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Dr. Sarah Mittelstadt***

***Principal  
Stephanie Schmitz***

***Serving the Districts of:***

Blue Earth Area

Fairmont Area

Granada Huntley East Chain

Martin County West

United South Central

**Southern Plains Arise Academy  
Student Handbook**

**2021-2022**

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## **The following items pertain to ALL Southern Plains Programs**

### **School Expectations**

At school, our rules and expectations can be summed up in our four expectations:

Be Safe  
Be Respectful  
Be  
Responsible  
Be Kind

We strive for a safe and positive school. We treat ourselves and others with respect. We take responsibility for our learning and behavior.

### **Mission Statement**

Southern Plains Education Cooperative (SPEC) understands the importance of meeting the needs of all learners. The primary goal of the Southern Plains Programs is to equip students with the tools they need for academic, personal, and social achievement. We believe that all individuals are unique and valuable and are deserving of respect. The school board recognizes that some students may become successful learners if given an opportunity to learn in a different environment and through different learning styles. Each and every person can learn. It is our belief that emotional, physical, and social well-being enhance learning. Learning occurs most effectively when there are positive partnerships among students, staff, family, and community.

### **Academic Credit**

Graduation credit requirements have been set forth by the Southern Plains Education Cooperative School Board. The school board is comprised of one member from each of the cooperative's school districts. Upon referral to Arise Academy, the student's transcripts will be requested from all high schools attended. All credit earned at previous high schools, will be transferred in as the credit was earned. For example, if a class is credited to a transcript at a "math" credit, it will be transferred in as a "math" credit.

Once at Arise Academy, a student earns credit in quarter (.25) increments based on successful completion or course material and attendance requirements for that course.

### **Graduation Requirements**

Students attending Arise Academy must meet the graduation requirements as set forth by the Southern Plains Education Cooperative School Board. In short, students must complete the following requirements:

*4.0 English/Language Arts*  
*3.5 Social Studies*

*3.0 Mathematics*  
*3.0 Science*  
*1.0 Health/Physical Education*  
*1.5 Career & Technical Education (CTE)*  
*1.0 Art*  
*6.0 Electives*

A full copy of the graduation policy is available upon request.

In addition, students in the state of Minnesota are required to take graduation assessments as outlined by state law. Assessment requirements vary by graduation standard year and will be evaluated for each student on an individual basis.

### **Food Service**

In accordance with federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at [\(800\) 877-8339](tel:8008778339). Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the [USDA Program Discrimination Complaint Form](#), (AD-3027) [found online](#) at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call [\(866\) 632-9992](tel:8666329992). Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture

Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW  
Washington, D.C. 20250-9410

(2) Fax: [\(202\) 690-7442](tel:2026907442); or

(3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov)

This institution is an equal opportunity provider.

Full-Pay Student Rate:

Breakfast: FREE                      K-6 Lunch: FREE                      7-12 Lunch FREE

Adult Rate:

Breakfast: \$2.50                      Lunch: \$4.35

Free/Reduced Student Rate:

Breakfast: Free                      Lunch: Free

Each lunch includes 1 carton of milk. Each additional milk will result in a lunch account deduction of \$.50 per milk.

***Payment of Meals***

- A. Students have use of a meal account. Low and negative account balances will be handled as follows:
  - 1. When a student's lunch account balance is less than or equal to \$5.00, an email alert will be sent to the parent/guardian.
  - 2. When a student's lunch account goes in the negative, the parent/guardian will receive a phone message. The student may charge ala carte purchases with the purchase of a reimbursable lunch.
  - 3. When a student's lunch account reaches a -\$40 balance, a letter will be mailed to the parent/guardian.
  - 4. When a student's lunch account is greater than -\$40, a second letter will be mailed to the parent/guardian requesting that a meeting be scheduled with the superintendent to resolve the issue.
  - 5. Families may send lunch money with students, drop it off in the main office of the school, or mail to:
    - Southern Plains Arise Academy
    - Attn: Julie Stoltz
    - 1200 N. Park St.
    - Fairmont, MN 56031
- B. All students qualifying for free or reduced lunches will have a qualifying school lunch available regardless of the student's meal account balance.
- C. When a student has a negative account balance, the student will not be allowed to charge a snack item.
- D. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.



### ***Low or Negative Account Balances-Notification***

- A. The cooperative will make reasonable efforts to notify families when meal account balances are low and getting near zero.
- B. Families will be notified when an outstanding negative balance reaches \$.01 and also when the balance reaches a low level of \$5.00. Automated phone notifications are delivered four times a week and families may also elect to receive email notifications.
- C. Reminders for payment of outstanding student meal balances will not demean or stigmatize any student participating in the school lunch program.

### ***Unpaid Meal Charges***

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free and reduced-free meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.

### **Wellness (Ref. Policy #533)**

The purpose of this policy is to set forth methods that promote student wellness, prevent and reduce childhood obesity, and assure that school meals and other food and beverages sold and otherwise made available on the school campus during the school day are consistent with applicable minimum local, state, and federal standards.

The building water supply is tested for lead in water. Results are available for review upon request from the Southern Plains Education Cooperative Office.

### **Equal Educational Opportunity**

It is the cooperative's policy to provide an equal educational opportunity for all students. Southern Plains Education Cooperative does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation, or age. Southern Plains Education Cooperative makes reasonable accommodations for students with disabilities.

### **Students with Disabilities (Ref. Policy #521)**

The purpose of this policy is to protect students with disabilities from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973, need services, accommodations, or programs in order to receive a free appropriate public education (FAPE). A learner

eligible for protections under Section 504 is one who:

- Has a physical or mental impairment that substantially limits one or more of such person's major life activities
- Has a record of such impairment
- Is regarded as having such impairment

A learner does not need to be eligible for special education services as defined by the Individuals with Disabilities Education Act in order to be eligible for programs under the provisions of Section 504.

It is the responsibility of the cooperative to identify and evaluate learners who, within the intent of Section 504, need services, accommodations, or programs in order that such learners receive FAPE.

Should you encounter further questions or concerns in relation to the provisions of Section 504, please contact the School Nurse, Britney Kawecki, at 507-238-1472 or 507-235-4099.

### **Student Sex Nondiscrimination (Ref. Policy #522)**

Students are protected from discrimination on the basis of sex pursuant to Title IX of the Education Amendments of 1972 and the Minnesota Human Rights Act. SPEC provides equal educational opportunity for all students, and does not lawfully discriminate on the basis of sex. No student will be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any educational program or activity operated by the cooperative on the basis of sex.

Any student who believes that he/she has been a victim of unlawful sex discrimination by a teacher, administrator, or other school personnel should contact the Principal, Stephanie Schmitz, at 507-235-4099.

### **Pledge of Allegiance (Ref. Policy # 531)**

Southern Plains Education Cooperative recognizes the need to display an appropriate United States flag and to provide instruction to students in the proper etiquette, display, and respect for the flag. Students in this cooperative shall recite the Pledge of Allegiance to the flag of the United States of America a minimum of one time each week. Anyone who does not wish to participate in reciting the Pledge of Allegiance for any personal reason may elect not to do so. Students and school personnel will respect another person's right to make that choice. Students choosing not to participate will be asked to sit quietly until the Pledge of Allegiance has been recited.

### **Referral & Eligibility**

Southern Plains Education Cooperative believes that all children deserve to be educated

in their least restrictive environment. For this reason, a referral to one of the Southern Plains Programs at Arise Academy in Fairmont will be made only after all efforts have been made to provide the best possible education program in the child's resident school district. For further referral and eligibility information, please see the special education Principal for your child's school district.

### **Definition of School of Location**

School location includes any school building, grounds, whether leased, rented, owned, or controlled by the cooperative, 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 jurisdiction of the cooperative.

### **School Visitors**

Prospective students and families who wish to visit Southern Plains Programs should make arrangements through the special education Principal in their resident cooperative. All visits must be arranged as far in advance as is possible. All visitors must stop and register in the designated office location prior to entering any other school area.

An individual or group may be denied permission to visit a school or school property and such permission may be revoked if the visitor does not comply with district regulations or if the visit is not in the best interest of students, employees, or the cooperative. An individual or group who enters school property without complying with procedures may be guilty of criminal trespass and thus subject to criminal penalty.

We at Southern Plains Education Cooperative respect your child's right to privacy. In order to ensure that this right to privacy is maintained for all children, all visitors, including parents, must sign in at the main office on the first floor of the building and wait for further guidance.

### **School Volunteers**

An individual or group wishing to volunteer in any capacity must make arrangements through the School Social Worker or the Principal. This request will be approved or denied based on the instructional intent, the interruption to the educational environment, and possible violations of the Family Educational Rights and Privacy Act (FERPA). All efforts will be made to protect the privacy of the students attending Southern Plains. Decisions made by the Principal will be final.

### **Personal Property**

Students, staff, and visitors are responsible for adequately securing their personal property while on a school site or in attendance at a school sponsored event. The school cannot be held responsible for property that is lost, damaged, or stolen.

### **Lost, Damaged, or Destroyed Learning Materials**

In the event that school materials are intentionally lost, damaged, or destroyed, the cooperative reserves the right to charge a fee for said items.

### **Theft**

Theft is an act of intentionally taking, using, transferring, concealing, or keeping someone else's property without expressed permission. This includes finding lost items and not attempting to return the item to its rightful owner. Violations of this policy will be subject to the Student Discipline Policy

### **Damage to Property**

Any student who willfully and knowingly damages school property and/or the personal property of other students or staff will be required to make restitution and may be subject to further disciplinary action in accordance with the cooperative's Student Discipline Policy. The student will be referred to legal officials as appropriate.

### **Cheating**

Cheating includes the following, but is not limited to: cheating on a school assignment or test, plagiarism, collusion, and the use of picture phones or other technology when not given permission to do so.

### **Student Services**

#### ***Medication (Ref. Policy # 516)***

When possible, students are responsible for their own medication management. However, prescribed medications are considered controlled substances. These medications require a doctor's order and parental consent in order for the medication to be administered on school grounds. School personnel are trained in medication management. The prescribed medication must be kept in a locked cabinet at the school. All medications must be brought to school by an adult in the original prescription containers. At no time is a student allowed to be in possession of a prescribed medication unless verified by school administration. At no time is a student allowed to be in possession of a prescribed medication that is not meant for him or her.

Administration of prescription medication at school requires a completed signed request from the student's parent or guardian in addition to a doctor's order. An oral request must be followed up in writing within two school days, allowing school personnel to rely on an oral request until a written request is received.

Prescription medications are not to be carried by the student. Exceptions to this requirement include prescribed asthma medications self-administered with an inhaler, and medications administered as noted in a written agreement between the school and the parent or guardian as specified in an IEP, Section 504 plan, or IHP (Individual Health Plan).

