



Minnesota Valley Education District 6027

# **STUDENT HANDBOOK**

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***Preparing Learners for Life***

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## **VISION**

Preparing Learners for Life

## **WELCOME**

Minnesota Valley Education District (MVED) provides two programs. The Minnesota River School (MRS) is a K-12 Setting III Special Education program co-located in the St. Peter Schools and has elementary, middle school, and high school students. Classrooms are staffed with a special education teacher and paraprofessionals. Minnesota Valley School (MVS) is a K-12 Setting IV Special Education program located at the MVED building and has classrooms for elementary, middle, and high school students. These classrooms are staffed with a special education teacher and a paraprofessional. Additional staff members include social workers and mental health practitioners.

MVED provides a range of social, emotional and behavioral services that are individualized to meet the unique needs of each learner. In addition, each classroom will implement consistent behavioral planning and data collection and provide individualized Positive Behavior Support Plans (PBSP) for each student to address their unique needs.

MVED academic programming is based upon Minnesota's Core Academic Standards in the areas of English Language Arts, Math, Science and Social Studies as well as incorporating Physical and Arts Education, Social Skills Instruction, and Vocational Training and Education (grades 9-12). The learning environment is tailored instruction to be at each student's individual academic level. Special Education Teachers create and provide small group and individualized instruction using multi-model means to ensure quality learning takes place for all types of learners.

MVED is committed to maintaining high behavioral and academic expectations for all learners while maintaining flexibility in programming so that all students can find behavioral and academic success in school. MVS and MRS are designed specifically for students with disabilities that are centered on their unique social, emotional and/or behavioral needs.

Our goal is to provide all learners with the skills necessary to reduce their need for Setting III or IV services and to encourage and support them to return to a less restrictive educational setting. For some students this may include full reintegration back into their home school or returning on a part time basis for specific instructional opportunities. For students who are unable to function in a less restrictive setting, MVED is committed to providing them with a quality education to prepare them for their individual post-secondary life.

Parents and families have the most direct and lasting impact on student's learning and development. MVED believes the partnership between parents and school is crucial for students to progress and achieve success in managing their behaviors and mental health needs.

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## HOURS

Minnesota Valley Education District's office hours are from 7:30 - 4:00 Monday through Friday. Students are allowed in the building from 7:45 am until the end of the school day at 2:30 pm, unless other arrangements are made in advance with school staff. Classes begin at 8:00 a.m. and end at 2:30 p.m. Any changes in school hours will be communicated to parents in advance.

## ATTENDANCE

Consistent daily attendance is the first critical piece necessary for school success. Students who are in attendance all day, every day have the best chance of making the academic, social, emotional and behavioral improvements necessary to meet their individual goals of returning to a less restrictive school setting, graduating, and being able to improve their functioning in their school, homes and communities.

Families will receive a copy of the school calendar at the time of admission and at the beginning of each new school year. **All students will follow the MVED calendar.** This calendar may be different than the student's home school calendar. Adjustments may be made as determined by individual needs and IEP decisions.

**Parents are required to contact MVED, their transportation provider, and their home school (if they are transitioning) if their child is unable to attend school.** The messaging system is available at 507-934-5420 if you call before or after school hours.

Minnesota Valley School or Minnesota River School will determine whether your child's absence is excused or unexcused according, but not limited, to the school policy listed below. For absences requiring documentation, the student will be marked unexcused until documentation is received. The Minnesota State Statute 120.101 Subd 5 requires that every child between seven and 17 years of age (unless graduated) must receive instruction.

### Excused Absences:

- Illness (after **three** consecutive days will require a physician's statement).
- Medical/Dental appointments (physician statement required including whether or not the student can return to class after the appointment).
- Required county/state court appointments (documentation required).
- Religious instruction (Not to exceed 3 hours in one week, documentation required).
- Driver's license test (documentation required).
- Funeral for immediate family.

### Unexcused Absences:

- Oversleeping/alarm failure
- Leaving school during the regular school day without approval
- Personal grooming appointments (hair, nails, tanning, etc)
- Shopping/errands
- Skipping class/leaving building without following proper procedure
- Sleeping during class
- Refusing to attend class
- Family vacations that have not been pre-approved
- Needed at home/babysitting
- Car trouble

- Missing the bus/ride
- Needing sleep or rest
- Employment/job interviews that have not been pre-approved
- Driver's Education (classroom or behind the wheel that has not been pre-approved)

If you know your child will be absent, speak with the Principal to arrange pre-approval for the absence.

## Truancy

Anytime a student is absent and school is not notified by the parent or guardian, it is considered an unexcused absence or tardy. After three (3) and five (5) unexcused absences by a student, a continuing truant letter may be sent to parents, county social worker and probation. Seven (7) unexcused absences may result in a truancy petition and/or a referral to juvenile court. These absences do not need to be full days. Any absence where a student misses a full class period without excuse is considered truancy. A student may be considered truant if they are in the building/on school grounds but refuse to be present in the class period or activity that they are scheduled for at a given time. Excessive absences may result in jeopardy of loss of placement at Minnesota Valley School or Minnesota River School.

If a minor student leaves school during the school day without permission of their parents, they are considered truant. Students who are AWOL may be reported to the Police Liaison Officer or other law enforcement officials. Students can be detained and returned to school or the custody of their parents if they are found truant during the school day. Parents will also be contacted if a student leaves the school grounds without permission. Individual truancy plans may vary based upon the needs of each student.

## State Truancy Laws

Continuing Truant is a child who is subject to compulsory instruction and is absent from instruction without a valid excuse within a single school year for three days if the child is in elementary school or one or more class periods on three days if the child is in middle, junior high or high school (MSA 260.02, Subd.3).

Habitual Truant means a child under the age of 16 years who is absent from attendance at school without lawful excuse for seven days if the child is in elementary school or for one or more class periods on seven days if the child is in middle, junior high or high school, or a child who is 16 or 17 years of age who is absent from attendance at school without excuse for one or more class periods on seven school days and who has not lawfully withdrawn from school under section 120A.22, Subd.8 (MSA 260C.007, Subd.19).

