

Hastings Area Public Schools - ISD 200
School Board Meeting Agenda

Thursday, November 7, 2024
Work Session
Middle School Media Center

- I. **Items for Discussion**
 - a. Student Behavior Report by the Building Principals
 - b. ALP Overview
 - c. Board 1-Year Workplan
 - d. Additional SRO Presentation and Discussion
 - e. Audit Update and Discussion
 - f. Pathway Update/Progress
 - g. Policies for Review
 - i. 520 Surveys Presentation and Discussion
 - ii. 524 Internet and Technology Acceptable Use and Safety Policy
 - iii. 524.1 Cell Phones and Electronic Devices



**School Board Governance Work Plan
November 2024**

Key Roles - CT	2024/25 SY - CT	Key Roles - JD	2024/25 SY - JD
Engaged and Successful Learners	<ul style="list-style-type: none"> ● Monitor Vision Card Results ● Quarterly Discipline & Building Reports ● Monitor and Adjust Comprehensive Achievement and Civic Readiness Goals ● School Perceptions Survey ● Monitor Pathways Progress ● Curriculum Review and Approval 		
District Policy	<ul style="list-style-type: none"> ● Review 1/3 of District Policies Review + Annual Policies Review 	District Policy Engaged Learners	<ul style="list-style-type: none"> ● 1/3 District Policy Review + Annual Policy Review Monitor Vision Card Report
Effective Operations Oversight and Long-Range Planning	<ul style="list-style-type: none"> ● Budget Approval and Monitoring ● District Long Range Model / Goals Review/Revise Strategic Plan ● Operational Plan Monitoring Reports ● District Sizing to Enrollment and Trends ● Monitor Pathways Progress Secondary (Gr 5-12) Programmatic Review ● Bond Expenditures Completed ● Finance Committee ● Facilities Committee 	Operations Oversight and Long-Range Planning Effective Operations	<ul style="list-style-type: none"> ● Review 1/3 of Policies according to Review Cycle ● Budget Approval ● District Long Range Model / Goals ● Operational Plan Monitoring Reports ● District Sizing to Enrollment and Trends ● Supporting culture/climate for learning success (mental health and behavior) ● Board & Superintendent Evaluation ● Board 3 year Work Plan
Board Operations and Development	<ul style="list-style-type: none"> ● School Board Annual Evaluation ● Board 3 Year Governance Work Plan ● Board Member Deep Learning ● Continued Education through MSBA ● Board Development Retreats ● Staff engagement ● Add Student Board Members ● Provide mentorship to New Board Members and Student Board Members ● Revisit/Revise Board Handbook 	Board Operations and Development	<ul style="list-style-type: none"> ● School Board Annual Evaluation ● Board 3 Year Governance Work Plan ● Board Candidate Recruitment ● Board Member Deep Learning ● Staff engagement
Superintendent Relations and Development	<ul style="list-style-type: none"> ● Superintendent Evaluations (Mid-Year and Annual) ● District Quarterly Benchmark Reports Develop and Monitor Superintendent Goals 	Superintendent Relations and Development	<ul style="list-style-type: none"> ● Superintendent Evaluation ● District Quarterly Benchmark Reports

<p>Communication and Collaboration</p> <p>Public Engagement</p>	<ul style="list-style-type: none"> ● Legislative Action Committee Legislative Action through MSBA Resolutions/Delegate Assembly ● CommunityRegular Communications ● Addressing enrollment choice, decline, and engagement ● Staff engagement ● Community Collaboration Committee ● School Perceptions Survey ● Review New Curriculum 	<p>Public Engagement</p> <p>Communication & Collaboration</p>	<ul style="list-style-type: none"> ● Legislative Action Committee ● Community Communications ● Addressing enrollment choice, decline, and engagement ● Staff engagement ● Community Collaboration 4 times a year ● Review Survey Results ● Update Strategic Plan ● Create Resolutions for Delegate Assembly
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**School Board Governance Work Plan
August 2022**