## **Use of Cell Phones or Other Electronic Devices**

The cooperative is aware that many students and staff are now in possession of cell phones and other electronic devices. However, the use of such devices during class is considered especially obtrusive to the learning environment. For this reason, the use of electronic devices or cell phones in the classroom is expressly prohibited unless allowed by the classroom teacher. Should a student be found using his or her devices in class without permission (this is defined as any activity in which a student is found to have a device in his or her possession), the student will be directed to put the device away. If the student complies, no further action will be taken. If the student fails to follow this direction, the classroom teacher will ask for the device and keep it until the end of the class period. If a student willingly gives up his or her device, the device will be returned without question at the end of the class period. If the student does not willingly give up his or her device, the building administrator or designee will request the device. If the student gives up the device willingly at this time, the device will be returned to the student at the end of the day. If the student does not willingly give up the device, one or more of the following will occur:

- The student will receive after school detention up to or equal to the amount of learning time lost.
- Parent or guardian will be called to either come and take the device or a plan will be created regarding the device.
- Student will be placed in In School Suspension (ISS).
- Student will be placed in Out of School Suspension (OSS).
- Regular meetings scheduled with parent/guardian.
- Reasonable action to be determined according to the Southern Plains disciplinary policy.

Southern Plains respectfully requests that parents do not contact their children on their cell phones or other devices during the school day. This is disruptive to your children and the learning environments of the other students. Should you need to contact your child during the school day, please contact the Southern Plains Programs office at 507-235-4099.

Students: If you need to make a phone call during the school day, you can arrange to do so in a number of ways. You may use a school phone or you may make arrangements to call from your personal cell in a private location. Please make these arrangements with the School Social Worker, Principal, or the School Secretary.

### **Internet Acceptable Use and Safety Policy (Ref. Policy #524)**

In making decisions regarding student access to the cooperative computer system and the Internet, including electronic communications, the cooperative 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 cooperative computer system and to the Internet enables students to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The cooperative expects that faculty will blend thoughtful use of the cooperative computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

The cooperative is providing students with access to the cooperative computer system, which includes Internet access. The purpose of the system is more specific than providing students with general access to the Internet. The cooperative 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 cooperative 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.

The use of the cooperative 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 cooperative system or the Internet may result in consequences as outlined in the Student Discipline Policy.

Users will not use the cooperative 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 cooperative 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 cooperative system to engage in any illegal act or violate any local, state, or federal statute or law.
4. Users will not use the cooperative 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 cooperative system software, hardware, or wiring or take any action to violate the cooperative's security system, and will not use the cooperative system in such a way as to disrupt the use of the system by other users.
5. Users will not use the cooperative 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 cooperative 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.

All cooperative computers with Internet access and available for student use will be equipped to restrict, by use of software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography, or harmful to minors under state or federal law.

All cooperative computers with Internet access will be monitored to ensure that technology is being used to further educational opportunities for students. Students will be educated about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

By authorizing use of the cooperative system, the cooperative 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 cooperative system. Routine maintenance and monitoring of the cooperative system may lead to a discovery that a user has violated this policy, another cooperative policy, or the law. 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 cooperative policy. The cooperative 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 cooperative policies conducted through the cooperative system.

Use of the cooperative system is at the user's own risk. The system is provided on an "as is, as available" basis. The cooperative will not be responsible for any damage users may suffer, including, but not limited to, loss, damage, or unavailability of data stored on the cooperative system. The cooperative will not be responsible for financial obligations arising through unauthorized use of the cooperative system or Internet.

### **Student Dress (Ref. Policy #504)**

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

A. The policy of the cooperative is to encourage students to be dressed appropriately for school activities and in keeping with community standards. This is a joint responsibility of the student and the student's parent(s) or guardian(s).

B. Appropriate clothing includes, but is not limited to, the following:

1. Clothing appropriate for the weather.
2. Clothing that does not create a health or safety hazard.
3. Clothing appropriate for the activity (i.e., physical education or the classroom).

C. Inappropriate clothing includes, but is not limited to, the following:

1. "Short shorts," skimpy tank tops, tops that expose the midriff, and other clothing that is not in keeping with community standards.
2. Clothing bearing a message that is lewd, vulgar, or obscene.
3. Apparel promoting products or activities that are illegal for use by minors.
4. Objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves, advances or provokes any form of religious, racial or sexual harassment and/or violence against other individuals as defined in MSBA/MASA Model Policy 413.
5. Any apparel or footwear that would damage school property.



D. It is not the intention of this policy to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane or do not advocate violence or harassment against others.

### **Excessive Displays of Affection**

Excessive displays of affection between couples are not appropriate in a school. Any staff member may warn couples who are seen displaying or engaging in inappropriate behavior. Examples include: kissing and inappropriate touching. Consequences will be determined according to the Student Discipline Policy.

### **Student Attendance (See Policy # 503 in the appendix)**

The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.

In order for an absence to be considered an excused absence, the student's parent or guardian will be asked to verify either verbally or in writing the reason for the student's absence from school. If a student is ill for three (3) or more days consecutively, or a pattern of absence has developed, a physician's verification will be required. Absences may be considered unexcused even with parental approval when absences have become excessive and are interfering in the student's ability to make adequate progress toward graduation requirements.

Reasonable efforts will be made to accommodate students that need to miss school for a religious observance.

An absence will **not** be considered excused in the following circumstances:

- a. A parent or guardian does not report their child absent and give a reason for the absence. If a student is 18 years of age or older and resides with his or her parents or legal guardian, it is still the responsibility of the parent or guardian to report the student's absence to the school.
- b. A student is in the school building but has not reported to the assigned class. Should the student have permission from a school staff member to be somewhere other than his or her assigned class, this will not be considered unexcused.
- c. A student is tardy by 15 minutes or more without a valid excuse.
- d. A student chooses to engage in activities not sanctioned by the school

during school hours. Examples include: going to work without permission from school staff, going on family vacations without informing and making a plan with school staff, going on a college visit without informing and making a plan with school staff, and any other instances that may arise during the course of a school year.

- e. A student is absent from school multiple times for illness, but the illness cannot be corroborated by a doctor or mental health professional.

### **Leaving the School Building During the School Day**

Reason for the guidelines: For the safety and security of all students who attend school at Arise Academy, guidelines are in place regarding students leaving the school building during the school day without the permission of the school staff. The guidelines and procedures are as such:

Students attending school at Arise Academy are not permitted outside of the school building without the permission of the school staff. The following are exceptions:

- 1) When permitted, or as a part of a student's individual plan, a student may leave the building for a short time. The length of time and further details is as defined in a student's individual plan.
- 2) When accompanied by school staff during school related activities.
- 3) When leaving to attend an appointment with parent or guardian permission or with a valid excuse.
- 4) When the student is registered to attend a class in a member school district.

Students attending the **Area Learning Center (ALC)** must be in the school building by 8:20 a.m. to be considered on-time and present. Students entering the building after 8:20 a.m. without one of the above exceptions will be considered tardy or absent and allowed to go to class when they arrive at school. Students attending the **Bridges or PALS** programs must be in the school building by 8:20 a.m. or when their school district provided transportation arrives at Arise Academy. If the student leaves the building after their initial arrival, the student will not be allowed back to class and will remain in the office for the remainder of the day.

Violations of these guidelines will result in the following consequences:

**First Offense:** A phone call will be made home to inform the parent or guardian of the student that this has occurred. The student and parent or guardian will be informed that if this happens again, a meeting between the school, parent or guardian, and student will be required.

Second Offense: A phone call will be made home to both inform the parent or guardian of the student that this has occurred and set up a meeting between the school, parent or guardian, and the student.

Third Offense: In the event that a student leaves the building without permission during the school day on three (3) or more occasions, alternate consequences as listed in the student discipline policy will be explored with the consultation of the parent or guardian. Other consequences may include:

1. Not allowing the student back into the school building
2. Requiring the student to attend before or after school detention for the time equivalent to the time the student was out of the school building without permission
3. Not allowing the student to ride school district provided transportation home
4. Regularly scheduled meetings between the school, the parent or guardian, and the student

### **Truancy**

In an event that a child is absent without a lawful excuse for three (3) or more class periods in a single school year (Minn. Stat. § 260A.02; § 120A.22; § 120A.05), a designated school official shall notify the student's parent or legal guardian, by first class mail or other reasonable means, of the following:

1. That the child is truant;
2. That the parent or guardian should notify the school if there is a valid excuse for the child's absences;
3. That the parent or guardian is responsible for ensuring that a child attend school pursuant to Minn. Stat. § 120A.22.
4. That this notification serves as the notification required by Minn. Stat. §120A.34;
5. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy.
6. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minn. Stat. Ch. 260.
7. That if the child is subject to juvenile court proceedings, the child may be subject to legal restrictions, or delay of the child's driving privilege pursuant to Minn. Stat. § 260C.201.

In an event that a child is absent without a lawful excuse for seven (7) or more class periods in a single school year and have not been legally withdrawn from school, a cooperative attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minn. Stat. Ch. 260A.

## **Bus Behavior Guidelines**

Students using school bus transportation are expected to follow the rules and guidelines as determined by the bus companies and the respective cooperatives. Students who are 16 years of age or above may elect to drive or ride with another student to school in accordance with cooperative policy, but do so at their own risk and liability. Violation to school bus policies may result in revocation of bus privileges. Southern Plains Education Cooperative will follow the transportation guidelines as outlined through the individual member districts.

## **Fire Safety**

Students are advised that giving a false fire alarm is a misdemeanor in violation of M. S. A. 2609.866. Pulling a false fire alarm will result in discipline in accordance with the cooperative's Student Discipline Policy and the student will be referred to legal officials as appropriate.

## **Nuisance Items**

Nuisance items are considered any items that disrupt student learning. These items include but are not limited to, laser pointers, toys, cell phones, personal audio devices, etc. A nuisance item may also be an item that is used for something other than its intended purpose. If a student is in possession of a nuisance item and has been asked to put it away, a student must do so immediately. Failure to do so will result in the item being taken from the student. On the first offense, the item will be returned at the end of the school day. After the first offense, it is the discretion of the staff and parents to determine the next course of action. Possible actions include: parent must retrieve the item, student is not allowed to bring item to school, and student must turn item into the office at the beginning of the day and pick it up again prior to leaving school for the day.

## **Weapons (Ref. Policy #501)**

No student or non-student, including adults and visitors, shall possess, use, or distribute a weapon when in a school location except as provided in this policy. The cooperative 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 that violates this policy.

A weapon is defined as any object, device, or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including but not limited to, any firearm, whether loaded or unloaded, air guns, pellet guns, BB guns; all knives; blades; clubs' metal knuckles; numb chucks' throwing starts; explosives; fireworks, mace and other propellants; stun guns; ammunition; poisons, chains, arrows; and objects that have been modified to

serve as a weapon.

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 likeness of a real weapon.

No person shall use articles designed for other purposes (i.e. belts, combs, pencils, scissors, etc.) to inflict bodily harm and/or intimidate and such use will be treated as the possession and use of a weapon.

Violation of this policy shall result in discipline in accordance with the cooperative's Student Discipline Policy and the student will be referred to legal officials as appropriate.

### **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 main office shall not be considered to be in possession of a weapon. If it would be impractical or dangerous to take the weapon to the main office, a student shall not be considered in possession of a weapon if he or she immediately turns it over to a school staff member or notifies a school staff member of the weapon's location.
- B. It shall not be a violation of this policy if an individual falls into one of the following categories:
  - a. Active licensed peace officers
  - b. Military personnel, or individuals participating in military training, or individuals on duty performing official duties
  - c. Individuals authorized to carry a pistol under Minn. Stat. § 624.714 while in a motor vehicle and the weapon is kept or stored in the motor vehicle in accordance with Minn. Stat. § 624.714 or 624.715 or other firearms in accordance with § 97B.045
- C. While the Cooperative 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 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 possession and use of a weapon.