A child determined to be a Habitual Truant by school officials may be subject to court proceedings and found to be a child in need of protection or services pursuant to MN Statute 260C.007, Subd.6(14).

Lawful Excuse according to the MSA 120A.22, Subd.12 is defined as the following: (1) the child having a bodily or mental condition that prevents attendance, (2) religious instruction, or (3) the child has completed the requisite schooling through tenth grade.

Presumptions regarding truancy or educational neglect are made when a child's absence from school is thought to be due to the parent's, guardian's or custodian's failure to comply with compulsory instruction laws if the child is under 12 years old and school has made appropriate efforts to resolve the child's attendance problems. This presumption may be rebutted based on a showing by clear and convincing evidence that the child is habitually truant.

A child's absence from school without lawful excuse when the child is 12 years old or older is presumed to be due to the child's intent to be absent from school; this presumption may be rebutted based on a showing by clear and convincing evidence that the child's absence is due to the failure of the child's parent, guardian or custodian to comply with the compulsory instruction laws, section 120A.22 and 120A.24. (MSA 260C.13, Subd.11(a))

## Appointments

Students and parents are encouraged to make medical and dental appointments for after school hours. If an appointment must be made during school hours, please notify the MVED office or your child's teacher prior to the appointment. Please bring documentation of the appointment to school so that it can be marked excused.

- Note that only medical doctors can provide documentation that would excuse a student for school other than appointment times.

## School Closing

Late starts and cancellations of MVED programs follow Saint Peter Public Schools and are announced on local radio and television stations. In addition, families can sign up for an automated call system to get weather announcements by phone.

- If Saint Peter Public Schools are not in session due to weather, then MVED students are not in session.
- If a student's home school is not in session due to weather, then that student will not be expected to be in school. Absences due to home school closure, late starts or early dismissals are excused absences.
- Students will engage in Flexible Learning Day(s)

## Parent/Guardian Pickup

Parents/guardians may pick students up from school; they must call or notify the staff they will be picking the student up from school. If your child informs staff that a parent/guardian will pick them up, the parent/guardian is encouraged to be in the school parking lot before the students load the bus/van or students may be sent on the bus/van rather than waiting for the parent/guardian to arrive.

- During inclement weather, if a parent/guardian is not able to be at school when students are loading the bus/van, students may be sent on the van rather than waiting for a parent/guardian to arrive.

## Leaving School Premises

Students who need to leave school during the school day must have a parent contact the school by telephone or written note to provide permission. Refer to the list of excused/unexcused absences to determine whether the reason is excused or if you need additional documentation to have the absence excused.

If a student leaves during the school day without permission:

- Parents will be notified immediately, and
- A student's probation officer and social workers may be notified, and
- Police may be called if the student is younger than 18 years of age.



## **TRANSPORTATION**

Students at MVED come from a number of different schools and communities, some quite a distance from St. Peter. MVED considers this time coming and going to school as an important part of each student's day. MVED works with transportation providers, offering training and support to make time in transit a beneficial part of each student's school experience.

Students will be transported by their home school district to the program. Students are expected to use the transportation provided by their home school districts unless parents make other arrangements to transport their child. Students are expected to leave/arrive on the designated transportation at the beginning/end of the day unless a written note by parents is provided describing changes.

All rules and discipline procedures of the home district and MVED apply to the students while being transported (Policy 709). Behavioral expectations begin at the time the student gets on transportation and ends when he/she gets off of transportation. The bus driver may be asked to complete a bus monitor sheet. If a student's behavior on transportation becomes dangerous, the driver, home district, parent, or program staff may request a meeting to discuss the student's behavior and current transportation needs. The police may also be called about dangerous behaviors.

Transportation providers have the right to refuse transportation for students until a meeting can be held to make adjustments to the transportation arrangements if a student's behavior causes a serious disruption. During this time, parents are responsible to ensure that their child is brought to and from school.

Students are expected to leave/arrive on the designated transportation at the beginning/end of the day. Students may also be transported by MVED staff using an MVED or Saint Peter Public School vehicle. Field trips and special outings are planned frequently and behavior expectations during transport are the same during these times as well.

Your signature at the end of this document gives Minnesota Valley Education District permission to transport your child by MVED/SPPS vehicle or school bus for field trips, physical education classes and recreational activities. Your signature also gives permission for your child to be transported for other incidental events such as needing a ride to or from school if needed during the school day.

### **Special Transportation**

Students need to follow their regularly scheduled transportation after school each day. Students who ride special transportation are allowed to have one primary address and one alternate address who is an emergency contact. Special transportation will not drop students off at friends or classmates houses or additional addresses beyond their primary and emergency address. If students would like to spend time with classmates outside of school, they can arrange those types of things for after they have been dropped off by the bus/van.

### **Driving to School**

When a student turns sixteen and has acquired their driver's license, they may drive their own vehicle to school if the following conditions are met: Students who park in the school parking lot must provide a copy of their driver's license, proof of insurance, provide signed consent from parent/guardian, and follow all instructions given by staff regarding parking and driving behavior on and near school grounds. Failure to follow any of the conditions will result in the student's loss of driving to school privileges.

## **Snowmobile Use**

Per city ordinances, snowmobiles are prohibited on public-owned land. (Sec. 8.04, Subd. 4D). Snowmobiles should not be driven to school. Police will be notified if they are found on or near school grounds.

## **Reporting Procedures:**

Driver gives a warning and completes Bus Conduct Report. Conduct Report is given to staff greeting the bus. All Conduct Reports are forwarded to the MVED Principal. The MVED Principal consults with student's teacher and social worker to determine next steps and who contacts parents. Consequences are determined by MVS and MRS teams and/or the student's IEP Team on an individual basis. Bus drivers retain the right to contact parents directly to address behavioral concerns/safety issues on their vehicles.