Key Roles	2022/23 SY	2023/24 SY	2024/25 SY
District Policy	<ul style="list-style-type: none"> ● 1/3 District Policy Review ● Graduation Requirement Policy 	<ul style="list-style-type: none"> ● 1/3 District Policy Review + Annual Policy Review 	<ul style="list-style-type: none"> ● 1/3 District Policy Review + Annual Policy Review
Operations Oversight and Long- Range Planning	<ul style="list-style-type: none"> ● Budget Approval ● District Long Range Model / Goals ● Operational Plan Monitoring Reports ● District Sizing to Enrollment and Trends ● ALC ● Secondary (Gr 5-12) Programmatic Review ● Bond Expenditures Completed 	<ul style="list-style-type: none"> ● Budget Approval ● District Long Range Model / Goals ● Operational Plan Monitoring Reports ● District Sizing to Enrollment and Trends ● Supporting culture/climate for learning success (mental health and behavior) 	<ul style="list-style-type: none"> ● Budget Approval ● District Long Range Model / Goals ● Operational Plan Monitoring Reports ● District Sizing to Enrollment and Trends ● Supporting culture/climate for learning success (mental health and behavior)
Board Operations and Development	<ul style="list-style-type: none"> ● School Board Annual Evaluation (Design)/Include committees ● Board 3 Year Governance Work Plan ● Board Candidate Recruitment ● Board Member Deep Learning ● One board Seat ● Board Election Schedule ● Staff engagement design 	<ul style="list-style-type: none"> ● School Board Annual Evaluation ● Board 3 Year Governance Work Plan ● 4 Board Seats ● New Board Member Training ● Board Member Deep Learning ● Staff engagement 	<ul style="list-style-type: none"> ● School Board Annual Evaluation ● Board 3 Year Governance Work Plan ● Board Candidate Recruitment ● Board Member Deep Learning ● Staff engagement
Superintendent Relations and Development	<ul style="list-style-type: none"> ● Superintendent Evaluation ● District Quarterly Benchmark Reports ● Superintendent Agreement 	<ul style="list-style-type: none"> ● Superintendent Evaluation ● District Quarterly Benchmark Reports 	<ul style="list-style-type: none"> ● Superintendent Evaluation ● District Quarterly Benchmark Reports
Public Engagement	<ul style="list-style-type: none"> ● Legislative Engagement Process ● Community Communications ● Addressing enrollment choice, decline, and engagement ● Levy Renewal/all options ● Schedule/Transportation/ Budget Options ● Student Board representatives ● Staff engagement design 	<ul style="list-style-type: none"> ● Legislative Engagement Process ● Community Communications ● Addressing enrollment choice, decline, and engagement ● Staff engagement 	<ul style="list-style-type: none"> ● Legislative Action Committee ● Community Communications ● Addressing enrollment choice, decline, and engagement ● Staff engagement



520 STUDENT SURVEYS

I. PURPOSE

Occasionally the school district utilizes surveys to obtain student opinions and information about students. The purpose of this policy is to establish the parameters of information that may be sought in student surveys.

II. GENERAL STATEMENT OF POLICY

Student surveys may be conducted as determined necessary by the school district. Surveys, analyses and evaluations conducted as part of any program funded through the U.S. Department Of Education must comply with 20 United States Code section 1232h.

III. DEFINITIONS

- A. “Instructional material” means instructional content that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (i.e., materials accessible through the Internet). The term does not include academic tests or academic assessments.
- B. “Invasive physical examination” means any medical examination that involves the exposure of private body parts, or act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.
- C. “Parent” means a legal guardian or other person acting in loco parentis (in place of a parent), such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child.
- D. “Personal information” means individually identifiable information including a student or parent’s first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; or a Social Security identification number.

IV. STUDENT SURVEYS IN GENERAL

- A. Student surveys will be conducted anonymously and in an indiscernible fashion. No mechanism will be used for identifying the participating student in any way. No attempt will be made in any way to identify a student survey participant. ~~There will be a~~ No requirement that the student return the survey shall exist, and

no record of the student's returning a survey will be maintained.

