between the third and the tenth day following the general election.
13. The School District clerk shall make all Campaign Financial Reports required to be filed with the school district under Minnesota statutes, Section 211A.02, available on the school district's website. The clerk must post the report on the school district's website as soon as possible, but no later than thirty (30) days after the state of the receipt of the report. The school district must make a report available on the school district's website

for four years from the date the report was posted to the website. The clerk must also provide the Campaign Finance and the Public Disclosure Board with a link to the section of the website where reports are made available.

14. All actions taken to date by the School District clerk or the clerk's designee to call for, provide notice of, or carry out any aspect of the District's general election on November 2, 2021 are hereby ratified and confirmed by the School Board. The School Board further confirms that all affidavits of candidacy submitted to the District between July 27<sup>th</sup>, 2021 and 5 p.m. on August 10, 2021, shall be for the general election on November 2, 2021.

The motion of the foregoing resolution was duly seconded by \_\_\_\_\_

On a roll call vote, the following voted in favor:

The following voted against the same:

WHEREUPON said resolution was declared duly passed and adopted.



# Hastings School Board Strategic Plan Report Including School Board Governance Workplan

July 2021





## District Strategic Roadmap DRAFT

July 2021

<p><b>Mission</b> <span style="float: right;"><i>Our Core Purpose</i></span></p> <p style="text-align: center;"> <b>We Care</b>  <b>We Empower</b>  <b>We Achieve</b> </p> <p style="text-align: center;"><i>Students are the heart of all we do</i></p>	<p><b>Core Values</b> <span style="float: right;"><i>Drivers of Our Words and Actions</i></span></p> <p><b>Student-Centered</b> <i>Students at the heart of our words, actions, and decisions</i></p> <p><b>Compassion and Respect</b> <i>How we treat each other daily</i></p> <p><b>Agility</b> <i>Building capacity and skill to proactively respond to the signs of the times, the conditions, and the needs of oneself and others</i></p> <p><b>Innovation</b> <i>Constantly striving to improve, and to creatively address challenges and opportunities</i></p> <p><b>Voice and Choice</b> <i>Expressing one's experiences and pursue one's passions</i></p> <p><b>Partnership</b> <i>Seeking to connect, to engage, to leverage the assets and interests of others to improve our students, schools, and communities</i></p> <p><b>Empathy</b> <i>Aspiring to understand and share the feelings of another</i></p>
<p><b>Vision</b> <span style="float: right;"><i>What We Intend to Create</i></span></p> <p><b>Hastings Public Schools is The Choice of Families for:</b></p> <p><b>A Caring and Inclusive Culture for All</b></p> <ul style="list-style-type: none"> <li>• Safe, accepting, and respectful schools where individual uniqueness, talents, and interests are nurtured</li> <li>• One's voice is expressed, heard, and valued</li> <li>• A united and resilient culture of family and community</li> </ul> <p><b>That Empowers Students, Families, and Staff</b></p> <ul style="list-style-type: none"> <li>• Opportunities and choices are accessible and diverse</li> <li>• Community collaborations and connections are abundant, robust, and engaging</li> <li>• Service and support to school and community is energized, recognized, and celebrated</li> </ul> <p><b>Focused on Achievement and Engagement in All We Do</b></p> <ul style="list-style-type: none"> <li>• All students and staff realize the depth and breadth of their passions and are supported academically, socially, and emotionally to achieve</li> <li>• Learning and development as a whole person is energizing, empowering, engaging, and excelling for students and staff</li> </ul>	<p><b>Strategic Anchors</b> <span style="float: right;"><i>Drivers of Our Continuous Improvement</i></span></p> <p><b>A. Engaged Learners</b></p> <p><b>B. Effective Operations</b></p> <p><b>C. Communication and Collaboration</b></p>