# **CURRICULUM**

## **Individual Education Plans**

All students who attend MVS and MRS have an Individual Education Plan (IEP) which will guide their programming in the level III or IV setting. A student's IEP is written specifically for each student and addresses their areas of identified needs and guides their specific programming while at MVED.

## **Minnesota Academic Standards**

MVS and MRS will teach learners based upon Minnesota's Core Academic Standards in the areas of English Language Arts, Math, Science and Social Studies as well as incorporating Physical and Arts Education, Social Skills and/or Mental Health Instruction and Vocational Training and Education (grades 9-12) in a structured, consistent environment, tailoring instruction to be at each student's individual academic level. Special Education Teachers create and provide group and individualized instruction using multi-model means to ensure quality learning takes place for all types of learners.

## **Assessments**

Students at MVED will participate in all Minnesota Comprehensive Assessments in the areas of reading, math, and science as outlined by the Minnesota Department of Education at their grade level, unless otherwise determined by a student's individual team.

Students at MVS and MRS will participate in FastBridge formative assessments for progress monitoring and assessing academic growth in reading and math.

## **Work Skills / Experience**

Students in the high school classrooms also work directly with a work experience teacher. This person provides direct instruction on career and employability related skills, such as filling out a job application, completing a resume, interview skills and skills necessary to acquire and keep a job. Depending upon the age and needs of each individual student they may participate in work experiences either during or after school for which they can receive credit toward graduation.

### **Work Experience Guidelines**

Prior to earning the right to work, students need to demonstrate a basic skill level, both academically and behaviorally. The following are standard guidelines that students should be able to demonstrate prior to being recommended for an IEP team meeting to approve work for credit.

Students must be at least 16 years of age to work for school credit.

1. 80% behavioral average (weekly) in all classes for a minimum of four consecutive weeks to work during the school day for credit.
2. Passing all classes and groups that are credit generating.
3. An IEP Team meeting, including representation from the home school district is required prior to students working for credit.
4. Priority will be given to juniors and seniors.

In order to *continue* to work, students must be able to:

1. Maintain an 80% weekly behavioral average in all classes. If the student's behavioral average falls below 80%, they may continue with work as long as their monthly average is still 80% or higher. If a student's weekly behavioral average is less than 50% in any one class a meeting may be called to determine if the student can continue with work. If a student's monthly behavior average in any class falls below 80% they will lose work privileges until they can demonstrate four weeks of 80% again.
2. Continue to pass all classes. If a student is failing any classes at mid-term, an IEP meeting will be called to determine if they can continue to work. If a student fails any class at the end of a quarter, they will lose work privileges until they have earned one quarter of passing grades in all classes.
3. In order to continue to work for credit, students must continue to attend work seminar class, earn passing grades in all their classes, and have an 80% average or higher for behavior scores.

Additional Information:

1. All parties must be in agreement with and sign the training contract before the work program may start. If any party fails to comply with contract agreements, the work experience will be terminated.
2. The IEP team may grant/require a two week trial period for students to participate in the work program with a follow-up IEP meeting prior to any long term arrangements.

### **Field Trips**

Occasionally classrooms will attend activities off school grounds during the school day. Attendance on these days is mandatory for all students, even if they do not qualify to attend the field trip. If a student is not able to attend the field trip due to behavioral issues, they will be supervised and provided with work opportunities at the school. If a student does not attend school that day and has no reasonable excuse, they may be considered truant.

Rules of Conduct continue to apply off of school grounds. If a student arrives late for a field trip, he/she will be supervised while completing school work in a guided study hall.

## Flexible Learning Day(s)

MVED utilizes Flexible Learning Days. The term “Flexible Learning Day” refers to a day when school is cancelled due to inclement weather and students participate in curriculum-aligned learning opportunities at home.

- Teachers and students may use Google Classroom, Seesaw, or paper/pencil as their learning platform.
- Students know how to access their learning platform and will be expected to check in for Flexible Learning Day assignments.
- Teachers will have assignments posted by 10:00 am and will be available for questions and discussion via that space or email throughout the day.
- For those students without internet access paper copies will be provided. Flexibility on assignment deadlines will be granted for students with limited or no access.
- In advance of a flexible learning day students will know where and how to access appropriate online space (or paper-based activities) and be prepared to complete flexible learning day assignments and activities on days when school is closed due to inclement weather. On a flexible learning day, students will:
  - Complete at least 5 flexible learning day assignments/activities
    - 1 from each class: English, math, social studies, science, skills group and work experience seminar as appropriate for students’ schedules
  - Communicate questions for teachers via email or other appropriate medium

## PROGRESS REPORTING

### Grades

Progress reviews and grades will be sent to parents and the home school at the end of every quarter. Grades can be earned in the areas of: math, English language arts, science, social studies, physical education, mental health, art and work experience (secondary students only). Secondary students will be able to earn up to seven credits each school year toward graduation. The number of credits each student needs for graduation will be individually determined by their team in cooperation with the requirements of their home school’s requirements and expectations.

A = 90 - 100%

B = 80 - 89%

C = 70 - 79%

D = 60 - 69%

F = 59% and below

### Behavior Rating Scales

MVED’s commitment is to maintain high behavioral and academic expectations for all learners while maintaining flexibility in programming so that all students can find behavioral and academic success in school. MVS is designed specifically for students who have an Emotional/Behavioral Disability and is centered on their unique social, emotional and/or behavioral issues. Students, in addition to earning grades and academic credits, are given a behavior score that is totaled and averaged on a weekly basis. Points are lost due to unexcused absences, tardiness and failure to meet expectations.

MRS is designed specifically for students with ongoing social problems that include difficulty communicating and interacting with others, repetitive behaviors as well as limited interests or activities,

and behavior that hurt the individual's ability to function socially. Students, in addition to earning grades and academic credits, are monitored on their behaviors and different plans are created to best match the students needs.