- B. The superintendent may choose not to approve any survey that seeks probing personal and/or sensitive information that could result in identifying the survey participant, or is discriminatory in nature based on age, race, color, sex, disability, religion, or national origin.
- C. Surveys containing questions pertaining to the student's or the student's parent(s) or guardian(s) personal beliefs or practices in sex, family life, morality and religion will not be administered to any student unless the parent or guardian of the student is notified in writing that such survey is to be administered and the parent or guardian of the student gives written permission for the student to participate ~~by or the opportunity to opt into~~ ~~out of the survey depending upon how the survey is funded.~~ Any and all documents containing the written permission of a parent for a student to participate in a survey will be maintained by the school district in a file separate from the survey responses.
- D. Although the survey is conducted anonymously, potential exists for personally identifiable information to be provided in response thereto. To the extent that personally identifiable information of a student is contained in his or her responses to a survey, the school district will take appropriate steps to ensure the data is protected in accordance with Minnesota Statutes chapter 13 (Minnesota Government Data Practices Act), 20 United States Code section 1232g (Family Educational Rights and Privacy Act) and 34 Code of Federal Regulations Part 99.
- E. ~~The school district must not impose an academic or other penalty on a student who opts out of participating in a student survey.~~

V. STUDENT SURVEYS CONDUCTED AS PART OF DEPARTMENT OF EDUCATION PROGRAM

- A. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by the parents or guardians of the students.
- B. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent, to submit to a survey that reveals information concerning:

1. political affiliations or beliefs of the student or the student's parent;
2. mental and psychological problems of the student or the student's family;
3. sex behavior or attitudes;
4. illegal, antisocial, self-incriminating, or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. religious practices, affiliations, or beliefs of the student or the student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

C. This policy exists because a school district that receives funds under any program funded by the U.S. Department of Education shall develop local policies consistent with Sections IV.A. and IV.B., above, concerning student privacy, parental access to information, and administration of certain physical examinations to minors.

1. The following practices policies are to be adopted in consultation with parents:
 - a) The right of a parent to inspect, on request, a survey, including an evaluation, created by a third party before the survey is administered or distributed by a school to a student, including procedures for granting a parent's request for reasonable access to such survey within a reasonable period of time after the request is received.

~~“Parent” means a legal guardian or other person acting *in loco parentis* (in place of a parent), such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child.~~
 - b) Arrangements to protect student privacy in the event of the administration or distribution of a survey, including an evaluation, to a student which contains one or more of the items listed in Section IV.B., above, including the right of a parent of a student to inspect, on request, any such survey.
 - c) The right of a parent of a student to inspect, on request, any instructional

material used as part of the educational curriculum for the student and procedures for granting a request by a parent for such access within a reasonable period of time after the request is received.

~~“Instructional material” means instructional content that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (i.e., materials accessible through the Internet). The term does not include academic tests or academic assessments.~~

- d) The administration of physical examinations or screenings that the school district may administer to a student. This provision does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (20 United States Code section 1400, et seq.).
- e) The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing the information to others for that purpose), including arrangements to protect student privacy that are provided by the school district in the event of such collection, disclosure, or use.

~~“Personal information” means individually identifiable information including a student or parent’s first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; or a Social Security identification number.~~

- (1) This provision does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as:
 - (a) college or other postsecondary education recruitment or military;
 - (b) book clubs, magazines, and programs providing access to low cost literary products;
 - (c) curriculum and instructional materials used by elementary and secondary schools;
 - (d) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students, or to generate other statistically useful data for the purpose of securing such tests

and assessments and the subsequent analysis and public release of the aggregate data from such tests and assessments;

(e) the sale by students of products or services to raise funds for school-related or education-related activities; and

(f) student recognition programs.

(2) The right of a parent to inspect, on request, any instrument used in the collection of information, as described in Section IV.C.1., Subparagraph e., above, before the instrument is administered or distributed to a student and procedures for granting a request by a parent for reasonable access to such an instrument within a reasonable period of time after the request is received.

2. The ~~practices~~~~policies~~ adopted under Section IV.C., Subparagraph 1., above, shall provide for reasonable notice of the adoption or continued use of such ~~practices~~~~policies~~ directly to parents of students enrolled in or served by the school district.

a. The notice will be provided at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in a policy.

b. The notice will provide parents with an opportunity to opt out of participation in the following activities:

(1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.