## School Board Governance Workplan July 2021

Key Roles	2021/22 SY	2022/23 SY	2023/24 SY
<b>District Policy</b>	<ul style="list-style-type: none"> <li>• 1/3 District Policy Review</li> <li>• Discipline Policy</li> </ul>	<ul style="list-style-type: none"> <li>• 1/3 District Policy Review</li> <li>• Graduation Requirement Policy</li> </ul>	<ul style="list-style-type: none"> <li>• 1/3 District Policy Review</li> </ul>
<b>Operations Oversight and Long- Range Planning</b>	<ul style="list-style-type: none"> <li>• Budget Approval</li> <li>• District Long Range Model / Goals</li> <li>• Operational Plan Monitoring Reports</li> <li>• District Sizing to Enrollment and Trends</li> <li>• Student / Staff Mental Health Resourcing</li> <li>• Secondary (Gr 5-12) Programmatic Review</li> </ul>	<ul style="list-style-type: none"> <li>• Budget Approval</li> <li>• District Long Range Model / Goals</li> <li>• Operational Plan Monitoring Reports</li> <li>• District Sizing to Enrollment and Trends</li> <li>• ALC</li> <li>• Secondary (Gr 5-12) Programmatic Review</li> <li>• Bond Expenditures Completed</li> <li>• Facilities Building with City</li> </ul>	<ul style="list-style-type: none"> <li>• Budget Approval</li> <li>• District Long Range Model / Goals</li> <li>• Operational Plan Monitoring Reports</li> <li>• District Sizing to Enrollment and Trends</li> <li>• Todd Field and Hwy 55 Planning Starts</li> </ul>
<b>Board Operations and Development</b>	<ul style="list-style-type: none"> <li>• School Board Annual Evaluation (Design)</li> <li>• Board 3 Year Governance Workplan</li> <li>• 3 Board Seats</li> <li>• New Board Member Training</li> <li>• Board Election Schedule</li> </ul>	<ul style="list-style-type: none"> <li>• School Board Annual Evaluation</li> <li>• Board 3 Year Governance Workplan</li> <li>• Board Candidate Recruitment</li> <li>• Board Member Deep Learning</li> </ul>	<ul style="list-style-type: none"> <li>• School Board Annual Evaluation</li> <li>• Board 3 Year Governance Workplan</li> <li>• 4 Board Seats</li> <li>• New Board Member Training</li> <li>• Board Member Deep Learning</li> </ul>
<b>Superintendent Relations and Development</b>	<ul style="list-style-type: none"> <li>• Superintendent Evaluation</li> <li>• District Quarterly Benchmark Reports</li> </ul>	<ul style="list-style-type: none"> <li>• Superintendent Evaluation</li> <li>• District Quarterly Benchmark Reports</li> </ul>	<ul style="list-style-type: none"> <li>• Superintendent Evaluation</li> <li>• District Quarterly Benchmark Reports</li> <li>• Superintendent Agreement</li> </ul>
<b>Public Engagement</b>	<ul style="list-style-type: none"> <li>• Legislative Action Committee (Design)</li> <li>• Community Communications</li> <li>• Choice Enrollment Engagement and Learning</li> <li>• Technology Levy Option</li> </ul>	<ul style="list-style-type: none"> <li>• Legislative Action Committee</li> <li>• Community Communications</li> <li>• Choice Enrollment Engagement</li> <li>• Levy Renewal</li> <li>• Schedule/Transportation/Budget Options</li> </ul>	<ul style="list-style-type: none"> <li>• Legislative Action Committee</li> <li>• Community Communications</li> <li>• Choice Enrollment Engagement</li> </ul>



# Our Vision of Desired Daily Experiences for Students, Families, and Staff

## I am valued, respected, and accepted for who I am

- I feel safe physically and emotionally at school, and my gender, race, and language are accepted
- I have a voice and some choice in my learning and am listened to by adults and my peers
- My learning, mental health, emotional, and physical needs are known and supported in school
- I have good friends at school, and we have time to be together during the school day
- I am engaged in my learning and I enjoy it