### **Consequences for Student Weapon Possession/Use/Distribution**

The Cooperative 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 weapon

3. Immediate notification of police
4. Parent or guardian notification
5. Consideration of further discipline including a recommendation of dismissal for a period of time not to exceed one year

### **Chemical Use & Tobacco**

Students, regardless of age, shall not possess, sell, consume, or be under the influence of alcohol, tobacco, controlled substances and/or unauthorized drugs; or possess or sell equipment (i.e. lighters, matches, rolling papers, electronic cigarettes, pipes or items used to ingest tobacco) for the use in connection with the consumption of alcohol, tobacco, controlled substances and/or unauthorized drugs. This rule applies to the school building, school grounds at all times, on school busses, and at school events that take place away from school property (i.e. field trips, athletic events. etc.). Official school property for the purposes of tobacco use is defined as a two block radius surrounding the school building.

According to MN Statute 152.23 (a) (2), medical cannabis is not allowed on school grounds. This includes any product containing Tetrahydrocannabinol (THC) or derived from THC. As a result, Cannabinol (CBD) in all forms is not allowed on school grounds or in any place considered an extension of the school.

Violation of this policy shall result in discipline in accordance with the cooperative's Student Discipline Policy and the student will be referred to legal officials as appropriate. Searches

**(See Policy # 502 in the Appendix)**

Pursuant to Minnesota statutes, school lockers are the property of the cooperative. At no time does the cooperative 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 practical 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.

School desks are the property of the cooperative. At no time does the cooperative 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.

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.

It shall be a violation of this policy for students to use lockers and desks for unauthorized purposes or to store contraband. It shall be a violation for students to carry

contraband on their person or in their personal possessions. If a search yields contraband, school officials will seize the item and, where appropriate, turn it over to legal officials for ultimate disposition.

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 Cooperative's Student Discipline Policy.

### **Use of Canines in School**

The school board has determined that police canine units will be used in all cooperative buildings and properties to search for illegal drugs and other contraband. Students/staff are given notice that they should have no expectation of privacy where such searches are concerned regarding their locker, personal possessions, or automobile while on school property. If a search yields contraband, school officials will seize the item and, where appropriate, turn it over to legal officials for ultimate disposition.

### **Definitions**

"Contraband" means any unauthorized item possession of which is prohibited by cooperative 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 cooperative, and stolen property.

"Personal possessions" includes but is not limited to purses, backpacks, book bags, packages, and clothing.

"Reasonable suspicion" means that a school official has grounds to believe that the search will result in evidence of a violation of cooperative 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.

"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.

### **Insubordination**

Students are expected to obey reasonable requests of school staff. Refusal to comply with a reasonable request is considered insubordination and will result in disciplinary action in accordance with the cooperative's Student Discipline Policy.

### **Abusive Language**

Use of profane or abusive language will not be tolerated. When a student uses profane or abusive language he or she will be informed by school staff that such behavior is offensive and needs to stop. If the behavior continues, the student will be subject to disciplinary action as described in the Student Discipline Policy.

### **Harassment & Other Forms of Violence**

The purpose of this policy is to maintain a learning environment that is free from harassment and violence on the basis of race, color, religion, national origin, sex, age, marital status, and familial status, status with regard to public assistance, sexual orientation, or disability. A violation of this policy occurs when any student, teacher, administrator, or other school personnel or group of students engages in conduct or communication that is perceived as threatening, or is intended to inflict harm on any person or group of people on the basis of race, color, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.

All complaints will be investigated by the cooperative and appropriate action will be taken in accordance with the Student Discipline Policy.

#### ***Stalking***

Stalking is a method of harassment in which one person intentionally causes another person to feel oppressed, persecuted, or intimidated. Stalking can include but is not limited to: The intent of a person to injure another person or their property, following or pursuing another person; repeatedly making phone calls or electronic communication; whether or not a conversation is held; repeatedly making the phone ring; or one person harassing another which interferes with or intrudes upon the person's privacy or liberty. Any person who believes he or she has been a victim of stalking should report the alleged facts to an appropriate school official.

#### ***Hazing***

(See Policy #526 in Appendix)

"Hazing" means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other school-related purpose.

No student, teacher, administrator, volunteer, contractor, or other employee of the cooperative shall plan, direct, encourage, aid, or engage in hazing.

No teacher, administrator, volunteer, contractor, or other employee of the cooperative shall permit, condone, or tolerate hazing.

Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.



This policy applies to behavior that occurs on or off school property and during and after school hours.

A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.

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

### ***Fighting***

Fighting is considered a verbal or physical altercation between two or more individuals. This can include, but is not limited to: violations against person, 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; use of language that is discriminatory, abusive, obscene, threatening, intimidating, or that degrades other people. Violations of this policy will result in consequences as outlined in the Student Discipline Policy.

### **Bullying Prohibition (See Policy #514 in the Appendix)**

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 students' ability to learn and teachers' ability to educate students in a safe environment. The cooperative 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 cooperative and the rights and welfare of its students and is within the control of the Cooperative in its normal operations, it is the Cooperative's intent to prevent bullying and to take action to investigate, respond, remediate, and discipline those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the cooperative in its goal of preventing and responding to acts of bullying, intimidation, violence, and other similar disruptive behavior.

An act of bullying, by either an individual student or a group of students, is expressly prohibited on cooperative property or at school-related functions. 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 that interferes with or obstructs the mission or operations of the cooperative or the safety or welfare of the student, other students, or employees. The misuse of

technology including, but not limited to, teasing, intimidating, defaming, threatening, or terrorizing another student, teacher, administrator, volunteer, contractor, or other employee of the cooperative by sending or posting e-mail messages, instant messages, text messages, digital pictures or images, or website postings, including blogs, also may constitute an act of bullying regardless of whether such acts are committed on or off cooperative property and/or with or without the use of cooperative resources.

No teacher, administrator, volunteer, contractor, or other employee of the cooperative shall permit, condone, or tolerate bullying.

Apparent permission or consent by a student being bullied does not lessen the prohibitions contained in this policy.

Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited. False accusations or reports of bullying against another student are prohibited.

A person who engages in an act of bullying, reprisal, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline for that act in accordance with cooperative's policies and procedures. The cooperative may take into account the following factors:

1. The developmental 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 positive behavioral interventions up to and including suspension and/or expulsion. 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 cooperative property and events and/or termination of services and/or contracts.

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

The cooperative will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the cooperative who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of bullying or alleged misconduct.

## **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 official. A person may report bullying anonymously. However, the Cooperative may not rely solely on an anonymous report to determine discipline or other remedial responses. The reporting party is encouraged to use the report form available from a school staff member or in the main office. However, an oral report shall be considered complaints as well.
- B. The Principal is the person responsible for receiving reports of bullying or other prohibited conduct at an individual school building level. Any person may report bullying or other prohibited conduct directly to the SPEC office. If the complaint involves the building report taker, the complaint shall be made or filed directly with the Director of Special Services for the Cooperative.

## **Definitions**

- A. Bullying is defined as intimidating, threatening, abusive, or harming conduct that is objectively offensive and:
  - a. An actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct
  - b. The conduct is repeated or forms a pattern
  - c. The conduct materially and substantially interferes with a student's educational opportunities or ability to participate in school functions or activities, or receive school benefits, services, or privileges.
- B. This policy specifically includes cyberbullying. Cyberbullying is defined as using technology or other electronic communication to engage in prohibited conduct. This policy applied to prohibited conduct which occurs on school premises, on cooperative property, at school functions or activities, on school transportation, on school computers, networks, forums, mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.

### **Student Discipline Policy (See Policy #506 in the Appendix)**

When possible, it is the desire of school staff to keep students in school and participating in the learning process. Consequences that allow the student to remain in school and rectify the inappropriate behavior will always be used whenever possible. However, certain behaviors and repeated offenses are recognized as requiring other disciplinary measures such as removal from the classroom and in severe cases, the school. At a minimum, violation of cooperative rules, regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The Cooperative 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 Cooperative.

Interventions for student violations will depend on:

- the seriousness of the violation

- the frequency with which the student has violated the rule

- the willingness of the student to correct the behavior and act in a positive way

- the age of the student

All students have the right to an education and a right to learn. All students have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable cooperative policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

Disciplinary action may include, but is not limited to, one or more of the following:

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

### **Removal of Students from Class**

The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, 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. "Removal from class" and "removal" mean any actions taken by a teacher, principal, or other Cooperative employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

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 Cooperative employees, the student or other students, or the property of the school;
3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or
4. Other conduct, which in the discretion of the teacher or administration, requires removal of the student from class.

Such removal shall be for at least one (1) activity period or class period of instruction for a given course of study and shall not exceed five (5) such periods.

A student must be removed from class immediately if the student engages in assault or violent behavior. "Assault" is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict, bodily harm upon another. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

If a student is removed from class more than ten (10) times in a school year, the Cooperative 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.

Should a student need to be removed from class for any reason, the staff member requesting the removal must complete an office referral form indicating the reason for the removal and the requested length of time for the removal. Once received in the office, the building administrator will investigate the situation to determine an appropriate course of action. In the event that the building administrator is not available, the school social worker will conduct the investigation and consult the building administrator for further action.

If removed from class, a student is to report to the main office for further direction.

A student's return to class will be governed by the information outlined in the office referral form and the consequential investigation. The student's plan will be individualized based on student's need and the severity of the violation. Potential plans can include student/teacher conference, student/parent/teacher conference, phone call or email home, or any other reasonable plan indicated by the classroom teacher, school social worker, or building administrator.

### **Crisis Prevention and Intervention**

Southern Plains Education Cooperative recognizes the need to balance the rights of students with the need of the cooperative to maintain safety in all school buildings. For this reason, a separate crisis plan is available and will be disseminated upon request.

#### **Use of Peace Officers and Crisis Teams to Remove Students with IEPs from School Grounds (Ref. Policy #532)**

The cooperative is committed to promoting learning environments that are safe for all members of the school community. It further believes that students are the first priority and that they should be reasonably protected from physical or emotional harm at all school locations and during all school activities.

In general, all students, including those with IEPs, are subject to the terms of the cooperative's discipline policy. Corrective action to discipline a student and/or modify a student's behavior will be taken by staff when a student's behavior violates the cooperative's discipline policy. If a student with an IEP engages in conduct which, in the judgement of school personnel, endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, that student may be removed from school grounds in accordance with this policy.

If the behavior of a student with an IEP escalates to the point where the student's behavior endangers or may endanger the health, safety, or property of the student,



other students, staff members, or school property; the school building's crisis team may be summoned. The crisis team may attempt to de-escalate the student's behavior by means including, but not limited to, those described in the student's IEP and/or behavior intervention plan. When such measures fail, or when the crisis team determines that the student's behavior continues to endanger the health or safety of others and the crisis team cannot safely manage the student's behavior; the crisis team will contact the School Resource Officer to assist.

If a student with an IEP is restrained or removed from a classroom, school building, or school grounds by a peace officer at the request of a school administrator or staff person during the school day twice in a 30-day period, the student's IEP team must meet to determine if the student's IEP is adequate or if additional evaluation is needed.