(2) The administration of any third-party survey (non- Department of Education funded) containing one or more of the items contained in Section IV.B., above.

(3) Any non-emergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or other students.

~~“Invasive physical examination” means any medical examination that involves the exposure of private body parts, or act during such examination that includes incision, insertion, or injection into the body,~~

~~but does not include a hearing, vision, or scoliosis screening.~~

- c. The notice will advise students of the specific or approximate dates during the school year when the activities in Section IV.C.2., Subparagraph b., above, are scheduled, or expected to be scheduled.
- d. The notice provisions shall not be construed to preempt applicable provisions of state law that require parental notification and do not apply to any physical examination or screening that is permitted or required by applicable state law, including physical examinations or screenings that are permitted without parental notification.

VI. NOTICE

- A. The school district must give parents and students notice of this policy at the beginning of each school year and after making substantive changes to this policy.~~The school district shall give parents and students notice of their rights under this section.~~
- B. The school district must inform parents at the beginning of the school year if the district or school has identified specific or approximate dates for administering surveys and give parents reasonable notice of planned surveys scheduled after the start of the school year. The school district must give parents direct, timely notice when their students are scheduled to participate in a student survey by United States mail, e-mail, or another direct form of communication.
- C. The school district must give parents the opportunity to review the survey and to opt their students out of participating in the survey.

Legal References: *Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)*
Minn. Stat. § 121A.065 (District Surveys to Collect Student Information; Parent Notice and Opportunity for Opting Out)
20 U.S.C. 1232g (Family Educational Rights and Privacy Act)
-20 U.S.C. 1232h (Protection of Pupil Rights)
34 C.F.R. Part 99 (Family Educational Rights and Privacy Act Regulations)
Gonzaga University v. Doe, 536 U.S. 273 (2002)
C.N. v. Ridgewood Bd. of Educ., 430 F.3d. 159 (3rd Cir. 2005)
Fields v. Palmdale School Dist., 427 F.3d. 1197 (9th Cir. 2005)

Cross References: *ISD 200 Policy 515 (Protection and Privacy of Pupil Records)*
ISD 200 Policy 521 (Student Disability Nondiscrimination)
ISD 200 Policy 522 (Student Sex Nondiscrimination, Title IX Grievance Procedure and Process)

Policy Reviewed: 09.06.2024~~2.08.2022~~

Policy Adopted: 11.15.2006

Policy Revised: 02.23.2022



524 ~~INTERNET, AND TECHNOLOGY, AND CELL PHONE~~ ACCEPTABLE USE AND SAFETY POLICY

I. PURPOSE

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

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. DEFINITIONS

- A. "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.
- B. "School-issued device" means hardware or software that the school district, acting independently or with a technology provider, provides to an individual student for that student's dedicated personal use. A school-issued device includes a device issued through a one-to-one program.
- C. "Technology provider" means a person who:
1. contracts with the school district, as part of a one-to-one program or otherwise, to

provide a school-issued device for student use; and

2. creates, receives, or maintains educational data pursuant or incidental to a contract with the school district.

IV. 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.

V. 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.

VI. UNACCEPTABLE USES

A. **While not an exhaustive list, 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, **but not limited to**, prejudicial or discriminatory attacks.
 3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.
 4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
 5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.
 6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.
 - a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents/**guardians** or other staff members related to students).
 - b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may

not post personal contact information or other personally identifiable information about students unless:

- (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
- (2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

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

- c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, ~~social~~ networks such as “Facebook,” “~~X~~ ~~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 (ISD 200 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. The school district has a special interest in regulating off-campus speech that materially disrupts classwork or involves substantial disorder or invasion of the rights of others. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations may include, but are not limited to, serious or severe bullying or harassment targeting particular individuals, threats aimed at teachers or other students, failure to follow rules concerning lessons, the writing of papers, the use of computers, or participation in other online school activities, and breaches of school security devices. ~~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.

VII. FILTER

- A. With respect to any of its ~~electronic devices~~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. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
- C. 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.
- D. 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.