## I have opportunities to engage in real and relevant learning for me

- I have a wide array of academic, activities, arts, athletics, and career choices, in a variety of learning venues,
- I am challenged in my learning and development as an individual, and supported to succeed
- I can take reasonable risks and use my mistakes and disappointments to learn
- I collaborate with others in projects and learning opportunities
- I feel ready and prepared for each next step in my learning at each grade, college, career, and life
- I have time and space to reflect, relax, and able to manage the stress of school and learning

## I am recognized and celebrated for my accomplishments in and out of school

- The staff know me, care about me, and easily interact with me
- School is fun, with recognition for both hard work and learning
- I have opportunities for involvement in my community

## I am valued, respected, and accepted for who I am

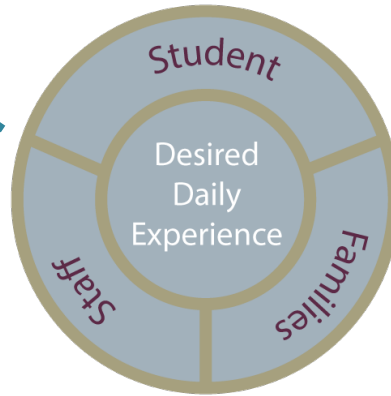
- I feel safe physically and emotionally at work
- I make a positive difference everyday in the lives of students and families
- I have the drive and tools to connect and guide every student with what they need
- I have time to collaborate with my colleagues and am prepared to do my work

## My work and development is real and relevant for me

- I have the needed resources and development to do my job well
- I feel empowered to take reasonable risks in innovation and improvement
- I'm a learner and am provided honest, effective, and consistent feedback
- I work within my circle of influence and circle of control.

## I feel that I am supported to do well and recognized for my contributions and gifts I bring

- I feel supported by colleagues, administration, and families
- I feel informed about my work and district and have easy, consistent access to information where and when I need it
- I feel empowered to take risks for innovation and continuous improvement
- My voice and input matters and is valued



## I am valued, respected, and accepted for who I am

- I trust the people who are responsible for my child's learning
- I feel listened to, respected and safe when I interact with the school as a partner in my child's learning
- I am confident that my child's diversity and uniqueness is valued

## I am engaged in my child's learning and know my roles, expectations, and how to navigate the school district and its processes

- I am invited to participate and welcomed
- I have a voice and my input is valued
- I am well informed about what's going on in my child's classroom and school, as well as the district with easy, consistent access to information
- I have a voice and choice in my child's learning options and venues
- I hear consistent messages from the staff, the school, and the district
- I feel supported and know how to access resources and information

## I am confident my child is safe, accepted, valued, cared for, and supported academically, socially, and emotionally by all staff in the district

- My child is safe, respected, and accepted
- I am confident that my child's teacher knows and cares about my child and supports their growth as a learner.
- My child's emotional, mental health, physical, and learning needs are known, supported, and addressed by staff and district services
- My student will be prepared and ready for each step in their learning
- My child is celebrated as an individual and for his/her accomplishments