## **MENTAL HEALTH SERVICES**

The MVS program provides a range of social, emotional, and behavioral services, centered on a variety of evidence-based curriculum that is individualized to meet the unique needs of each learner. These mental health services will be available on a continuum of needs ranging from group and/or individual social skills instruction provided by a range of mental health staff.

Mental health staff also collaborate with outside providers who may include, but are not limited to, county case managers, probation officers, outpatient therapists, psychiatrists, and skills workers. Classrooms also implement consistent behavioral planning and data collection and provide individualized Positive Behavior Support Plans (PBSP) for each student to address their unique needs.

In addition to structured group skills instruction, mental health staff engage with students throughout the school day during breakfast, lunch and recess breaks, in personal crisis situations, and in academic classes to support students when needed.

### **Confidentiality**

Information about a student is considered to be confidential information and is protected under the Family Education Rights and Privacy Act (FERPA) 20 U.S.C. § 1232g; 34 CFR Part 99 and the Individuals with Disabilities Education Act (IDEA) 34 CFR 300.560–300.577.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

## **EXTENDED SCHOOL YEAR (ESY)**

Minnesota Valley Education District provides Extended School Year (ESY) services to students who qualify under federal and state guidelines. The individualized determination about the need for ESY services is made through the IEP process based upon the unique needs of each student. The right of an individual student with a disability to ESY services is based on that student's entitlement to FAPE. (Federal Register, Vol. 64, No. 48, 1999, pg.12576.)

The primary criteria in determining a student's need for ESY services are the likelihood of significant regression of previously learned skills during a break in service and limited or delayed recoupment of these skills after services resume.

<p>Regression----A decline to a lower level of functioning demonstrated by a decrease of previously learned skills that occurs as a result of an interruption in education programming.</p>
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<p>Recoupment----The ability to recover or regain skills at the level demonstrated prior to the interruption of educational programming.</p>
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Other factors in determining ESY criteria include:

1. the student's behavioral and physical needs,
2. availability of alternative resources,
3. the ability of the student to interact with students who do not have disabilities,
4. the areas of curriculum that need continuous attention,
5. the student's vocational needs,
6. category of disability,
7. severity of disability,
8. parents' ability to provide an educational structure at home, and
9. student's rate of progress.

The information that is needed by an IEP team to determine a student's need for ESY services is gathered through ongoing measurement of the student's progress toward the current IEP goals. An essential component of a student's goals is the method to measure progress. Information can be gathered through a variety of informal and formal measures. Those measures may include a record of daily performance, criterion-referenced and norm-referenced test data, anecdotal records from information collected throughout the year, behavior checklists, and student work samples.

## **PERSONAL PROPERTY**

The staff is not responsible for any personal items and/or money students bring to school. Students are discouraged from bringing any unnecessary personal items to school. Any inappropriate items brought to MVS/MRS will be turned over to the staff. A staff decision regarding when to return the item to the student will be made. Staff may keep the item(s) and/or release it to the parents.

### **Cell Phones**

Cell phones are not to be used in the building between the hours of 8:00 am and 2:30 pm unless permission is given from the teacher. If a student is using a cell phone during the school day, it will be surrendered to staff and a parent may have to come to retrieve the item. If a student needs the phone for an emergency situation (parents need to contact student during the day, etc.), a note or phone call must be provided by the parent prior to its use. Repeated violations will be dealt with on an individual basis and could include suspension of the student and/or the requirement that the phone needs to be turned in to staff at the beginning of each school day. Parents are welcome to relay telephone messages to students by contacting the program staff.

### **Electronic Devices/Nuisance Items**

Cell phones, iPods, mp3 players, electronic handheld games, etc. are not allowed at MVS/MRS during instructional periods. Students who use electronic devices during transportation times to and from school are expected to secure all such items during the school day as instructed by staff. If items are determined to be a nuisance, they will be confiscated and held by school staff until the end of the school day. A parent or legal guardian may need to pick the item up if it continues to be a problem. Disciplinary action will be taken against students who become insubordinate over nuisance items.

### **Searches**

Students or their personal property may be searched if staff has a reasonable suspicion that the student is in possession of something illegal, hazardous or in violation of school policy. Equipment, such as

lockers, belongs to the school district. The school district insists that lockers be properly cared for and not used for the storage of illegal items such as firearms, liquor, cigarettes, illegal drugs, etc.

It is the policy of the state of Minnesota (Minnesota Statute 121A.72) that 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 authorities for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practical after the search of a student's personal possessions, the school authorities must provide notice of the search to students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.

Data from electronic sources is private and as such cannot be searched without a warrant. It is not the policy of Minnesota Valley Education District to review the content of the personal electronic devices of students (cell phones, iPods, computers, etc.), unless doing so would prevent immediate serious harm to the student or others.

## **BREAKFAST/LUNCH**

Breakfasts and lunches are provided by the Saint Peter School District at the standard district cost for breakfast and lunch. Meals are delivered to the program each day. Students may pack lunches from home. Eligible students are encouraged to participate in the free and reduced lunch program. Eligibility forms will be provided during orientation and at the beginning of each school year or forms may be requested any time during the school year by contacting the school office at (507) 934-5420. Refer to Policy 534 - Unpaid Meal Charges.

Students may not order food from a local restaurant. Should a parent/guardian/family member bring in food from a restaurant the student will eat in another location separate from peers.

At times, a student's behavior may be such that they are not able to go to lunch with their peers. If a student is not under control of their behavior within 15 minutes of the hot meal being served to his/her peers, that meal must be thrown out and students will be offered a cold lunch. If it is necessary for a student to eat in a separate room from the lunch room, due to behaviors, they may not have all options of condiments as the other students. If a student throws or destroys their lunch due to anger, they will not be offered another hot lunch. When the student has their behavior back under control, they will be offered the cold lunch option.