VIII. 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.

IX. 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/**guardians** have the right at any time to investigate or review the contents of their child's files and email files. Parents/**guardians** 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.

X. PARENT/GUARDIAN RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

- A. Outside of school, parents/guardians 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/guardians 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/guardians 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/guardians 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/guardians have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.
~~A statement that the Internet Use Agreement must be signed by the user, the parent/guardian or guardian, and the supervising teacher prior to use by the student.~~
4. A statement that the school district's acceptable use policy is available for parental review.

XI. 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/guardians, 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 and,

the parent/~~guardian. or guardian,~~ and the supervising teacher. Documentation is maintained digitally. ~~The form must then be filed electronically at the school office. As supervising teachers change, the agreement signed by the new teacher shall be attached to the original agreement.~~

XII. 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.

XIII. 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,~~ **electronic devices**, 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/guardians.
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.¶¶

~~XIV. PARENT/GUARDIAN RESPONSIBILITY, NOTIFICATION OF STUDENT INTERNET USE¶¶~~

- ~~A. Outside of school, parents/guardians 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/guardians 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/guardians 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/guardians 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/guardians have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.¶¶~~
 - ~~4. A statement that the Internet Use Agreement must be signed by the user, the parent/guardian 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.~~

XV. NOTIFICATION REGARDING TECHNOLOGY PROVIDERS

A.

~~“Parent” means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.~~

Within 30 days of the start of each school year, the school district must give parents/guardians and students direct and timely notice, by United States mail, e-mail, or other direct form of communication, of any curriculum, testing, or assessment technology provider contract affecting a student’s educational data. The notice must:

1. identify each curriculum, testing, or assessment technology provider with access to educational data;
 2. identify the educational data affected by the curriculum, testing, or assessment technology provider contract; and
 3. include information about the contract inspection and provide contact information for a school department to which a parent/guardian or student may direct questions or concerns regarding any program or activity that allows a curriculum, testing, or assessment technology provider to access a student’s educational data.
- B. The school district must provide parents/guardians and students an opportunity to inspect a complete copy of any contract with a technology provider.
- C. A contract between a technology provider and the school district must include requirements to ensure appropriate security safeguards for educational data. The contract must require that:
1. the technology provider’s employees or contractors have access to educational data only if authorized; and
 2. the technology provider’s employees or contractors may be authorized to access educational data only if access is necessary to fulfill the official duties of the employee or contractor.
- D. All educational data created, received, maintained, or disseminated by a technology provider pursuant or incidental to a contract with a public educational agency or institution are not the technology provider’s property.

XVI. SCHOOL-ISSUED DEVICES

- A. Except as provided in paragraph B, the school district or a technology providers must not routinely electronically access or monitor:
1. any location-tracking feature of a school-issued device;
 2. any audio or visual receiving, transmitting, or recording feature of a school-issued device; or
 3. student interactions with a school-issued device, including but not limited to keystrokes and web-browsing activity.
- B. The school district or a technology provider may only engage in activities prohibited by paragraph C if:
1. the activity is limited to a noncommercial educational purpose for instruction, technical support, or exam-proctoring by school district employees, student teachers, staff contracted by the school district, a vendor, or the Minnesota Department of Education, and notice is provided in advance;
 2. the activity is permitted under a judicial warrant;
 3. the school district is notified or becomes aware that the device is missing or stolen;
 4. the activity is necessary to respond to an imminent threat to life or safety and the access is limited to that purpose;
 5. the activity is necessary to comply with federal or state law, including but not limited to Minnesota Statutes section 121A.031; or
 6. the activity is necessary to participate in federal or state funding programs, including but not limited to the E-Rate program.
- C. If the school district or a technology provider interacts with a school-issued device as provided in paragraph B, clause 4, it must, within 72 hours of the access, notify the student to whom the school-issued device was issued or that student's parent/guardian and provide a written description of the interaction, including which features of the device were accessed and a description of the threat. This notice is not required at any time when the notice itself would pose an imminent threat to life or safety, but must instead be given within 72 hours after that imminent threat has ceased.