## District Vision Card (Draft\_finalizing during 2021 school year)

July 2021

	Measure	Wt	Level 1 Intervention 1.0 – 1.9	Level 2 High Concern 2.0 – 2.9	Level 3 Baseline 3.0 – 3.9	Level 4 Progressing 4.0 – 4.9	Level 5 Vision 5.0 +	Score	Trend Line
1	<b>% of K-12 students “On-Track to Graduation”</b> <i>(Grade Level Appropriate Assessments)</i>	20 %	Less than 80 % of students	80 – 84 % of students	85 – 89 % of students	90 – 95 % of students	Greater than 95 % of students		
2	<b>Achievement Gap</b>	10 %	Greater than 25 % gap between student groups	Greater than 20 % gap between student groups	Less than 20 % gap between student groups	Less than 15 % gap between student groups	Less than 10 % gap between student groups		
3	<b>Student Attendance</b>	20 %	Less than 80 % daily attendance per grading period	80 - 84 % daily attendance per grading period	85 - 89 % daily attendance per grading period	90 - 95 % daily attendance per grading period	Greater than 95 % daily attendance per grading period		
4	<b>Student Agency – Voice and Choice</b> Based on age-appropriate student agency indicators	10 %	Less than 70 % of students	70 – 74 % of students	75 – 79 % of students	80 – 84 % of students	Greater than 85 % of students		
4	<b>Engagement of Disconnected / Untapped Families</b> <i>Survey of identified untapped families reporting at least 4 points of contact over school year by district / school</i>	10 %	Less than 65 % of identified families	65 – 69 % of identified families	70 – 79 % of identified families	75 – 80 % of identified families	Greater than 80 % of identified families		
5	<b>Staff Satisfaction</b> <i>Survey of % of staff reporting Being Heard; Access to Needed Resources; Empowered; Celebrated; Ownership</i>	10 %	Less than 75 % of staff are satisfied to highly satisfied	75 – 79 % of staff are satisfied to highly satisfied	80 – 84 % of staff are satisfied to highly satisfied	85 – 90 % of staff are satisfied to highly satisfied	Greater than 90 % of staff are satisfied to highly satisfied		
6	<b>Staff Attendance</b> <i>(Disaggregated by employee group)</i>	10 %	Less than 80 % daily attendance	80 – 84 % daily attendance	85 – 89 % daily attendance	90 – 95 % daily attendance	Greater than 95 % daily attendance		
7	<b>Staff Efficiency and Utilization</b> <i>Staff survey; % reporting manageable workload; meaningful impact; high level of one’s fit and confidence in role</i>	10 %	Less than 80 % of staff are satisfied to highly satisfied	80 – 84 % of staff are satisfied to highly satisfied	85 – 89 % of staff are satisfied to highly satisfied	90 – 95 % of staff are satisfied to highly satisfied	Greater than 95 % of staff are satisfied to highly satisfied		
<b>Weighted Performance Score</b>									

Type of Initiative	Strategic Anchor A: Engaged Learners	Strategic Anchor B: Effective Operations	Strategic Anchor C: Communication and Collaboration
<b>Learning Work</b> (Research, testing, prior to choice of implementation)	<ul style="list-style-type: none"> <li>Levels of Learning</li> <li>Aligned Continuum of Services for student’s needs</li> <li>Social Studies Standards Alignment</li> <li>Portrait of a Graduate</li> <li>Career Pathway Design</li> <li>Culturally Responsive Classroom &amp; Curriculum</li> </ul>	<ul style="list-style-type: none"> <li>Program Alignment</li> <li>Resource Alignment</li> <li>Levy Referendum Planning</li> <li>Teacher Recruitment and Retainment</li> <li>Innovation Work</li> <li>Administrative Responsibilities Alignment</li> </ul>	<ul style="list-style-type: none"> <li>Community Engagement of Untapped People</li> <li>Networked Improvement Communities</li> <li>Social Media</li> </ul>
<b>Implementation Change Readiness</b> (professional development, resourcing, purchasing of materials, etc.)	<ul style="list-style-type: none"> <li>Mental Health for Students and Staff</li> <li>Student Engagement</li> <li>Elementary Literacy</li> <li>Access to Effective Instruction</li> <li>College and Career Readiness</li> <li>Science Standards Alignment</li> <li>Continuous Improvement PD</li> </ul>	<ul style="list-style-type: none"> <li>Resource Alignment- Elementary and MS</li> <li>PLC Use of LMS and Data</li> <li>Facilities</li> </ul>	<ul style="list-style-type: none"> <li>Community Engagement Structure and Practice</li> <li>District Internal Meeting and Feedback Structure</li> </ul>
<b>Implementation Change Management</b> (changing of Standard Work and transfer of ownership of change to Principals and Dept. managers)	<ul style="list-style-type: none"> <li>Student Engagement</li> </ul>	<ul style="list-style-type: none"> <li>Access to PD</li> <li>Technology &amp; Design</li> <li>Transition to Google</li> <li>Learning Management System (LMS) and Data Warehouse</li> <li>Equity Alliance</li> </ul>	<ul style="list-style-type: none"> <li>Social Media</li> <li>Communications Alignment</li> </ul>
<b>Standard Work Initiatives to Complete</b>	<ul style="list-style-type: none"> <li>Literacy</li> <li>College and Career Readiness</li> <li>Math</li> <li>Positive Behavior Supports</li> </ul>	<ul style="list-style-type: none"> <li>Technology and Design</li> <li>Staffing Process</li> <li>Safety Protocols</li> </ul>	<ul style="list-style-type: none"> <li>District-wide communications</li> <li>Engagement and translation focus</li> </ul>