Whether or not a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, school personnel may report a crime committed by a student with an IEP to appropriate authorities. If school personnel report a crime committed by a student with an IEP, school personnel shall transmit copies of the special education and disciplinary records of the student for consideration by appropriate authorities to whom it reports the crime, to the extent that the transmission is permitted by the Family Education Rights and Privacy Act (FERPA), the Minnesota Government Data Practices Act, and cooperative policy.

The fact that a student with an IEP is covered by special education law does not prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a student with an IEP.

In the event that a student with an IEP is removed from school grounds by a School Resource Officer, the building administrator or designee will make reasonable efforts to notify the student's parent or guardian as soon as is possible following the removal.

### **Suspension**

Suspension is defined as an action taken by the director or other licensed school administrator prohibiting a student from attending school for a period of no more than 10 school days. Suspension is imposed on a student for violation of school rules or incident of misconduct as defined in the Student Discipline Policy. Suspension procedures shall be consistent with the Pupil Fair Dismissal Act. Following a suspension there may be a meeting with the student, student's parent or guardian, staff, and others as appropriate prior to readmission to class.

In the event that a suspension exceeds five (5) school days, the Cooperative will make every effort to implement an alternate education plan. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, instruction through electronic media, homebound instruction, supervised

homework, or other suitable plan that will allow the student to progress toward meeting graduation standards.

The school administration shall not suspend a student from school without an informal administrative conference with the student. The conference shall take place prior to a suspension, except in the case of immediate harm to self, others, or property. In this case, the conference shall take place as soon as is practical following the suspension. At the informal conference, a school administrator shall notify the student of the grounds for suspension, provide an explanation of supporting evidence, and allow the student to present his/her version of the facts.

A written notice containing the grounds for suspension, a brief statement of the facts, a description of student and witness testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act 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.

School personnel shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone before, during, or immediately after the suspension is imposed.

In the event that a student is suspended without an informal administrative conference on the grounds that the student is a potential harm to self, others, or property, the written notice will be served upon the student and the parent or guardian within forty-eight (48) hours of suspension. This written notification will take place via mail.

### **Expulsion**

Expulsion is an action taken by the school board to prohibit an enrolled student from further attendance for a period that shall not exceed beyond the school year.

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.

The student and parent or guardian shall be provided written notice of the Cooperative's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally by mail, and shall contain a complete statement of facts; a list of witnesses and a description of testimony; state the date, time, and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act; 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 Cooperative shall advise the student's parent or guardian that free or low-cost assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE).

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 Cooperative, student, parent, or guardian.

Please see the Minnesota Fair Pupil Dismissal Act for further information.

### **Protection and Privacy of Student Records (Ref. Policy #515)**

The procedures and policies regarding the protection and privacy of parents and students are adopted by the cooperative, pursuant to the requirements of 20 U.S.C. § 1232g, et seq., (Family Educational Rights and Privacy Act (FERPA)) 34 C.F.R. Part 99 and consistent with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and Minn. Rules Parts 1205.0100-1205.2000.

### **Student Surveys (Ref. Policy #520)**

Student surveys may be conducted as determined necessary by the cooperative. Surveys, analyses and evaluations conducted as part of any program funded through the U.S. Department of Education must comply with 20 U.S.C. § 1232h.

### **The following topics pertain to Area Learning Center Students Only**

#### **Continual Learning Plan**

Individual Continual Learning Plans (CLP's) will address the specific needs of the student, which may include any of the following methods of instruction:

- Direct Instruction
- Independent Study
- Computer Based Curriculum
- Homebound Instruction
- Supervised Community Employment

The CLP's must include, according to Minn. Stat. § 124D.128, subd. 3:

The student's learning objectives and experiences, including courses or credits the student plans to complete each year, and the graduation requirements the student must complete.

The assessment measures used to evaluate the student's objectives.

The requirements for grade level or other appropriate progression.

For students generating more than an average daily membership in a given grade, an indication of which objectives were unmet.

CLP's must be developed at least annually, but can be modified as needed during the course of a school year during a student conference. Such a conference must include

the student, parent or guardian, and teachers and be documented as such. The student's progress in the program is evaluated based on credits earned, attendance, behavior, and goals as outlined in the CLP. If a student has not made academic progress as set forth in the CLP, the student and the ALC must evaluate whether the alternative program is appropriate for the student. The CLP may also inform the student that a consequence of non-academic progress may be termination from the program. A student's CLP must inform a student and the student's parent or guardian steps necessary to improve academic performance in order to stay in the program. The student's resident district will be notified and consulted in the event a student needs an alternate educational plan.

### **Scheduling Options**

Students ages 16 or above may enroll with SPALC in the following capacity:

*Independent Study (IS) only.* When students are unable to attend school during the traditional school day due to medical issues, childcare issues, and work schedules, etc., they may enroll in Independent Study courses only.

*Dual Enrollment.* When students are enrolled in and are attending a traditional school district on a full-time basis and need to recover credit due to course failures, students may enroll in Independent Study courses after the traditional school day has ended.

*Concurrent Enrollment.* When a student is attending a traditional school system on a part time basis, the student may enroll at SPALC on a part time basis. Students taking advantage of this option may also access extended day or year programming as well.

*School Recommendation:* When a student is referred to Independent Study by a traditional high school, the student may attend for credit recovery purposes.

Each Independent Study course requires that students attend class for a minimum of 20% of the traditional seat time, or in-class time, with an instructor in addition to additional homework completion outside of class. For example, if a course would have been in session for 38 hours; a student must attend an Independent Study course for a minimum of 8 hours in order to earn credit. Independent Study courses typically meet an average of two (2) days per week. In addition to class attendance, students must also satisfactorily complete all assigned coursework and evaluations at 75% or better.

Students enrolled in Independent Study are responsible for their own transportation to and from the program. Meetings with staff should be scheduled during Independent Study hours or by special arrangement with the instructor.

If an Independent Study student has been absent for 15 consecutive regular school days or 3 weeks of class time, the student will be considered withdrawn from the program.

Students entering grade nine (9) or above may enroll with the ALC in the day program in a full or part-time capacity.

## **Driving to School and Parking (Ref. Policy #527)**

It is the policy of this cooperative to allow the limited use and parking of motor vehicles by students in cooperative locations. It is the position of the cooperative that a fair and equitable district-wide student motor vehicle policy will contribute to the quality of the student's educational experience, will maintain order and discipline in the schools, and will protect the health, safety and welfare of students and school personnel. This policy applies to all students in the cooperative.

Students are permitted to park in a cooperative location as a matter of privilege, not a right. Students driving a motor vehicle to a high school campus may park the motor vehicle in the parking lot designated for student parking only. Students will not park vehicles in driveways, on private property, or in any areas deemed unavailable for student use.

When there are unauthorized vehicles parked on cooperative property, school officials may:

1. Move the vehicle or require the driver or other person in charge of the vehicle to move it off cooperative property.
2. If unattended, the cooperative may provide for the removal of the vehicle at the expense of the owner or operator to the nearest convenient garage or other place of safety off of cooperative property.

School officials may conduct routine patrols of cooperative locations and routine inspections of the exteriors of the motor vehicles of students. In addition, the interiors of motor vehicles of students in cooperative locations may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law and/or school policy or rule. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

The interiors of motor vehicles of students in cooperative locations, including glove or trunk compartments, may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law and/or school policy or rule. The search will be reasonable in its scope and intrusiveness. Such searches may be conducted without notice, without consent, and without a search warrant. A student will be subject to withdrawal of parking privileges and to discipline if the student refuses to open a locked motor vehicle under the student's control or its compartments upon the request of a school official.

It shall be a violation of this policy for students to store or carry contraband in motor vehicles in a cooperative location or to interfere with patrols, inspections, searches and/or seizures as provided by this policy. If a search yields contraband, school officials will seize the item and may turn it over to legal officials for ultimate disposition when appropriate.

A student found to have violated this policy and/or the directives and guidelines

implementing it shall be subject to withdrawal of parking privileges and/or to discipline in accordance with the cooperative's Student Discipline Policy, which may include suspension, exclusion, or expulsion. In addition, the student may be referred to legal officials when appropriate.

Students may use motor vehicles on the school campus during the school day only during the student's designated lunch period or if there is an emergency and permission has been granted to the student by school staff in conjunction with a parent or guardian.

### **ALC Referral**

Students enrolling at Southern Plains Programs are either self-referred or referred by their home cooperatives. Other agencies may assist in the referral process. In order to enroll at a referral including the following must be submitted: referral form, student transcript, special education status (including documentation), attendance records, and any other information deemed necessary in order to create an individual learning plan for the student. Referral paperwork can be obtained by contacting Southern Plains or the guidance office of the home cooperative. When a referral is received, a meeting is held to determine the best way in which to meet student needs. In situations in which Southern Plains is at maximum capacity, students will be rank ordered based on the order in which the referral was received.

### **Eligibility**

Students or their parents may choose to make a self-referral to Southern Plains without resident district approval if the student is eligible according to the Graduation Incentives Program as outlined in Minn. Statute § 124D.68 subd. 2. All cooperatives within the state of Minnesota must inform all students and parents about the learning year program and that participation in the program is optional (Minn. Stat. § 124D.68, subd. 3). The following students are eligible to participate in the Graduation Incentives Program:

Any student under the age of 21 who:

- (b) performs substantially below the performance level for pupils of the same age in a locally determined achievement test.
- (c) is behind in satisfactorily completing coursework or obtaining credits for graduation.
- (d) is pregnant or is a parent.
- (e) has been assessed as chemically dependent.
- (f) has been excluded or expelled according to § 121A.40 to 121A.56.
- (g) has been referred by a cooperative for enrollment in an eligible program or program pursuant to § 124D.69.
- (h) is a victim of physical or sexual abuse.
- (i) has experienced mental health problems.
- (j) has experienced homelessness sometime within six months before requesting transfer to an eligible program.
- (k) speaks English as a second language or in an English learner.

- (l) has withdrawn from school or has been chronically truant.
- (m) is being treated in a hospital in the seven-county metropolitan area for cancer or other life threatening illness or is the sibling of an eligible pupil who is being currently treated, and resides with the pupil's family at least 60 miles beyond the outside boundary of the seven-county metropolitan area.