No student will be refused a lunch, nor will lunch be withheld for longer than 30 minutes past the time other students have had their lunch period. Students will be offered the opportunity to eat every 15 minutes if in seclusion during the lunch period. Students who are able to comply with basic requests (such as sitting in a certain place, etc.) will be served lunch at the time they have shown they will be able to control their behaviors enough to be given their meal.

Students may take home non-perishable, unopened, non-refrigerated items from lunch (ex: chips, crackers, fun fruits, etc).

## Closed Containers

Students will only be allowed to bring factory sealed containers of drinks to school (such as waters, pop, juices). Any open containers must be disposed of before entering the building.

## HEALTH SERVICES

MVED contracts with Nicollet County Public Health to provide Registered Nursing oversight for its Health Services. It is the policy of Health Services to assist in removing health barriers to learning. As such, Individualized Health Plans will be developed for those students as needed. Vision and Hearing screenings will be conducted during the fall of each school year. Because of the limited nature of the contract, however, parents requesting nursing consultation or referral should contact the principal.

### Prescription Medications

Parents must personally transport prescribed medications for their student to school or send medication with another trusted adult. **All medication must be turned in to staff in the prescribed bottle with the appropriate label.** Parents are required to sign an authorization form to permit staff to dispense the medication. The prescribing physician will also need to sign this form. Staff and parents will discuss the daily medication schedule during intake. Staff will notify parents when a five day supply of medication remains in order to provide reasonable time to obtain a refill.

### Non-prescription Medications

Non-prescription medications such as Tylenol or Advil can be made available for student's use at school if the parent provides an original, unopened bottle, labeled with the student's name, written permission and reason for use. These medications should be available at school only when they are beneficial to the student's educational process and success; all other medications should be administered at home.

### Illness / Emergencies

If a student becomes ill during the school day, the student's temperature will be taken. If the student's temperature is greater than 99.5 degrees and/or if they display symptoms of illness, a parent/guardian may be called and asked to pick up the student from school **immediately**. Students may be separated from peers in an alternate location until parent/guardian arrives. MVED staff are not trained healthcare professionals, and as such, do not diagnose illnesses and/or injuries. The parent/guardian has responsibility to let staff know of any health condition that could impact the student during the school day such as diabetes, seizures, asthma, heart conditions or a history of concussions. In the event of a more emergent situation, the student may be taken to one of the local clinics or 911 may be called to transport her/him to the hospital. MVED will not incur any medical costs or liabilities as a result.

### Epinephrine Injectors

MVED does not supply Epinephrine Injectors (Epi Pens), nor is it the school's policy to dispense Epinephrine without a prescription. If your student has a known allergy that could result in anaphylactic shock, it is your responsibility to supply the school with an Epi Pen and sufficient information regarding your child's allergy. If a student appears to be having a severe reaction and is not diagnosed or does not have appropriate medication, the school will call 911 and allow trained medical personnel to make the



decision to administer Epinephrine or other medications as needed. MVED will not incur any medical costs or liabilities as a result.

### **Medical Excuses for Physical Activity**

A signed note from a physician is required for a student to be excused from physical education activities for medical reasons. The signed note must identify the injury/illness and indicate the length of time for the excused absence.

### **Emergency Information and Treatment Consent**

In the event of an emergency, your child will be taken to the closest emergency facility for medical or dental needs. If you have a preference for a specific emergency care provider, please notify the MVED office so that it can be kept on file. MVED will not incur any medical costs or liabilities as a result.

## **PROACTIVE APPROACHES**

### **PRIDE (Personal Accountability, Respect, Independence, Determination, Empathy)**

MVS and MRS staff work to teach and reinforce PRIDE throughout the school day to promote positive choices.

### **Positive Behavioral Interventions and Supports (PBIS)**

Minnesota Valley School uses PBIS to improve student behaviors. It is used with all students across all environments in school (classroom, lunchroom, restroom, all school grounds) to help schools to create effective learning environments.

#### **MVS chooses to use PBIS to:**

- Identify and teach expected student behaviors.
- Find ways to reinforce and reward those behaviors.
- Enforce consistent meaningful consequences when violations occur.
- To meet the behavioral needs of students in a school and find proactive approaches to address student behaviors.

#### **PBIS consists of three steps:**

##### **Step 1: Identify and Teach Expected Behavior**

- Identify expectations across all environments, particularly those areas where data supports there are improvements needed.
- Provide examples of what behaviors are expected, including for the cafeteria, bus, and social areas such as the gym or playground/ball field.
- Post the expectations throughout the building.

##### **Step 2: Positively Reinforce and Reward Expected Behaviors**

- When students meet school-wide expectations, school staff will note their success with positive reinforcement. All staff (principal, teachers, mental health practitioners, social workers, paraprofessionals, and office staff) use the system.

- This might include:
  - Praise
  - PRIDE slips
  - School wide celebrations
  - Individual classroom incentives.

### Step 3: Strategies to Implement Meaningful Progress Towards Success

- In addition to teaching and rewarding positive behaviors, the school individualizes consistent approaches to addressing behavior concerns.
  - Strategies may consist of:
    - Reteaching
    - Social skill training
    - Processing (verbal or written)
    - Restorative practice
    - Individual counseling with social workers
    - Contact with parents
    - Behavior reports sent home
    - Conference with the principal

## Restorative Practices

MVS also uses Restorative Practices to allow students and staff to positively interact with one another when a relationship has been strained. The process is inclusive, builds fair process into decision-making practices, and facilitates students learning to address the impact of their actions through an approach that allows for true accountability, skill building, cooperation, and mutual understanding.

Through restorative practices, students and staff:

1. have an opportunity to be heard
2. understand the greater impact of one's actions
3. learn to take responsibility
4. repair the harm one's actions may have caused
5. recognize one's role in maintaining a safe school environment
6. build upon and expand on personal relationships in the school community
7. recognize one's role as a positive contributing member of the school community.