**What Needs to Leave the District**  
*(bolded indicates, high leverage change needed)*

Work, Resources, Programs, Services	Structure, Practices, Linkages	Culture, Beliefs, Preferences, Assumptions
<ul style="list-style-type: none"> <li>Charlotte Danielson evaluation protocol</li> <li>Microsoft office</li> <li>Paper enrollment information</li> <li>Special Education and EL services are homework help</li> <li>Student engagement feedback not specific to teachers</li> </ul>	<ul style="list-style-type: none"> <li><b>Reporting student learning inclusive of student behavior and/or compliance</b></li> <li><b>Processes and practice implementation without success measures (Underdeveloped site improvement plans)</b></li> <li><b>Siloed work; vertically, horizontally and between district departments</b></li> <li>Teaching strategies/practices that don’t promote positive student learning</li> </ul>	<ul style="list-style-type: none"> <li><b>Belief that all students are not college capable</b></li> <li>That we must be locked into equal time/bell schedules</li> <li>Adult’s views of Spec. Ed. and EL VS Gen Ed students</li> <li>Preference for teaching over learning mindset</li> <li>There is not enough time</li> <li>Mindset that additional adult support (FTE) will increase student skills</li> </ul>



## Environmental Scan of Current Reality

April 27, 2021

	“Edge”	Emerging	Established	Ebbing
<b>Key Trends and Influences</b>	<ul style="list-style-type: none"> <li>Increased use of and changing best practices because of pandemic</li> <li>Increased interest and use of data across all areas of district</li> <li>Increased value and use of communications and restructuring</li> <li>Increase empathy work leading to “Why” and our responses and actions</li> <li>Increased principal role instructional leadership versus managing</li> <li>Increased use and value of systems thinking changing daily practices</li> </ul>		<ul style="list-style-type: none"> <li>Increased efficiency and use of digital technology</li> <li>Increased recognition of inequities</li> <li>Decreased working in silos and in isolation</li> <li>Increased principal role instructional leadership versus managing</li> <li>Decrease in “my students” and increase in “our students”</li> <li>Positive community support</li> <li>Decrease of enrollment over the past decade</li> <li>Local culture and geography reinforcing the “born here – live here- inherit – and die here” assumptions and preferences</li> </ul>	
<b>Work, Programs, Services, and Resources</b>	<ul style="list-style-type: none"> <li>Instructional coach</li> <li>Family liaison</li> <li>digital citizenship</li> <li>One to one devices</li> <li>Federal funding</li> <li>Trauma informed instruction (ACEs)</li> <li>Google</li> <li>District-wide BCBA process (coaching cycle for new teachers)</li> <li>World language learning/ opportunities below 9th grade</li> </ul>	<ul style="list-style-type: none"> <li>Instructional Leadership Development</li> <li>Formalized Equity work</li> <li>Elementary Literacy Work</li> <li>Online Academy</li> <li>Thought about AVID Expansion</li> <li>Social and Emotional learning and mental health supports</li> <li>5D+ (teacher evaluation)</li> </ul>	<ul style="list-style-type: none"> <li>RCD - Elementary</li> <li>PBIS - Middle School</li> <li>AVID - High School</li> <li>SIS Campus</li> <li>LMS Schoology and Seesaw</li> <li>Focus on Mental Health</li> <li>Industrial Tech Programming Value</li> <li>Community Ed - community use of facilities</li> <li>ALICE</li> </ul>	<ul style="list-style-type: none"> <li>Paper assessments</li> <li>Paper report cards</li> <li>Playground (DASH @HHS)</li> <li>Departments working in isolation</li> <li>Responsive classroom</li> <li>Mental health working in silos (canvas, social workers, Renee, counselors)</li> </ul>