## Southern Plains Education Cooperative's Testing Schedule

- i-Ready Diagnostic in Math and English (Bridges and ALC students)
  - District progress monitoring used for teachers to inform instruction and student growth
  - September 15-22, 2021 with make-ups the week of September 23-October 1, 2021
    - ALC will be 2<sup>nd</sup> and/or 3<sup>rd</sup> hour based on teacher
    - Bridges will test by classroom teacher and class schedule
  - January 12-15, 2022 with make-ups the week of February 1-4, 2022
    - ALC will be 2<sup>nd</sup> and/or 3<sup>rd</sup> hour based on teacher
    - Bridges will test by classroom teacher and class schedule
  - May 10-13, 2022 with make-ups the week of May 17-20, 2022
    - ALC will be 2<sup>nd</sup> and/or 3<sup>rd</sup> hour based on teacher
    - Bridges will test by classroom teacher and class schedule
  - As new students arrive that have not taken a diagnostic test at their previous school, the i-Ready diagnostic will be administered to these students
  - Each subject test can take from .75-1.5 hours to complete
  
- ACT+writing (offered to all 11<sup>th</sup> and 12<sup>th</sup> grade who did not take it as an 11<sup>th</sup> grade student as required by current MN law)
  - College entrance exam accepted by colleges in all 50 states
  - To provide Minnesota graduates information related to career and college readiness
  - Is approximately 4.5 hours
  - March 8, 2021
    - Make-up: March 22, 2021
  
- MCA-Minnesota Comprehensive Assessment (MCA)/Minnesota Test of Alternative Skills (MTAS)
  - Administered annually according to Minnesota Department of Education requirements
  - Reading is tested in 3rd, 4th, 5th, 6th, 7th, 8th, and 10th grades
  - Math is tested in 3rd, 4th, 5th, 6th, 7th, 8th, and 11th grades
  - Science is tested in 5th, 8th, and once in high school
  - To measure achievement on the Minnesota Academic Standards and measure academic progress of students over time
  
  - MCA
    - Bridges
      - 3<sup>rd</sup> & 4<sup>th</sup> Reading: March 22, 2022
      - 5<sup>th</sup> & 6<sup>th</sup> Reading: March 23, 2022



- 7<sup>th</sup> & 8<sup>th</sup> Reading: March 24, 2022
  - 10<sup>th</sup> Reading: April 6, 2022
  - 3<sup>rd</sup>, & 4<sup>th</sup> Math: April 5, 2022
  - 5<sup>th</sup> & 6<sup>th</sup> Math: April 6, 2022
  - 7<sup>th</sup> & 8<sup>th</sup> Math: April 7, 2022
  - 11<sup>th</sup> Math: April 20, 2022
  - 5<sup>th</sup>, 8<sup>th</sup>, & HS Science: April 20, 2022
- ALC
  - 10<sup>th</sup> grade Reading: April 6, 2022
  - 11<sup>th</sup> grade Math: April 20, 2022
  - HS Science: April 20, 2022
- MTAS-Minnesota Test of Alternative Skills
  - PALS/Bridges
    - To measure achievement on the Minnesota Academic Standards and measure academic progress of students over time
    - Reading, Math, and Science will be administered between March 22, 2022-April 22, 2022
- Estimated times provided by Minnesota Department of Education:
  - Reading grades 3-8: 3.5-4.5 hours
  - Reading grade 10: 4-5 hours
  - Math grades 3-8: 1.5-2 hours
  - Math grade 11: 2.5-3.5 hours
  - Science grades 5 and 8: 1.75 hours
  - Science high school: 2 hours
- Results of MCA/MTAS testing will be distributed by fall conferences of the 2020-2021 school year. Results will either be delivered in-person at conferences or mailed if a conference cannot be attended.
  - To see district and school results, please go to [mde.org](http://mde.org) and search for Minnesota Report Card and then select Southern Plains Education Cooperative, and then select the school of interest

## Parent/Guardian Guide and Refusal for Student Participation in Statewide Testing

This information will help parents/guardians make informed decisions that benefit their children, schools, and communities.

### Why statewide testing?

Minnesota values its educational system and the professionalism of its educators. Minnesota educators created the academic standards which are rigorous and prepare our students for career and college.

The statewide assessments are how we as a state measure that curriculum and daily instruction in our schools are being aligned to the academics standards, ensuring all students are being provided an equitable education. Statewide assessment results are just one tool to monitor that we are providing our students with the education that will ensure a strong workforce and knowledgeable citizens.

### Why does participation matter?

A statewide assessment is just one measure of your student’s achievement, but your student’s participation is important to understand how effectively the education at your student’s school is aligned to the academic standards.

- In Minnesota’s implementation of the federal Every Student Succeeds Act, a student not participating in the statewide assessments will not receive an individual score and for the purpose of school and district accountability calculations, including opportunities for support and recognition, will not be considered “proficient.”
- Students who receive a college-ready score on the high school MCA are not required to take a remedial, noncredit course at a Minnesota State college or university in the corresponding subject area, potentially saving the student time and money.
- Educators and policy makers use information from assessments to make decisions about resources and support provided.
- Parents and the general public use assessment information to compare schools and make decisions about where to purchase a home or to enroll their children.
- School performance results that are publicly released and used by families and communities, are negatively impacted if students do not participate in assessments.
- English learners not taking ACCESS or Alternate ACCESS for ELLs will not receive a score to meet English learner program exiting criteria.

### Academic Standards and Assessments

#### What are academic standards?

The [Minnesota K–12 Academic Standards](#) are the statewide expectations for student academic achievement. They identify the knowledge and skills that all students must achieve in a content area and are organized by grade level. School districts determine how students will meet the standards by developing courses and curriculum aligned to the academic standards.

#### What is the relationship between academic statewide assessments and the academic standards?

The statewide assessments in mathematics, reading, and science are used to measure whether students, and their school and district, are meeting the academic standards. Statewide assessments are one measure of how well students are doing on the content that is part of their daily instruction. It is also a measure of how well schools and districts are doing in aligning their curriculum and teaching the standards.

Minnesota Comprehensive Assessments (MCA) and Minnesota Test of Academic Skills (MTAS)	ACCESS and Alternate ACCESS for English Learners
<ul style="list-style-type: none"> <li>• Based on the Minnesota Academic Standards; given annually in grades 3–8 and high school in reading and mathematics; given annually in grades 5, 8, and high school for science.</li> <li>• Majority of students take the MCA.</li> <li>• MTAS is an option for students with the most significant cognitive disabilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Based on the WIDA English Language Development Standards.</li> <li>• Given annually to English learners in grades K–12 in reading, writing, listening, and speaking.</li> <li>• Majority of English learners take ACCESS for ELLs.</li> <li>• Alternate ACCESS for ELLs is an option for English learners with the most significant cognitive disabilities.</li> </ul>

### Why are these assessments effective?

Minnesota believes that in order to effectively measure what students are learning, testing needs to be more than answering multiple choice questions.

- To answer questions, students may need to type in answers, drag and drop images and words, or manipulate a graph or information.
- The Reading and Mathematics MCA are adaptive, which means the answers a student provides determine the next questions the student will answer.
- The Science MCA incorporates simulations, which require students to perform experiments in order to answer questions.

All of these provide students the opportunity to apply critical thinking needed for success in college and careers and show what they know and can do.

### Are there limits on local testing?

As stated in Minnesota Statutes, section 120B.301, for students in grades 1–6, the cumulative total amount of time spent taking locally adopted districtwide or schoolwide assessments must not exceed 10 hours per school year. For students in grades 7–12, the cumulative total amount of time spent taking locally adopted districtwide or schoolwide assessments must not exceed 11 hours per school year. These limits do not include statewide testing.

In an effort to encourage transparency, the statute also requires a district or charter school, before the first day of each school year, to publish on its website a comprehensive calendar of standardized tests to be administered in the district or charter school during that school year. The calendar must provide the rationale for administering each assessment and indicate whether the assessment is a local option or required by state or federal law.

### What if I choose not to have my student participate?

Parents/guardians have a right to not have their student participate in state-required standardized assessments. Minnesota Statutes require the department to provide information about statewide assessments to parents/guardians and include a form to complete if they refuse to have their student participate. This form follows on the next page and includes an area to note the reason for the refusal to participate. Your student's district may require additional information.

A school or district may have additional consequences beyond those mentioned in this document for a student not participating in the state-required standardized assessments. There may also be consequences for not participating in assessments selected and administered at the local level. Please contact your school for more information regarding local decisions.

### When do students take the assessments?

Each school sets their testing schedule within the state testing window. Contact your student's school for information on specific testing days.

- The MCA and MTAS testing window begins in March and ends in May.
- The ACCESS and Alternate ACCESS for ELLs testing window begins at the end of January and ends in March.

### When do I receive my student's results?

Each summer, individual student reports are sent to school districts and are provided to families no later than fall conferences. The reports can be used to see your child's progress and help guide future instruction.

### How much time is spent on testing?

Statewide assessments are taken one time each year; the majority of students test online. On average, the amount of time spent taking statewide assessments is less than 1 percent of instructional time in a school year. The assessments are not timed and students can continue working as long as they need.

### Why does it seem like my student is taking more tests?

The statewide required tests are limited to those outlined in this document. Many districts make local decisions to administer additional tests that the state does not require. Contact your district for more information.

### Where do I get more information?

Students and families can find out more on our [Statewide Testing page](http://education.mn.gov) (education.mn.gov > Students and Families > Programs and Initiatives > Statewide Testing).



Minnesota Statutes, section 120B.31, subdivision 4a, requires the commissioner to create and publish a form for parents and guardians to complete if they refuse to have their student participate in state-required standardized assessments. Your student's district may require additional information. School districts must post this three-page form on the district website and include it in district student handbooks.

## Parent/Guardian Refusal for Student Participation in Statewide Assessments

To opt out of statewide assessments, the parent/guardian must complete this form and return it to the student's school.

To best support school district planning, please submit this form to the student's school no later than January 15 of the academic school year. For students who enroll after a statewide testing window begins, please submit the form within two weeks of enrollment. A new refusal form is required each year parents/guardians wish to opt the student out of statewide assessments.

Date \_\_\_\_\_ (This form is only applicable for the 20\_\_ to 20\_\_ school year.)

Student's Legal First Name \_\_\_\_\_ Student's Legal Middle Initial \_\_\_\_\_

Student's Legal Last Name \_\_\_\_\_ Student's Date of Birth \_\_\_\_\_

Student's District/School \_\_\_\_\_ Grade \_\_\_\_\_

Please initial to indicate you have received and reviewed information about statewide testing.

\_\_\_\_\_ I received information on statewide assessments and choose to opt my student out. MDE provides the *Parent/Guardian Guide and Refusal for Student Participation in Statewide Testing* on the [MDE website](http://education.mn.gov) ([education.mn.gov](http://education.mn.gov) > Students and Families > Programs and Initiatives > Statewide Testing).

Reason for refusal:
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Please indicate the statewide assessment(s) you are opting the student out of this school year:

\_\_\_\_\_ MCA/MTAS Reading                      \_\_\_\_\_ MCA/MTAS Science

\_\_\_\_\_ MCA/MTAS Mathematics              \_\_\_\_\_ ACCESS/Alternate ACCESS for ELLs

Contact your school or district for the form to opt out of local assessments.

I understand that by signing this form, my school and I may lose valuable information about how well my student is progressing academically. As a result, my student will not receive an individual score. Refusing to participate in statewide assessments may impact the school, district, and state's efforts to equitably distribute resources and support student learning; for the purpose of school and district accountability calculations, my student will not be considered "proficient."

If my student is in high school, I understand that by signing this form my student will not have an MCA score that could potentially save time and money by not having to take remedial, non-credit courses at a Minnesota State college or university.

Parent/Guardian Name (print) \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_

To be completed by school or district staff only.	Student ID or MARSS Number _____
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Posted May 2019

## **How to Request Full Text Copies of Policies**

Full text copies of all policies addressed in this handbook may be requested by contacting:

Julie Stoltz  
Southern Plains Arise  
Academy  
1200 N. Park St.  
Fairmont, MN 56031

Phone: 507-235-4099

Email: [Julie.stoltz@southernplainedcoop.org](mailto:Julie.stoltz@southernplainedcoop.org)  
OR

By going to the Southern Plains Education Cooperative's website:  
[southernplainedcoop.org](http://southernplainedcoop.org)

Under the "Board" tab, search "Policy Manual"

**COMPUTER USAGE AND INTERNET POLICY**  
**(Ref. Policy #524)**

Internet access has been established for a limited educational purpose that shall be consistent with the schools' curriculum and the State Standards. The term "educational purpose" includes academic activities, career development, and approved limited activities. All students and parent/guardians must sign a copy of this policy prior to being allowed access to computers.