## STUDENT BEHAVIOR

### Discipline Policy (Policy 506)

Expectations and limits are provided to students to allow for optimal learning in a safe and positive school environment. When students severely disrupt the learning of others, disciplinary actions may be taken. Each disciplinary situation will be handled with the best interests of the student(s) involved and the school as a whole. Refer to the district's Discipline Policy for more information.

1. Disciplinary Actions may include but are not limited to:
  - a. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;

- b. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
  - c. Parent contact;
  - d. Parent conference;
  - e. Removal from class;
  - f. In-school suspension;
  - g. Loss of school privileges;
  - h. In-school monitoring or revised class schedule;
  - i. Referral to in-school support services;
  - j. Financial restitution;
  - k. Other disciplinary action as deemed appropriate by the school district.
2. Actions subject to discipline will include but are not limited to:
- a. Attendance concerns - Absenteeism, truancy, tardiness, skipping classes, being out of the classroom without permission, and leaving school without permission.
  - b. Disorderly conduct - Conduct that causes anger, alarm, or disturbance or provokes an assault or breach of the peace.
  - c. Threat - Communicates a dangerous or hazardous situation towards others or school.
  - d. Harassment and Bullying - Behavior that demeans, humiliates or embarrasses a person.
  - e. Dangerous and harmful substances - including but not limited to drugs, alcohol, tobacco, and vaping.
  - f. Weapons - any device designed to threaten or harm others such as, but not limited to, guns, knives, clubs, explosives, or chains.
  - g. Physical assault - An act that intentionally inflicts or attempts to inflict bodily harm.
  - h. Verbal assault - An act that is abusive, threatening, profane, or obscene language either written or verbal.
  - i. Vandalism - Damage or destruction of school or personal property.

### **In-School Suspension Expectations**

*In-School Suspension* allows you the opportunity to continue your academic studies. At the same time, you will be able to form a plan for improving your behavior at school. You will be expected to earn your way back into the regular classroom by meeting the following requirements:

#### Students

1. The student must report to the designated area immediately upon entering school.
2. Must remain in the ISS room unless escorted by staff.
3. Complete all work assigned.
4. Engage only with staff.
5. Bathroom breaks will be offered by staff throughout the day.

6. Locker use is permitted with staff supervision only.
7. Electronic devices will be handed to staff immediately upon entering the school. Devices will be given to students upon leaving for the day.
8. Lunch will be brought to the room.
9. Sleeping is considered as absent from ISS and will need to be made up.
10. Students absent on the day of their scheduled ISS will serve the ISS on the day they return.

## **Dress Code**

Students may not wear articles of clothing that may be offensive to others or deemed disruptive to the learning environment. Teachers and school staff will make the determination in regard to clothing causing a disruption or distraction.

Dress code violations include, but are not limited to, revealing or suggestive articles of clothing; sunglasses, bandanas, jewelry and/or accessories, and clothing which promotes the use of chemicals, alcohol, tobacco, communicates sexually suggestive or profane statements, or promotes violence/harassment. Clothing that displays hate symbols or is deemed to be gang related will not be allowed. Other examples of clothes that may be inappropriate include bare-midriiffs, spaghetti straps, clothing exposing undergarments, etc. Students may not wear clothes that are see-through or fish-net.

Students who wear clothing that violates the dress code may be requested to turn their shirt inside out, replace clothing, or wear clothing provided by the school over the inappropriate clothes. Students who do not comply with the dress code may be sent home.

## **Coats**

Winter coats or jackets must be kept in lockers throughout the school day. Students are allowed to wear sweatshirts in the classrooms in case of temperature changes. Students are encouraged to keep a sweatshirt at school.

## **Inappropriate Student Contact**

Inappropriate student contact is not allowed. Inappropriate contact includes, but is not limited to, kissing, hugging, back rubs, and other physical contact. Students involved in inappropriate contact will receive one warning and then if behavior continues, will be subject to disciplinary action. Students are also subject to disciplinary action for horseplay or any contact with peers that is unwanted or disruptive to others.

## **Accidents/Injuries**

If a student is injured or sees another student injured at school or while being transported to school, the accident should be reported immediately to a staff member. It is very important that accidents are reported as soon as possible. Parents will be notified when their child is involved in an accident at school or while being transported to school.

## **Bullying/Hazing/Harassment**

All students and staff at MVED have the right to be treated with respect and to feel safe. MVED will maintain an environment that is free from bullying, hazing, and/or discrimination. Refer to Policies 514 and 526.

**Definitions:**

Bully: seek to harm, intimidate, or coerce (someone perceived as vulnerable).

Harassment: aggressive pressure or intimidation

Hazing: the imposition of strenuous, often humiliating, tasks as part of a program or rigorous physical training and initiation

All reports of harassment will be taken seriously and actions will be taken appropriate to the report. Students and adults alike are expected to follow the guidelines that prohibit harassment.

Harassment based upon anyone's personal differences will not be tolerated. People have a right to be free from harassment based upon:

1. Actual or perceived race, ethnicity, color, creed, national origin or immigration status.
2. Sex, gender or sexual identity and expression or orientation
3. Age
4. Religion
5. Language
6. Disability or academic status related to student performance
7. Social, economic or family background
8. Status with regard to public assistance
9. Marital status or familial status
10. Political practices
11. Physical appearance

Harassment can include, but is not limited to:

1. Conduct that causes physical harm to a student or a student's property
2. Reasonable fear of harm to a person or property
3. Behavior that violates a student's reasonable expectation of privacy, defames a student or constitutes intentional infliction of emotional distress against a student

Forms of harassment can include, but are not limited to:

1. "Cyberbullying"- bullying using technology or other electronic communication (computer, cell phone or other electronic device)
2. Name calling, jokes or rumors
3. Graffiti, drawing, notes, offensive posters or book covers
4. Unwelcome touching of a person and/or their clothing

If you feel you have been harassed, bullied, intimidated or discriminated against, you should make reports in the following order:

1. Classroom staff: Teacher, Social Worker, Mental Health Practitioner or Paraprofessional
2. Principal: Tamara Engel 507-934-5420 Ext. 1253
3. MVED Harassment Officer: Melissa Wagner 507-934-5420 Ext. 1236

All reports of harassment are forwarded to the MVED Harassment Officer.