<b>Culture, Identity, Preferences, and Assumptions</b>	<ul style="list-style-type: none"> <li>Raider name/logo</li> <li>Desired daily experience</li> <li>Community schools</li> <li>Work from home</li> <li>Lencioni (The Advantage)</li> <li>Culturally influenced calendar</li> <li>Structures/Process/Practice for identifying/discussing new ideas we should/could bring into Hastings Public Schools.</li> </ul>	<ul style="list-style-type: none"> <li>District Leadership camaraderie and teamwork</li> <li>Formalized Equity work</li> <li>Greater acceptance of diverse cultures</li> </ul>	<ul style="list-style-type: none"> <li>Athletics &amp; Arts are a point of Pride</li> <li>Big/Small Town</li> <li>Generations staying in Hastings</li> <li>Strong Teacher Union</li> <li>Long term commitment to working in Hastings</li> <li>Being new to Hastings is difficult</li> <li>Oldest Alumni Association in the Country</li> <li>Todd Field</li> <li>Compelling Why</li> </ul>	<ul style="list-style-type: none"> <li>Zero in in grading book</li> <li>Extra credit</li> <li>Silos between departments</li> <li>Solely relying on EL staff to enroll and communicate with non-English families</li> <li>Large group gatherings</li> <li>The way we do all staff appreciation</li> </ul>
<b>Structures, Practices, Policy, Linkages, and Connections to Student, Families, Staff, and communities</b>	<ul style="list-style-type: none"> <li>MTSS</li> <li>Equity policy</li> <li>School start times</li> <li>School Board Engagement Committee</li> <li>Raider Update</li> <li>Communication</li> <li>Review of board policies</li> <li>Multilingual Communication</li> <li>EL/SpEd evaluations</li> </ul>	<ul style="list-style-type: none"> <li>Grading Practices</li> <li>Strategic Planning</li> <li>Formalized Equity work</li> <li>Work towards pK-12 systems alignment</li> <li>Discipline practices</li> <li>Technology utilization to enhance learning and programming</li> <li>Due Process consistency</li> </ul>	<ul style="list-style-type: none"> <li>Grade Levels K-4, 5-8, 9-12</li> <li>Declining Enrollment</li> <li>Concept and Time allotment for PLC’s</li> <li>Concept of Site Leadership Teams</li> <li>Consistent Budget Cuts</li> <li>Education Foundations</li> <li>School Community Connection</li> <li>Faith Based School Options</li> <li>Community Support for Schools</li> <li>Geographically Centralized Schools</li> <li>Department Chair at Secondary</li> <li>Geographical barrier of the river</li> <li>Senior Center</li> <li>Minimal District Support Structure</li> </ul>	<ul style="list-style-type: none"> <li>Charlotte Danielson (eval system)</li> <li>Paper report cards</li> <li>HHS Resources SpEd service delivery model</li> <li>Smartboards</li> <li>Libraries</li> <li>Computer labs</li> <li>Departments managing their own HR practices</li> <li>in-person IEP meetings</li> <li>In-person conferences</li> <li>School board members talking directly to directors and principals</li> </ul>