Under no circumstances should a student provide passwords to other students or allow anyone access to online accounts.

Students are not authorized to load any software on a computer system.

Students are not allowed to play CDs or DVDs on the school's computers.

Students are not allowed to stream music or movies via such websites as YouTube.

Students are not allowed to use obscene, profane, lewd, vulgar, rude, threatening, or disrespectful language while on the school's computers.

Students are not allowed to access inappropriate internet sites while on the school's computers. Such sites include but are not limited to: pornographic, obscene, or otherwise offensive sites.

Students are not allowed to utilize the school's computers to engage in bullying behavior.

Students are not allowed to plagiarize works found on the internet. Copy and pasting work from the internet into your work is a form of plagiarism.

Students are restricted from changing the settings of the computers and removing or adding programs.

No food or beverages are allowed around the computers.

Students may not unplug any keyboards or mice without prior permission from a teacher.

Students are responsible for reporting any problems they see with the computers immediately to a staff member.

Failure to follow these rules and standards can result in the suspension of the student's computer privileges and/or other disciplinary action. Your signature below indicates that you have read and understand the policy. Your signature below indicates that you agree to follow the policy. If you fail to follow the policy, you acknowledge that you understand the potential consequences.

---

Student Signature

Date

---

Parent Signature

Date

## **STATEMENT OF ACKNOWLEDGMENT**

I have received and read my copy of the Southern Plains Arise Academy Student Handbook for the 2021-2022 school year. I know that I am responsible for following the rules and guidelines contained in this handbook, even if I don't agree with them. I also understand that if I do not follow the rules and guidelines, that the appropriate consequences will follow.

**Student Signature**

**Date**

**Parent Signature**

**Date**

## Appendix

Adopted: 8/28/2017

MSBA/MASA Model Policy 534  
Orig. 2017

Revised: \_\_\_\_\_

### 534 UNPAID MEAL CHARGES

#### I. PURPOSE

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the cooperative's nutrition program and those cooperative employees, families, and students have a shared understanding of expectations regarding meal charges. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for school meals as well as to maintain the financial integrity of the school nutrition program.

#### II. PAYMENT OF MEALS

- A. Students have use of a meal account. When the balance reaches zero, a student may charge no more than \$10.00. When an account reaches this limit, a student shall not be allowed to charge further meals or a la carte items until the negative account balance is paid. Families may send lunch money with students or drop it off at the office.
- B. If the cooperative receives school lunch aid under Minn. Stat. § 124D.111, it must make lunch available without charge to all participating students who qualify for free or reduced-price meals regardless of account balance.
- C. A student with an outstanding meal charge debt will be allowed to purchase a meal if the student pays for the meal when it is received.
- D. The cooperative may provide an alternate meal that meets federal and state requirements to a student who does not have sufficient funds in the student's account or cannot pay cash for a meal. The cooperative will accommodate special dietary needs with respect to alternate meals. All special dietary needs of students need to be confirmed with documentation from the student's physician. A copy of this documentation will be kept with the registered staff in the kitchen and in the main office. The cost of the alternative meal (\$1.50) will be charged to the student's account or otherwise charged to the student.
- E. When a student has a negative account balance, the student will not be allowed to charge an a la carte item or milk.
- F. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

#### III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION

- A. The cooperative will make reasonable efforts to notify families when meal account balances are low or fall below zero.
- B. Families will be notified of an outstanding negative balance once the negative balance reaches \$10.00. Families will be notified by U.S. mail.
- C. Reminders for payment of outstanding student meal balances will not demean or stigmatize any student participating in the school lunch program.

#### IV. UNPAID MEAL CHARGES

- A. The cooperative will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free and reduced-price meals for their children.
- B. The cooperative will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$10.00 not paid prior to the end of the school year, will be turned over to the director for collection. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The cooperative may not enlist the assistance of non-cooperative employees, such as volunteers, to engage in debt collection efforts.

#### V. COMMUNICATION OF POLICY



- A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:
1. all households at or before the start of each school year;
  2. students and families who transfer into the cooperative, at the time of enrollment; and
  3. all cooperative personnel who are responsible for enforcing this policy.
- B. The cooperative may post the policy on the cooperative's website, in addition to providing the required written notification described above.

**Legal References:**

Minn. Stat. § 124D.111, Subd. 4  
42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)  
7 C.F.R. § 210 *et seq.* (School Lunch Program Regulations)  
7 C.F.R. § 220.8 (School Breakfast Program Regulations)  
USDA Policy Memorandum SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies (2016)  
USDA Policy Memorandum SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments (2016)  
USDA Policy Memorandum SP 23-2017, Unpaid Meal Charges: Guidance and Q&A

**503 STUDENT ATTENDANCE**

**I. PURPOSE**

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

**II. GENERAL STATEMENT OF POLICY**

A. Responsibilities

1. Student's Responsibility

It is the student's right to be in school. It is also the student's responsibility to attend all assigned classes and study halls every day that school is in session and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally, it is the student's responsibility to request any missed assignments due to an absence.

2. Parent or Guardian's Responsibility

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

3. Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility to provide any student who has been absent with any missed assignments upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

4. Administrator's Responsibility

a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.

b. In accordance with the Minnesota Compulsory Instruction Law, Minnesota Statutes, section 120A.22, the students of the Southern Plains Cooperative are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by their resident school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

B. Attendance Procedures

Attendance procedures shall be presented to the board for review and approval. When approved by the board, the attendance procedures will be included as an addendum to this policy.

1. Excused Absences

a. To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.

b. The following reasons shall be sufficient to constitute excused absences:

- (1) Illness.

- (2) Serious illness in the student's immediate family.
- (3) A death or funeral in the student's immediate family or of a close friend or relative.
- (4) Medical, dental, or orthodontic treatment, or a counseling appointment.
- (5) Court appearances occasioned by family or personal action.
- (6) Religious instruction not to exceed three hours in any week.
- (7) Physical emergency conditions such as fire, flood, storm, etc.
- (8) Official school field trip or other school-sponsored outing.
- (9) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
- (10) Family emergencies.
- (11) Active duty in any military branch of the United States.
- (12) A student's condition that requires ongoing treatment for a mental health diagnosis.

c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.
- (2) Work missed because of absence must be made up within 2 days from the date of the student's return to school. Any work not completed within this period shall result in "no credit" for the missed assignment. However, classroom teacher or building administrator may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

2. Unexcused Absences

a. Absences may be considered unexcused even with parental approval. The following are examples of absences which will not be excused:

- (1) Truancy. An absence by a student which was not approved by the parent and/or the cooperative.
- (2) Any absence in which the student failed to comply with any reporting requirements of the cooperative's attendance procedures.
- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Vacations with family.
- (6) Personal trips to schools or colleges.
- (7) (
- (8) Any other absence not included under the attendance procedures set out in this policy.

b. Consequences of Unexcused Absences

- (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total accumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.
- (4) Students who miss school without a valid excuse will receive an unexcused absence. In accordance with the Minnesota Law, unexcused absences for three (3) school days will result in a Continuing Truant Notification (a certified letter will be sent to the parents/guardian) and

contact with the resident district principal. After five (5) unexcused absences, the student and parents will be required to meet with Cooperative staff and a county social worker. After seven (7) unexcused absences, notification will be made to the appropriate county attorney to issue a citation for habitual truancy. **Truancy includes unexcused absences that occur throughout the entire school year.**

Parents or guardians may call the school office for updates on their student's attendance. A printed absence report is available upon request.

C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness. If a student is more than 20 minutes late, the tardy becomes an absence.
2. Procedures for Reporting Tardiness
  - a. Students tardy at the start of school must report to the school office for an admission slip.
  - b. Tardiness between periods will be handled by the teacher.
3. Excused Tardiness

Valid excuses for tardiness are:

  - a. Illness with notification from the parent or guardian on the day of the tardiness.
  - b. Serious illness in the student's immediate family.
  - c. A death or funeral in the student's immediate family or of a close friend or relative.
  - d. Medical, dental, orthodontic, or mental health treatment.
  - e. Court appearances occasioned by family or personal action.
  - f. Physical emergency conditions such as fire, flood, storm, etc.
  - g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.
4. Unexcused Tardiness
  - a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
  - b. Consequences of tardiness may include detention after 2 unexcused tardies. In addition 3 unexcused tardies are equivalent to one unexcused absence.

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

1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
2. School-initiated absences will be accepted and participation permitted.
3. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
4. If a student is suspended from any class, he or she may not participate in any activity or program that day.
5. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

III. RELIGIOUS OBSERVANCE ACCOMMODATION

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

IV. RELIGIOUS OBSERVANCE ACCOMMODATION

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D. Consequences for Chronic Attendance

Time lost from classroom instruction is irretrievable. Evidence consistently suggests that students with attendance rates of 80%

or above earn better grades on average than those with attendance rates below 80%. For this reason, the eighth (8<sup>th</sup>) absence for any reason within a quarter for any class period will result in a potential loss of credit for that class period. All absences will be counted in the accumulation of absences except for school related activities and suspensions.

In order to earn credit in a class when absences have reached the maximum of eight (8), a student will be required to make up all time missed above the eighth (8<sup>th</sup>) absence. Make-up time is to be arranged with the teacher of the specific class for which time was missed. Whenever possible, make-up time must be completed within the quarter the absence took place. An attendance contract and make-up plan will be completed with the appropriate teacher. It is the student's responsibility to ensure that the make-up requirements are met in order to earn credit.

*In summary, students will not earn credit in a class where they have missed more than eight (8) class periods unless they make up the time and required coursework is completed.*

When it is not possible for a student to make-up instructional time within the quarter the absence took place, the teacher may give an In Progress (IP) grade as part of the attendance contract and make-up plan. If an IP is given, the student must complete the make-up requirements by mid-quarter of the following grading period. It is the student's responsibility to ensure that the make-up requirements are met in order to earn credit.

### III. DISSEMINATION OF POLICY

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

### IV. REQUIRED REPORTING

#### A. Continuing Truant

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

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

#### B. Reporting Responsibility

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

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

#### C. Habitual Truant

1. A habitual truant is a child under the age of 16 years who is absent from attendance at school without lawful excuse for seven school days if the child is in elementary school or for one or more class periods on seven school days if the child is in middle school, junior high school, or high school, or a child who is 16 or 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days and who has not

lawfully withdrawn from school.