XVII. CELL PHONE USE

See policy 524.1 (Cell Phone and Electronic Devices). ~~The school board directs the superintendent and school district administration to establish rules and procedures regarding student possession and use of cell phones in schools. These rules and procedures~~

~~should seek to minimize the impact of cell phones on student behavior, mental health, and academic attainment. These rules and procedures may be designed for specific school buildings, grade levels, or similar criteria.¶¶~~

- ~~A. Students are prohibited from using cell phones and other electronic communication devices during the instructional day. Students also are prohibited from using a cell phone or other electronic communication device to engage in conduct prohibited by school district policies including, but not limited to, cheating, bullying, harassment, and malicious and sadistic conduct. ¶¶~~
- ~~B. If the school district has reasonable suspicion that a student's cell phone or other electronic communication device contains evidence that the student has violated a school policy, rule, or law, the school district may search the device.. ¶¶~~
- ~~C. Students who use an electronic communication device during the school day and/or in violation of school district policies may be subject to disciplinary action pursuant to the school district's discipline policy. In addition, a student's cell phone or electronic communication device may be confiscated by the school district and, if applicable, provided to law enforcement. Cell phones or other electronic communication devices that are confiscated and retained by the school district will be returned in accordance with school building procedures.~~

XVIII. LIMIT ON SCREEN TIME FOR CHILDREN IN PRESCHOOL AND KINDERGARTEN

A child in a publicly funded preschool or kindergarten program may not use an individual-use screen, such as a tablet, smartphone, or other digital media, without engagement from a teacher or other students. This section does not apply to a child for whom the school has an individualized family service plan, an individualized education program, or a 504 plan in effect.

XIX. IMPLEMENTATION; POLICY REVIEW

- A. The school district administration ~~will~~**may** develop appropriate user notification forms, guidelines, and procedures necessary to implement this policy. ~~for submission to the school board for approval. Upon approval by the school board, such guidelines, forms, and procedures shall be an addendum to this policy.~~
- B. The administration shall revise the user notifications, including student and parent/**guardian** notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The school district Internet policies and procedures are available for review by all

parents, guardians, staff, and members of the community.

- D. Because of the rapid changes in the development of the Internet, the school board shall conduct an annual review of this policy.

Legal References: *Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)*
Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.73 (School Cell Phone Policy)
Minn. Stat. § 124D.166 (Limit on Screen Time for Children in Preschool and Kindergarten)
Minn. Stat. § 125B.15 (Internet Access for Students)
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
15 U.S.C. § 6501 et seq. (Children’s Online Privacy Protection Act) *17 U.S.C. § 101 et seq. (Copyrights)*
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
47 U.S.C. § 254 (Children’s Internet Protection Act of 2000 (CIPA)) *47 C.F.R. § 54.520 (FCC rules implementing CIPA)*
Mahanoy area Sch. Dist. v. B.L., 594 U.S. 141 S. Ct. 2038 (2021)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
United States v. Amer. Library Assoc., 539 U.S. 1942003)
Sagehorn v. Indep. Sch. Dist. No. 728, 122 F.Supp.2d 842 (D. Minn. 2015)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, 894 F.Supp.2d 1128 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), aff’d on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee’s Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)

Cross References: *ISD 200 Policy 406 (Public and Private Personnel Data)*
ISD 200 Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
ISD 200 Policy 506 (Student Discipline) ISD 200 Policy 514 (Bullying Prohibition Policy)
ISD 200 Policy 515 (Protection and Privacy of Pupil Records)
ISD 200 Policy 519 (Interviews of Students by Outside Agencies)
ISD 200 Policy 521 (Student Disability Nondiscrimination)
ISD 200 Policy 522 (Student Sex Nondiscrimination)
ISD 200 Policy 524.1 (Cell Phone and Electronic Devices)
ISD 200 Policy 603 (Curriculum Development) Policy 606 (Textbooks and Instructional Materials)

ISD 200 Policy 806 (Crisis Management Policy)

Policy Reviewed: ~~08.07.2024~~ 11.01.2024
Policy Adopted: 08.28.2024
Policy Revised: 07.01.2024



524.1 CELL PHONES AND ELECTRONIC DEVICES

I. PURPOSE

The purpose of this policy is to set clear and consistent expectations regarding the use of cell phones and electronic devices. The school board aims to provide a safe and distraction-free learning environment where students can focus on their academic pursuits and thrive intellectually. This policy supports the district's commitment to fostering a productive and engaging educational atmosphere, ensuring that all students have the opportunity to succeed academically. This policy does not include the use of district issued devices or wired headphones used for instructional purposes on school-issued devices.