# Strategic Growth and Change

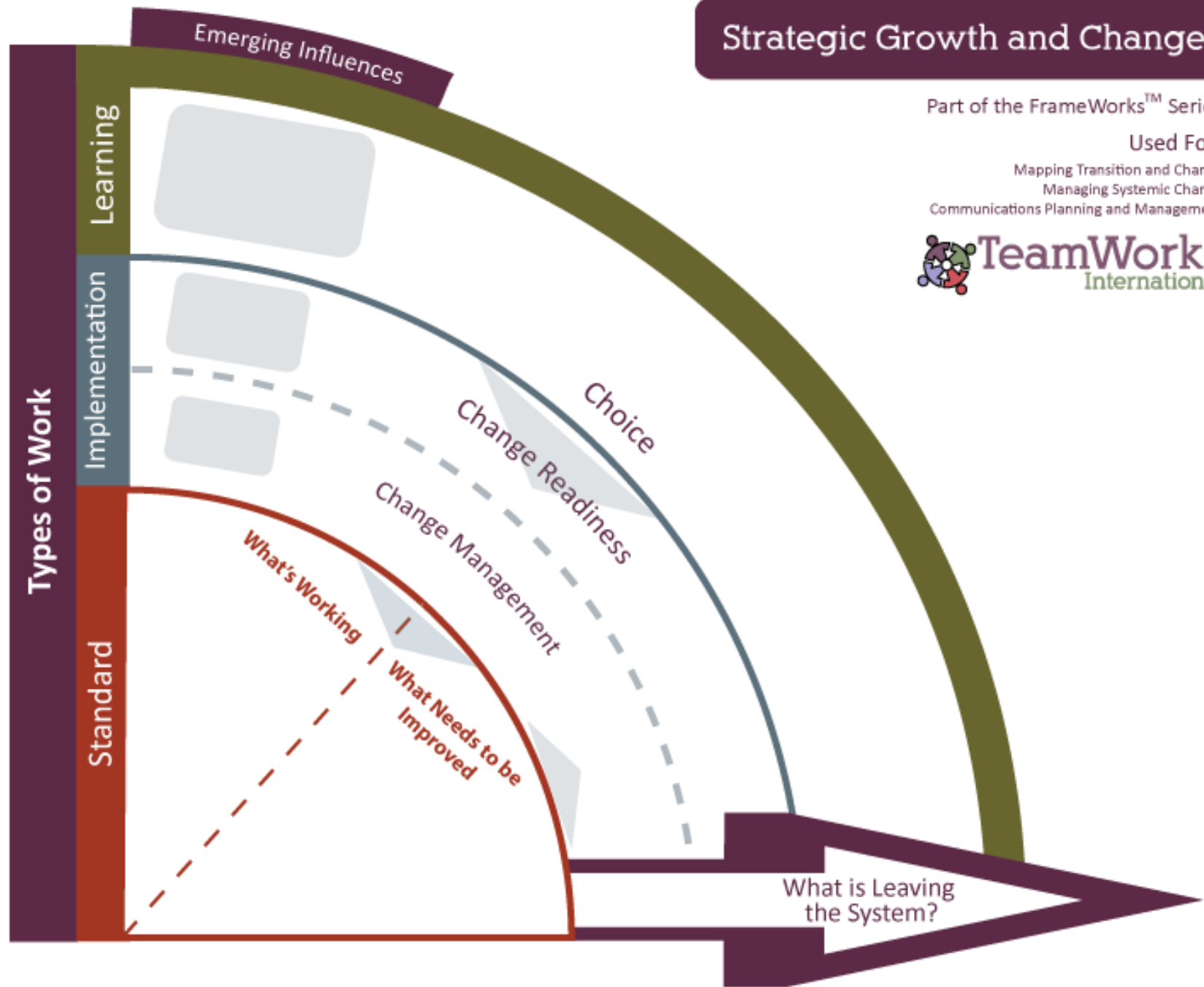
Part of the FrameWorks™ Series

Used For:

Mapping Transition and Change

Managing Systemic Change

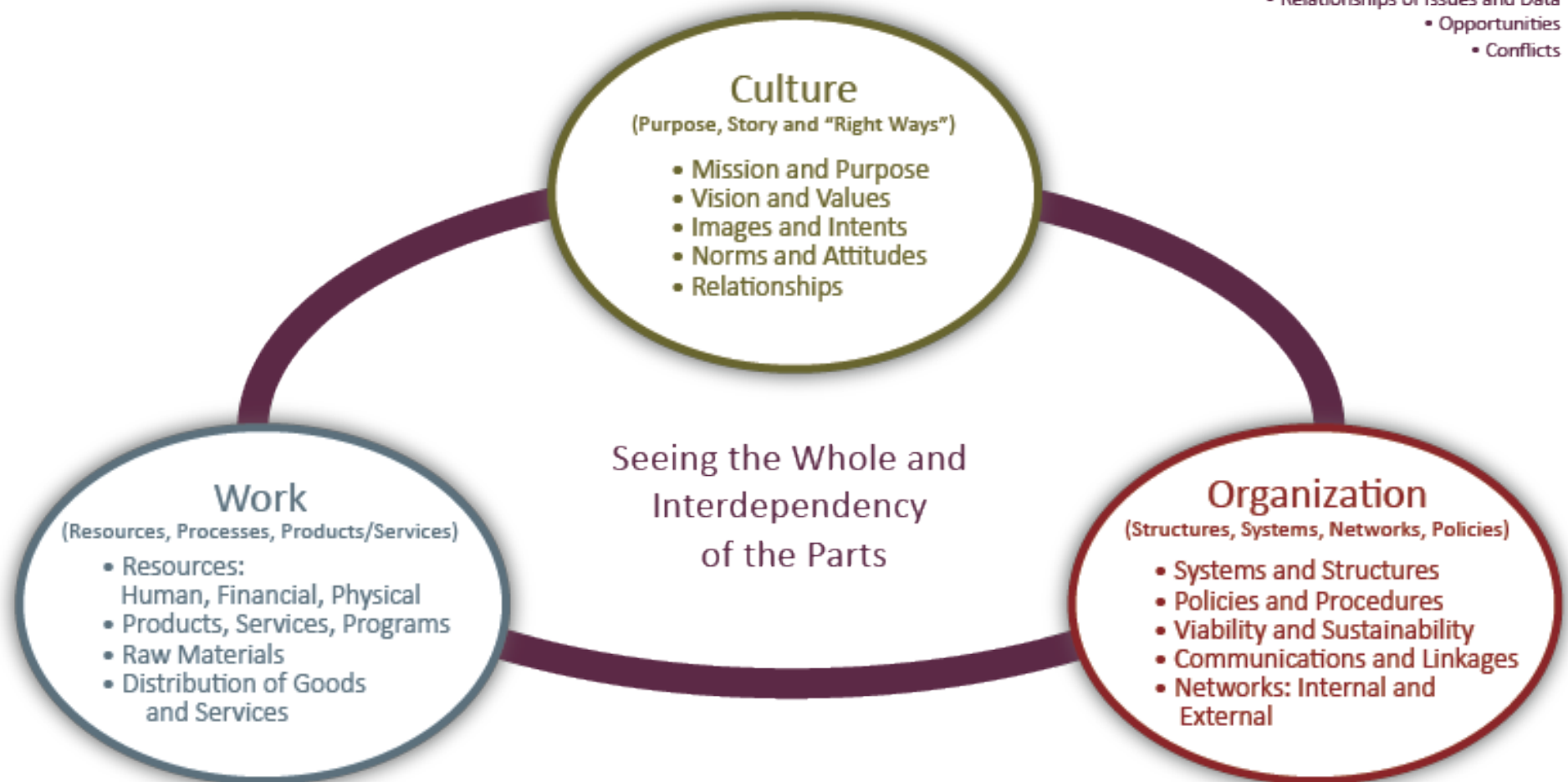
Communications Planning and Management



Part of the FrameWorks Series

Used For Assessment of:

- Situations "In the Moment"
- Relationships of Issues and Data
  - Opportunities
  - Conflicts



***Future Meetings***

<b>Date</b>	<b>Time</b>	<b>Description</b>	<b>Location</b>
08/02/2021	5:00 - 6:00 PM	Policy Committee Meeting	District Office
08/11/2021	5:00 - 9:00 PM	Summer Board Retreat (Extended Work Session)	HMS Media Center
09/02/2021	5:00 - 6:00 PM	Policy Committee Meeting	District Office
09/24/2021	10:00 - 11:00 AM	Facility Comittee Meeting	District Office
10/26/2021	11:00 - 12:00 PM	Facility Comittee Meeting	District Office