2. A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minn. Stat. Ch. 260A.

**Legal References:** Minn. Stat. § 120A.05 (Definitions)  
Minn. Stat. § 120A.22 (Compulsory Instruction)  
Minn. Stat. § 120A.24 (Reporting)  
Minn. Stat. § 120A.26 (Enforcement and Prosecution)  
Minn. Stat. § 120A.28 (School Boards and Teachers, Duties)  
Minn. Stat. § 120A.30 (Attendance Officers)  
Minn. Stat. § 120A.34 (Violations; Penalties)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 260A.02 (Definitions)  
Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is Continuing Truant)  
Minn. Stat. § 260C.007, Subd. 19 (Habitual Truant Defined)  
Minn. Stat. § 260C.201 (Dispositions; Children in Need of Protection or Services or Neglected and in Foster Care)  
*Goss v. Lopez*, 419 U.S. 565, 95 S.Ct. 729 (1975)  
*Slocum v. Holton Board of Education*, 429 N.W.2d 607 (Mich. App. Ct. 1988)  
*Campbell v. Board of Education of New Milford*, 475 A.2d 289 (Conn. 1984)  
*Hamer v. Board of Education of Township High School District No. 113*, 66 Ill. App.3d 7, 383 N.E.2d 231 (1978)  
*Gutierrez v. School District R-1*, 585 P.2d 935 (Co. Ct. App. 1978)  
*Knight v. Board of Education*, 38 Ill. App. 3d 603, 348 N.E.2d 299 (1976)  
*Dorsey v. Bale*, 521 S.W.2d 76 (Ky. 1975)

**Cross References:** MSBA/MASA Model Policy 506 (Student Discipline)

**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 cooperative'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 cooperative. At no time does the cooperative 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. It shall be a violation of this policy for students to use lockers and desks for unauthorized purposes or to store contraband. It shall be a violation for students to carry contraband on their person or in their personal possessions.

**III. DEFINITIONS**

A. "Contraband" means any unauthorized item possession of which is prohibited by cooperative 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 cooperative, and stolen property.

B. "Personal possessions" includes but is not limited to purses, backpacks, book bags, packages, and clothing.

C. "Reasonable suspicion" means that a school official has grounds to believe that the search will result in evidence of a violation of cooperative 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 cooperative 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 cooperative, 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 cooperative's Student Discipline Policy, which may include suspension, exclusion, or expulsion, and the student may, when appropriate, be referred to legal officials.

**Legal References:** U. S. Const., amend. IV  
Minn. Const., art. I, § 10  
*New Jersey v. T.L.O.*, 469 U.S. 325, 105 S.Ct. 733, 83 L.Ed.2d 720 (1985)  
Minn. Stat. § 121A.72 (School Locker Policy)

**Cross References:** MSBA/MASA Model Policy 417 (Chemical Use and Abuse)  
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)  
MSBA/MASA Model Policy 501 (School Weapons)  
MSBA/MASA Model Policy 506 (Student Discipline)



## **526 HAZING PROHIBITION**

### **I. PURPOSE**

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

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

- A. No student, teacher, administrator, volunteer, contractor, or other employee of the cooperative shall plan, direct, encourage, aid, or engage in hazing.
- B. No teacher, administrator, volunteer, contractor, or other employee of the cooperative shall permit, condone, or tolerate hazing.
- C. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
- D. This policy applies to behavior that occurs on or off school property and during and after school hours.
- E. A person who engages in an act that violates cooperative policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.
- F. The cooperative will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the cooperative who is found to have violated this policy.

### **III. DEFINITIONS**

- A. "Hazing" means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other school-related purpose. The term hazing includes, but is not limited to:
  - 1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, or placing a harmful substance on the body.
  - 2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
  - 3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
  - 4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
  - 5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of cooperative policies or regulations.
- B. "Student organization" means a group, club, or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities, or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

### **IV. REPORTING PROCEDURES**

- A. Any person who believes he or she has been the victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate cooperative official designated by this policy.
- B. The building principal, the principal's designee, or the building supervisor (hereinafter building report taker) is the person responsible for receiving reports of hazing at the building level. Any person may report hazing directly to a cooperative human rights officer or to the director. If the complaint involves the building report taker, the complaint shall be made or filed directly with the director or the cooperative human rights officer by the reporting party or complainant.
- C. Teachers, administrators, volunteers, contractors, and other employees of the cooperative shall be particularly alert to possible situations, circumstances, or events which might include hazing. Any such person who receives a report

of, observes, or has other knowledge or belief of conduct which may constitute hazing shall inform the building report taker immediately. Cooperative personnel who fail to inform the building report taker of conduct that may constitute hazing in a timely manner may be subject to disciplinary action.

- D. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades, or work assignments.
- E. Reports of hazing are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The cooperative 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 cooperative's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

**V. COOPERATIVE DISTRICT ACTION**

- A. Upon receipt of a complaint or report of hazing, the cooperative shall undertake or authorize an investigation by cooperative officials or a third party designated by the cooperative.
- B. The cooperative may take immediate steps, at its discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of hazing.
- C. Upon completion of the investigation, the cooperative 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 deter violations and to appropriately discipline prohibited behavior. Cooperative 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, school district policies, and regulations.
- D. The cooperative 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 cooperative. Cooperative officials will notify the parent(s) or guardian(s) of students involved in a hazing incident and the remedial action taken, to the extent permitted by law, based on a confirmed report.

**VI. REPRISAL**

The cooperative will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the cooperative who retaliates against any person who makes a good faith report of alleged hazing or against any person who testifies, assists, or participates in an investigation, or against any person who testifies, assists, or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment.

**VII. DISSEMINATION OF POLICY**

- A. This policy shall appear in each school's student handbook and in each school's building and staff handbooks.
- B. The cooperative will develop a method of discussing this policy with students and employees.

**Legal References:** Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.69 (Hazing Policy)  
Minn. Stat. § 121A.0695 (School Board Policy; Prohibiting Intimidation and Bullying)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)  
MSBA/MASA Model Policy 525 (Violence Prevention [Applicable to Students and Staff])

## 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 students' ability to learn and teachers' ability to educate students in a safe environment. The cooperative 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 cooperative and the rights and welfare of its students and is within the control of the cooperative in its normal operations, the cooperative's intends to prevent bullying and to take action to investigate, respond to, and to remediate and discipline those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the cooperative 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 cooperative property or at school-related functions. 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 that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees. The misuse of technology including, but not limited to, teasing, intimidating, defaming, threatening, or terrorizing another student, teacher, administrator, volunteer, contractor, or other employee of the cooperative by sending or posting e-mail messages, instant messages, text messages, digital pictures or images, or website postings, including blogs, also may constitute an act of bullying regardless of whether such acts are committed on or off cooperative property and/or with or without the use of cooperative resources.
- B. No teacher, administrator, volunteer, contractor, or other employee of the cooperative shall permit, condone, or tolerate bullying.
- C. Apparent permission or consent by a student being bullied does not lessen the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- E. False accusations or reports of bullying against another student are prohibited.
- F. A person who engages in an act of bullying, reprisal, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline for that act in accordance with cooperative's policies and procedures, including the cooperative's discipline policy (See Policy 506 – Student Discipline). The cooperative 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 positive behavioral interventions up to and including suspension and/or expulsion. The cooperative 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 cooperative programs, and foster student, parent and community participation (as appropriate).

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

### III. DEFINITIONS

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

- A. "Bullying" means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:
1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
  2. materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

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

- B. "Cyberbullying" means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on cooperative or school district property, at cooperative and school functions or activities, on school transportation, or on cooperative computers, networks, forums, and mailing lists, or off school or cooperative 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 cooperative or school premises, property, at school-related functions, or on school transportation" means all cooperative and school buildings, grounds, and property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for cooperative or school purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. Cooperative 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. All property includes that of the cooperative or a school district associated with the cooperative. While prohibiting bullying at these locations and events, the cooperative 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 (including the cooperative) 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 cooperative official designated by this policy. A person may report bullying anonymously. However, the cooperative may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The cooperative encourages the reporting party or complainant to use the report form available from the administrator of each building or available from the cooperative or alternative program office, but oral reports shall be considered complaints as well.
- B. The Principal or the Principal's designee (hereinafter 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 cooperative human rights officer or the director. If the complaint involves the building report taker, the complaint shall be made or filed directly with the director or the cooperative 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 cooperative 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, administrator, volunteer, contractor, or other cooperative employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who receives a report of, observes, or has other knowledge or belief of conduct that may constitute bullying shall inform the building report taker immediately. Cooperative 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 will not affect the complainant's or reporter's future employment, grades, or work assignments, or educational or work environment.
- G. The cooperative 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 cooperative's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

## **V. COOPERATIVE ACTION**

- A. Within three day of the receipt of a complaint or report of bullying, or other prohibited conduct, the cooperative shall undertake or authorize an investigation by the building report taker, director, or a third party designated by the cooperative.
- B. The building report taker or other appropriate cooperative officials may take immediate steps, at its discretion, to protect the target or victim of the bullying or prohibited conduct, the complainant, the reporter, students, or others pending completion of an investigation of bullying, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of the investigation that determines that bullying or other prohibited conduct has occurred, the cooperative will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. Remedial response 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. Cooperative 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 cooperative district policy (Policy 506), and other applicable cooperative policies; and applicable regulations.
- E. The cooperative 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 cooperative. Cooperative officials will notify the parent(s) or guardian(s) of students who are targets 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 cooperative 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 cooperative will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the cooperative who commits and 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, or who testifies, assists, or participates in a proceeding or hearing relating to such bullying or prohibited conduct. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

## **VII. TRAINING AND EDUCATION**

- A. The cooperative shall discuss this policy with personnel and volunteers and provide appropriate training to cooperative personnel regarding this policy. The cooperative 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 training within the first year of their employment with the cooperative. The cooperative or a cooperative 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 cooperative rules, procedures, and standards of conduct which materials shall also be used to publicize this policy.

- B. The cooperative shall require ongoing professional development, consistent with Minn. Stat. 122a.60, to build the skills of all cooperative 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 cooperative 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 cooperative 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 cooperative 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 or other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civic 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 practical, to take such actions 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 cooperative 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 cooperative 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 cooperative may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (Policy 515) in the student handbook.

## VIII. NOTICE

- A. The cooperative 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 cooperative and the office of each school.
- C. This policy must be given to each employee or independent contractor who regularly interacts with students at the time of initial employment with the cooperative.
- D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (Policy 506) distributed to parents at the beginning of each school year.
- E. This policy shall be available to all parents and other community members in an electronic format in the language appearing on the cooperative or cooperative's website.
- F. The cooperative shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

## IX. POLICY REVIEW

To the extent practicable, the cooperative board shall, on a cycle consistent with other cooperative policies, review and revise this policy. The policy shall be made consistent with Minn. Stat. 121 A.031 and other applicable laws. Revisions shall be made in consultation with students, parents, and community organizations (as appropriate for cooperative functions).

### *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)

### *Cross References:*

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)  
MSBA/MASA Model Policy 423 (Employee-Student Relationships)  
MSBA/MASA Model Policy 501 (School Weapons Policy)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 507 (Corporal Punishment)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (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)

Adopted: 9/25/2017

MSBA/MASA Model Policy 506

Orig. 1995

Rev. 2016

Revised: \_\_\_\_\_

## 506 STUDENT DISCIPLINE

### I. PURPOSE

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

### II. GENERAL STATEMENT OF POLICY

The cooperative recognizes that individual responsibility and mutual respect are essential components of the educational process. The cooperative has the authority to adopt and enforce reasonable regulations to ensure the health and safety of staff, students, and visitors. All students are entitled to learn and develop in a setting which promotes respect of self, others, and property. Schools can function effectively only with internal discipline based on mutual understandings of rights and responsibilities.

Students must conduct themselves in an appropriate manner that maintains a climate in which learning can take place. Proper student conduct is necessary to facilitate the education process and to create an atmosphere conducive to high student achievement. Notwithstanding the provisions of any federal, state, or local law to the contrary, the conduct of all students under twenty-two (22) years of age attending any cooperative program or related activity is governed by a single set of rules and regulations promulgated by the cooperative board as interpreted and applied in each of its programs.