II. GENERAL STATEMENT OF POLICY

A. Students are encouraged **not to bring cell phones** or electronic devices including smartwatches, headphones, earbuds/airpods to school;

1. If students choose to bring a cell phone or electronic devices to school, the following expectations apply:

a) Students are individually accountable for the safekeeping and protection of any electronic device including cell phones brought onto school property. The school district is not responsible for lost or stolen cell phones or any other electronic devices, its programs or its contents; and

b) Students will face disciplinary actions for violations of this policy.

B. Students without cell phone access, who need to be in contact with their family during the school day must ask permission to use one of the school phones. Parents are welcome and encouraged to contact the school's office if there is a message that needs to be relayed to their child. Please note that students will not be called out of class to receive phone messages except in the event of an emergency; and

C. To encourage a collaborative approach to student safety and well-being, school administrators will ensure that parents are promptly informed of any important updates or incidents involving their child.

III. DEFINITIONS

A. "Cell phone" means a portable electronic device capable of making and receiving calls, sending and receiving text messages, accessing the internet, and/or running various applications, regardless of whether or not the phone is connected to a network provider or phone service. It encompasses any handheld device that falls under this description.

- B. “Classrooms/instructional spaces” means the physical space where teaching and learning take place, including advisory, study hall, and the media center.
- C. “Confiscate” means the device will be removed from the student’s possession and brought to the office until the end of the school day.
- D. “Electronic device” means earbuds, airpods, smart watches, handheld gaming systems, tablets, laptops, and non-district issued ipads and chromebooks.
- E. “Emergency” means a serious, or unexpected situation requiring immediate action.
- F. “Instructional time” means the duration during which students are engaged in learning activities while in a classroom/instructional space. It represents the entire class period from bell to bell.
- G. “Parent” includes a legal guardian or other person who is legally responsible for the welfare of the child. Rights under this policy transfer from the parents or guardians to a student who is 18 years old.
- H. “School day” means from the first bell to the last bell.

IV. DISTRICT-WIDE DEVICE RESTRICTIONS

These rules apply across all buildings, regardless of individual school guidelines:

A. Prohibited Conduct

Students are strictly prohibited from using cell phones or electronic devices for any activities that violate school district policies.

1. Locker Rooms and Bathrooms

Devices with photo or video capabilities are never permitted to be accessed in locker rooms or bathrooms. If such devices are found in these areas, they will be confiscated and searched according to district policies and applicable laws.

2. Lockdowns and Fire Drills

Cell phone use during lockdowns and fire drills is strictly prohibited to ensure safety and minimize distractions.

3. Unauthorized Recording

Video and voice recording or photographing others without their consent in any school setting, including on the bus, is strictly forbidden. Students who engage in unauthorized recording will face disciplinary action.

V. CELL PHONE GUIDELINES BY BUILDING

A. Elementary Schools

Cell phones are not allowed during the school day. Smart watches, including all wearable electronic devices capable of sending/receiving messages and phone calls, or accessing the internet are prohibited for use in this capacity during the school day.

B. Middle School

Cell phone use is not allowed during the school day. Students must keep cell phones in lockers or in the main office. Cell phone use is allowed before and after school. Smart watches, including all wearable electronic devices capable of sending/receiving messages and phone calls, or accessing the internet are prohibited for use in this capacity during the school day. The use of wired headphones on school issued devices is allowed.

C. High School & Alternative Learning Program Limited Access

Cell phone possession and use is not allowed in classrooms/instructional spaces.