*(See Additional Information for more information on MVED's Harassment Policy)*

## **Chemical/Tobacco Use**

The MVED building and campus are smoke-free for all staff, students and visitors. Students attending school while under the influence of alcohol or other chemicals, or who possess chemicals in the building, will be subject to the school district's discipline procedures and law enforcement will be called.

## **Legal Offenses**

Any incident that is considered illegal will be reported immediately to the appropriate authorities. Students who are receiving probation services will also have the offense reported to their probation officer.

## **Disorderly Conduct**

If a student's behavior becomes unmanageable and other interventions have been unsuccessful, the School Resource Officer or St. Peter Police may be called to come to school. Students who violate others' rights to an education with unmanageable conduct may be referred for charges.

## **Physical Assault**

Staff will notify police, court services, social services and home school if a student is assaultive. Assault charges may be filed by staff. The student may be released from school immediately. A re-entry meeting with the social worker, probation and parents may be scheduled before the student may return to school. Due process will be followed.

## **Property Damage**

Staff discretion will be used regarding property being misused, damaged, amount of damage, etc. Parents will be notified of property damage and monetary restitution, if required. The student may be required to perform community service work to the program to compensate for the damage. A processing meeting will be held with the student and staff. Charges for property destruction may be filed with law enforcement.

## **Controlled Substances**

Students found to be in possession of or using a controlled substance (including, but not limited to, tobacco, alcohol, prescription and non-prescription drugs), the substance will be confiscated and law enforcement will be contacted. Due process will be followed.

## **Weapons**

If a weapon is brought to school, it will be immediately confiscated from the student. This includes toys which represent weapons. Any type of weapon or instrument of physical violence will be reported to police, parents, probation, home school, and social services. Due process will be followed.

## **Use of Restrictive Procedures**

Minnesota Valley Education District (MVED) is committed to providing for the care, welfare, safety and security of both the students they serve and for the staff and all others who are a part of our programming. This is done through the promotion of positive approaches for behavioral interventions for all students, watching for early warning signs of distress and implementing strategies for early

intervention and de-escalation to attempt to interrupt behaviors before individuals become a danger to themselves or others.

MVED staff are trained to identify levels of behavior in individuals in crisis and to respond with appropriate approaches to meet their needs at each level following the *Nonviolent Crisis Intervention* model. Restrictive procedures are only used in an emergency situation by MVED staff and as a last resort when staff have determined that an individual is a danger to themselves or others and that the risks of implementing restrictive procedures are less than the danger the individual presents. The use of restrictive procedures may include the use of physical holding and/or the use of seclusion. MVED will adhere to the standards and requirements of Minnesota Statutes *125A.094 Restrictive Procedures for Children with Disabilities*.

*(A copy of MVED's full policy and procedures regarding the use of Restraint and Seclusion is available on the MVED website at [www.mnved.org](http://www.mnved.org))*

## **RESIDENT SCHOOL DISTRICTS**

Students are referred to MVS or MRS from their resident school districts. The student's resident school district continues to be a part of a student's IEP team. All grades and progress are reported back to the home school. A student who successfully completes their home school's graduation requirements may graduate from their home school and receive a diploma from that school. MVED is not a diploma awarding school; diplomas will be provided by the resident district.

### **Co-curricular Activities**

Students wishing to participate in co-curricular activities in their home school are encouraged to do so. Staff will assist the student's home school in making arrangements for participation and transportation. Students are required to follow all rules, regulations, policies, and procedures at their home school while participating in any co-curricular activity.

### **Transitioning/Mainstream Classes**

The goal for all learners is to provide them with the skills necessary to reduce their need for Setting III or IV services and to encourage and support them to return to a less restrictive educational setting. Students are encouraged to return to a less restrictive setting, usually their home school district, when and if their behavior has improved to the point where they will be able to be successful in that setting. This progress is often referred to as transitioning.

When transitioning, students are encouraged to take as many classes as they are able. For some students this is a step toward total reintegration into a mainstream school and for others, this may involve participating on a part time basis in classes and/or activities.

MRS students whose home district isn't St. Peter Schools may take up to two (2) classes a semester in the St. Peter's School District. Once a student is able to transition for more than two (2) classes then the student will need to start transitioning back to their resident district.

## Transition Guidelines

Academic and Behavioral Guidelines for Transitioning to a Less Restrictive School Setting:

Prior to earning the right to work and/or transition, students need to demonstrate a basic skill level, both academically and behaviorally. The student's IEP team will determine the specific details regarding a student's transition to a less restrictive school setting. The following are standard guidelines that students should be able to demonstrate prior to being recommended for an IEP team meeting to approve work for credit and/or transition to a less restrictive academic setting.

1. 80% behavioral average (weekly) in all classes for a minimum of eight consecutive weeks.
2. Passing all classes and groups that are credit generating.
3. An IEP Team meeting, including representation from the home school district is required prior to students transitioning to a less restrictive school setting.
4. No major behaviors during those eight consecutive weeks.

In order to *continue* transition courses, students must be able to:

1. Maintain an 80% weekly behavioral average in all classes. If the student's behavioral average falls below 80%, they may continue in transition as long as their monthly average is still 80% or higher. If a student's weekly behavioral average is less than 50% in any one class an IEP meeting may be called to determine if the student can continue with transition. If a student's monthly behavior average in any class falls below 80% they may lose transition privileges until they can demonstrate eight weeks of 80% again.
2. Continue to pass all classes. If a student is failing any classes at mid-term, an IEP meeting may be called to determine if they can continue their transition to a less restrictive setting.
3. Act appropriately on the bus without any major behavioral referrals.