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. It is the position of the cooperative that a fair and equitable cooperative-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56. For students eligible for special education services, an IEP team may determine procedures specific to the individual needs of the student.

### III. AREAS OF RESPONSIBILITY

- A. The Cooperative Board. The cooperative board holds all school personnel responsible for the maintenance of order within the cooperative and supports all personnel acting within the framework of this discipline policy.
- B. Director/Building Administrator. Administrators are given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final cooperative board approval. Administrators shall give direction and support to all school personnel performing their duties within the framework of this policy. The building administrator (or designee) shall consult with parents/guardians of students conducting themselves in a manner contrary to the policy. Administrators 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/guardians. An administrator, in exercising the person's lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student to prevent bodily harm or death to self or another.
- C. 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 restrain a student to prevent bodily harm or death to self or another.
- D. Other Cooperative Personnel. All cooperative 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 director. A school employee, school bus driver, or other agent of the cooperative, in exercising the person's lawful authority, may use reasonable force when it is necessary under circumstances to restrain a student to prevent bodily harm or death to self or another.
- E. 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.
- F. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.

### IV. STUDENT RIGHTS

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

### V. STUDENT RESPONSIBILITIES



All students have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable cooperative policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

## **VI. CODE OF STUDENT CONDUCT**

- A. The following are examples of unacceptable behavior subject to disciplinary action by the cooperative. 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 cooperative programs, 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 cooperative purposes; the area of entrance or departure from school premises or events; and all school-related functions, school-sponsored activities, events, or trips. Cooperative 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. 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 cooperative 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 cooperative'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 cooperative's Student Attendance Policy;
  - 7. Opposition to authority using physical force or violence;
  - 8. Using, possessing, or distributing tobacco or tobacco paraphernalia;
  - 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 cooperative's Weapons Policy;
  14. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
  15. 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;
  16. 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;
  17. 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;
  18. Violation of any local, state, or federal law as appropriate;
  19. 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;
  20. Violation of the cooperative's Internet Acceptable Use and Safety Policy;
  21. 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;
  22. Violation of school bus or transportation rules or the school cooperative's Student Transportation Safety Policy;
  23. 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;
  24. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
  25. Violation of the cooperative's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
  26. Violation of the cooperative's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
  27. Possession or distribution of slanderous, libelous, or pornographic materials;
  28. Violation of the cooperative's Bullying Prohibition, Harassment, or violence policies;
  29. 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;
  30. Criminal activity;
  31. Falsification of any records, documents, notes, or signatures;
  32. Tampering with, changing, or altering records or documents of the cooperative by any method including, but not limited to, computer access or other electronic means;
  33. 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;
  34. Impertinent or disrespectful language toward teachers or other cooperative personnel;
  35. 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 cooperative personnel, or other persons;
- 36. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
- 37. 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;
- 38. Verbal assaults or verbally abusive behavior including, but not limited to, use of language that is discriminatory, abusive, obscene, threatening, intimidating, or that degrades other people;
- 39. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
- 40. 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;
- 42. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
- 43. Other acts, as determined by the cooperative, which are disruptive of the educational process or dangerous or detrimental to the student or other students, cooperative 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 cooperative or the safety or welfare of students or employees.

## **VII. DISCIPLINARY ACTION OPTIONS**

The specific form of discipline chosen in a particular case is solely within the discretion of the building administrator. At a minimum, violation of cooperative rules, regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The building administrator shall, however, impose more severe disciplinary sanctions for any violation, including dismissal, if warranted by the student's misconduct, as determined by the building administrator. Disciplinary action may include, but is not limited to, one or more of the following:

- A. Student conference with teacher, building administrator, counselor, or other cooperative personnel, and verbal warning;
- B. Confiscation by cooperative personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any cooperative policy, rule, regulation, procedure, or state or federal law. If confiscated by the cooperative, 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/guardian contact;
- D. Parent/guardian 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 building administrator.

**VIII. REMOVAL OF STUDENTS FROM CLASS**

- A. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, 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. "Removal from class" and "removal" means any actions taken by a teacher, administrator, or other cooperative employee to prohibit a student from attending class or activity period for a period of time not to exceed one class or activity period, pursuant to 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 cooperative employees, the student or other students, or the property of the school;
  3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or
  4. Other conduct, which in the discretion of the teacher or administration requires removal of the student from class.
- B. 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 building administrator or designee, in consultation with the teacher.
  - C. If a student is removed from class more than ten (10) times in a school year, the cooperative 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.
  - D. Procedures for Removal of a Student from a Class
    1. In the event that a student must be removed from class, the teacher will ask the student to quietly exit the room and go to one of three designated areas (Building Administrator, School Social Worker, or area as specified in a student's behavior plan). The teacher is responsible for that student until they arrive to the appropriate place. If the student will not cooperate, the Building Administrator or School Resource Officer will be called to assist.
    2. An Office Referral or Tier Three Behavior Report will be filled out by appropriate staff and given to the Building Administrator or Designee for review.
    3. The Building Administrator or Designee will meet with the student and determine appropriate consequences and restitution.
  - E. Responsibility for and Custody of a Student Removed from Class
    1. The student will go to the designated area as mentioned in Section D, Number 1.
    2. If a student is physically and emotionally able, he/she will be asked to calmly walk to the designated location. The classroom teacher will make a phone call to ensure this happens. Once the phone call is made, the responsibility for the student now belongs to the individual located in the designated location.
    3. If a student is not physically or emotionally able, a staff member must escort the student to the designated location. If a staff member cannot escort the student due to supervisory issues of other students, the Building Administrator, School Social Worker, School Resource Officer, or other staff member will be called to escort the student.
    4. While the student is removed from class, the student will either work on the assigned work for the class period; or work on restitution for the behavior.
    5. The Building Administrator, School Social Worker, or other staff member as designated will have

responsibility of the student until a discipline conference is held to determine further action.

- F. Procedures for Return of a Student to a Class from Which the Student Was Removed
  - 1. Once the student has met with the designated staff member regarding the classroom behavior issues and agreed to restitution for his/her behavior, the teacher will be called to determine the earliest time the student may return to the classroom.
- G. Procedures for Notification
  - 1. As specified in Section D, Number 2, school staff will fill out the appropriate documentation.
  - 2. Parental notification will be made by email, phone call, text message, note home, or mailed notification.
- H. Disabled Students; Special Provisions
  - 1. The provisions in a student's Individual Education Program (IEP), Behavior Intervention Plan (BIP), or any other such legal document will take precedence over procedures listed within this policy.
  - 2. If a student's IEP team has any reason to believe there is a need to reevaluate the current IEP, a meeting will be called to determine the appropriate changes.
  - 3. If a student's IEP team is concerned that a student is displaying behaviors that do not match the current Special Education Evaluation Report (ER), a meeting will be called to discuss further steps, including the possibility of a reevaluation.
- I. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises
  - 1. A Chemical Abuse Team will be made up of the Building Administrator, School Social Worker, and outside agencies such as County Children's Mental Health Social Workers, Licensed Alcohol and Drug Counselors, and any other individuals as determined relevant by school staff or a student's parents. This provision is pursuant to Minn Stat. §121A.26.
  - 2. The Chemical Abuse Team will work closely with local law enforcement officials to determine strategies to effectively deal with the drug and alcohol use of school aged children.
  - 3. When school staff expects that a student is under the influence of a controlled substance, he/she will report their findings to a team member as identified in Number 1 of this section. This will allow a team member to make appropriate contacts to determine further action as necessary.
  - 4. Procedures for immediate and appropriate interventions tied to violations of the Code of Student Conduct.
- J. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct
  - 1. Several levels of communication will occur to determine the underlying issue and why it is causing certain behavior issues for a student.
  - 2. As we identify root causes, we can work together to intervene before and as behavioral problems arise and assist the student in recognizing how to control the negative behaviors.
- K. Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior
  - 1. Staff communication with parents is expected often. Staff will maintain open lines of communication through email, phone calls, and reports sent home.
  - 2. Parents will be expected to take part in meetings and writing any plans to assist in identifying clear expectations for students, staff, and parents.
  - 3. Such plans will be reviewed as necessary and parents are an integral part of providing information to help provide their child an appropriate education.
- L. Any Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems
  - 1. Weekly meetings will be held to identify potential student issues as they arise allowing the earliest possible intervention.
  - 2. Monthly meetings will be held with identified students, families, and appropriate agency personnel to engage in discussion and planning regarding any identified behavioral issues.
  - 3. Behavior plans, contracts, or any appropriate document will be utilized to assist students and their teams in identifying and intervening in behavioral issues.

## 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 cooperative 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 cooperative 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 cooperative 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 cooperative employees, or property of the school.
- C. Suspension Procedures
1. "Suspension" means an action by the school administration, under rules promulgated by the Cooperative 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 executive director with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less, except as may be provided in federal law for a student with a disability.
  2. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the cooperative 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. The purpose of this meeting is to attempt to determine the student's need for assessment or other services.
  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. 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 cooperative 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 practical 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 encourages a parent or guardian of the student to attend school with the student for one day;

- b. assigns the student to attend school on Saturday as supervised by the building administrator or the building administrator's designee; and
  - c. petitions 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.
  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 cooperative 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 cooperative 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 cooperative board.
2. "Exclusion" means an action taken by the cooperative 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 cooperative 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 cooperative'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 cooperative shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE).
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the cooperative, 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 cooperative shall record the hearing proceedings at cooperative 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 cooperative 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 cooperative board may appoint an attorney to represent the cooperative 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 cooperative. 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 cooperative 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 cooperative 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 cooperative.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the cooperative board and served upon the parties within two (2) days after the close of the hearing.
17. The cooperative 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 cooperative 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 cooperative 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 cooperative board may appeal the decision to the Commissioner within twenty-one (21) calendar days of cooperative board action pursuant to Minn. Stat. § 121A.49. The decision of the cooperative board shall be implemented during the appeal to the Commissioner.
19. The cooperative 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 cooperative 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 cooperative.

#### **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, building administrator or other cooperative official may provide additional notification as deemed appropriate.

#### **XII. STUDENT DISCIPLINE RECORDS**

The policy of the cooperative is that complete and accurate student discipline records be maintained. The collection, dissemination, and maintenance of student discipline records shall be consistent with applicable cooperative 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 cooperative 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 cooperative 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 cooperative shall continue to provide special education and related services during the period of expulsion or exclusion.

#### **XIV. DISTRIBUTION OF POLICY**

The cooperative 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 the office of the executive director at 1200 N Park Street, Fairmont, MN 56031 or the office of the Southern Plains Arise Academy Programs at 1200 N. Park Street, Fairmont, MN 56031.

**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 501 (School Weapons)
- MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
- MSBA/MASA Model Policy 503 (Student Attendance)
- MSBA/MASA Model Policy 505 (Distribution of Non-School-Sponsored Materials on School Premises by Students and Employees)
- MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
- MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
- MSBA/MASA Model Policy 525 (Violence Prevention)
- MSBA/MASA Model Policy 526 (Hazing Prohibition)
- MSBA/MASA Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)
- MSBA/MASA Model Policy 610 (Field Trips)
- MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
- MSBA/MASA Model Policy 711 (Video Recording on School Buses)
- MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)