If students choose to bring a cell phone/device to school the expectations are as follows: Cell phones, electronic devices (including smart watches) and earbuds/air pods will be turned off and remain in student backpacks/lockers during instructional time.

1. Students who need to be in contact with their family during the academic day are to ask permission to use one of the school phones;
2. Parents are welcome and encouraged to contact our student office or attendance line if there is a message that needs to be relayed;
3. Cell phone use is allowed between classes and during lunch only;
4. Students assume the risk of damage, theft, or loss when choosing to bring a phone or electronic device to school;
5. Cell phone use of any kind is not permitted in locker rooms or bathrooms;
6. Phone usage during emergency drills or actual events is prohibited;
7. Using a cell phone to voice or video record or take photos of staff members or other students is not allowed without permission;
8. Recording or taking photos of classmates with the intent to bully or harass is not permitted. Students in violation are subject to the district's Bullying and Harassment Policies;
9. Using social media, apps, or any other function of a cell phone/device to spread

rumors, bully, make fun of, exclude, or create a disruption in school or outside of school is not permitted; and

10. Sharing or asking classmates for inappropriate content is not permitted.

VI. DISTRICT-WIDE ENFORCEMENT AND CONSEQUENCES

A. Teachers, staff, and administrators are responsible for enforcing this policy. Cell phone and electronic devices will be confiscated when used in violation of this policy;

B. Consequences for use of cell phones and electronic devices will be progressive in nature and include:

1. First Instance

a) Staff member holds the device or turns it into the office and documents internally;

b) Device Retrieval:

(1) K - 8: student retrieves the device at the end of the day;

(2) Grade 9 -12: student retrieves the device at the end of the day; and

(a) school administration notifies the parents/guardian

2. Second Instance

a) Staff member turns the device into the office and documents internally;

b) Device Retrieval:

(1) Grades K-8: School Administration notifies the parent/guardian to pick up the device.

(2) Grades 9-12: Student retrieves the device at end of the day

(a) School Administration notifies the parents/guardian.

3. Third Instance

a) The device is turned into the school's office for parent/guardian pick up;

b) School Administration notifies the parent/guardian to pick up the device and a plan is created with the school administration and the parent/guardian (device is held by admin during the school day or device is not allowed on school grounds);

c) Plan must be signed by parent/guardian and the student and will be in effect for the remainder of the school year; and

d) Internal documentation will include the signed success plan.

C. School administration may impose additional consequences for violations of this policy.

VII. EXCEPTIONS

A. Students who use their cell phone to monitor a medical condition (i.e. diabetes, epilepsy) may have their cell phone with them at all times, but must adhere to all other expectations of the cell phone policy;

1. Please contact school administration if there is an essential need for a phone. In the case of medical necessity, a student should have prior approval;

B. Wired headphones may be allowed at designated times for instructional purposes on school-issued devices;

C. Guidelines for cell phone/device use for off-campus school activities (i.e. extracurricular activities, outdoor and service trips, school field trips) will be individualized depending on the specific trip and activities. Teachers, coaches or advisors will provide guidance.

D. Exceptions to this policy may be granted by the building principal.

VIII. DISSEMINATION, REVIEW, AND MONITORING OF POLICY

A. This policy shall be included in Student Handbook, posted on the district website and distributed upon request;

B. This policy will be reviewed annually until June 2027;

C. Each building will provide a quarterly report to the school board containing the following data:

1. Number of students with one violation;

2. Number of students with two violations; and

3. Number of students with three or more violations and a success plan in place.

4. The superintendent may request additional data.

Legal References: *Minn. Stat. § 121A.73 (School Cell Phone Policy) Garcetti v. Ceballos, 547 U.S. 410, 126 S. Ct. 1951, 164 L. Ed. 2d 689 (2006)*
Pickering v. Bd. of Ed. of Twp. High Sch. Dist. 205, Will County., Illinois 391 U.S. 563, 88 S. Ct. 1731, 20 L. Ed. 2d 811 (1968)

Cross References: *ISD 200 Policy 524 Internet and Technology Acceptable Use and Safety Policy*

Policy Reviewed: *11.01.2024*

Policy Adopted:

Policy Revised:

00.00.2024