## Trespassing

Students enrolled at MVS or MRS are not considered students at their home schools unless they have a legitimate reason to be there. They are eligible to participate in extracurricular activities and/or take classes at their home school, but no student shall enter the premises without purpose and prior authorization by the building principal. Any unsupervised student who has not registered at the office as a visitor may be charged with trespassing. In addition, if a student leaves the school grounds without permission they may be unable to return until the following day or it may be considered trespassing.

## OUTSIDE AGENCIES

MVED partners with many additional agencies in order to provide the most comprehensive and motivating program it can for its students. This includes using the resources and expertise of others not directly affiliated with MVED or the home school district.

During the school year, classes may work with volunteer tutors and/or outside providers for learning experiences, such as ProjectGem. All volunteers and staff working with these programs undergo a background check and/or are always working under the direct supervision of MVED staff.

Problems often isolate us and make it hard to find options, possibilities and connections in our lives. You may be asked, with your full approval and understanding, to sign release forms to allow us to collaborate with key family members, county case managers, probation officers, and other involved professionals from previous or current involvement. Any requested information (assessments, reports, diagnosis etc.)



will require a signed release. MVED strives to collaborate in a sensitive, respectful, ethical, legal and creative way.

Other individuals who may have a close working relationship with the student and/or family are also encouraged to be a part of a student's IEP team and to help monitor student progress and behavior. These individuals may include, but are not limited to: County Children's Mental Health Case Management, Probation, Guardian ad Litem's, Individual or Family Therapists and Skills Workers from outside agencies. Prior to releasing information regarding a student, parental approval in the form of a signed Release of Information will be sought (or court order, if appropriate).

In addition, Minnesota Valley Education District receives a block grant from Blue Earth, Nicollet and Le Sueur Counties to provide mental health services to the students at MVS.

## **VISITING GUIDELINES**

The school board encourages interest on the part of parents and community members in school programs and student activities. The school board welcomes visits to school buildings and school property by parents and community members provided the visits are consistent with the health, education and safety of students and employees and are conducted within the procedures and requirements established by the school district.

The school board reaffirms its position on the importance of maintaining a school environment that is safe for students and employees and free of activity that may be disruptive to the student learning process or employee working environment.

1. All visitors entering the building are to first report to the main office.
2. All unannounced visitors in the building must first report to the office. Failure to report could result in a visitor being directed to leave the building. Further unauthorized presence in the building could result in the filing of TRESPASS CHARGES with the proper legal authorities.
3. Please note that special education students and their parents have their legal right to privacy. Therefore, information about other students in the program cannot be shared with anyone outside the program.

## **ADDITIONAL INFORMATION**

### **Emergency Procedures**

MVED operates only during limited hours that do not include weekends, overnights or holidays. If you experience a mental health emergency, please call 911 and/or go to a nearby hospital emergency room.

MVED staff will assess a student's mental health, and if the staff deems that a student is not safe, appropriate steps will be taken to ensure their safety. This may include contacting law enforcement, healthcare providers, team members, and/or parents.

MVED staff do not monitor their email accounts continuously; therefore do not rely on email messages to communicate emergencies.

## **Contacting Students During the School day**

Parents are welcome to relay telephone messages to students by contacting program staff rather than contacting their child on a cell phone.

## **Incentives**

Incentives may be used as a part of student programming at MVED. This could include the ability to acquire privileges and/or rewards for good behavior based upon each student's individual goals and planning.

## **Video Recording of Students**

Staff may occasionally video record students for the purposes of data collection, documentation of progress, consultation with other specialists or to provide behavioral feedback to the student and their team members. The video recording will only be used for the purposes listed above and would never be distributed to other agencies without written consent of the parent/guardian.

## **Electronic Information/Internet Use by Students**

MVS/MRS attempts to provide our students with the understanding and skills necessary to use electronic information resources (including the Internet and electronic mail systems) in ways appropriate to their individual educational needs.

If a student is found to be using electronic information sources inappropriately, they may be prohibited from use for a period of time as determined by school staff and/or the student's team.

## **Use of Electronic Communication**

MVED uses email and other electronic means to communicate information between staff, parents and other team members. This information is considered confidential. However, anytime something is sent electronically there is some risk the information may be read by others. As a result, information shared electronically is limited and will often be used only to schedule meetings. Initials are used to help limit the possibility of a breach of confidentiality.

We do not monitor our email system continuously; therefore do not rely on email addresses to communicate emergencies. Electronic communications that have information beyond meeting planning are considered to be a part of the student's permanent file and copies of all electronic correspondence for students will be saved as such.

## **COVID-19 Related Information**

Areas of the student handbook may be modified due to COVID-19 requirements and guidelines from the Minnesota Department of Health (MDH) and Minnesota Department of Education (MDE). Whenever modifications are made, they will be communicated to students, parents, and families by the MVED Principal.

## ACCESS TO STUDENT INFORMATION BY MILITARY RECRUITERS

Under the Every Student Succeeds Act (ESSA) of 2015, Minnesota Valley Education District is required to release the names, addresses and home telephone numbers of students in grades 11 and 12 to military recruiters. Families have the right to refuse the release of this data to military recruiting offices.

The Family Educational Rights and Privacy Act (FERPA) protects the privacy of students' educational records. According to the Minnesota State Statutes 13.32 Subd 5a Military Recruitment, "A secondary institution shall release to military recruiting officers the names, addresses, and home telephone numbers of students in grades 11 and 12 within 60 days after the date of the request, except as otherwise provided by this subdivision. A secondary institution shall give parents and students notice of the right to refuse release of this data to military recruiting officers. Notice may be given by any means reasonably likely to inform the parents and students of the right. Data released to military recruiting officers under this subdivision:

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

### Request for non-disclosure of student information to military recruiters

If you are requesting the non-disclosure of your child's information to military recruiters, complete and return this form to Minnesota Valley Education District, 801 Davis Street St. Peter, MN 56082.

Student Name: \_\_\_\_\_ Grade:  11     12  
(Please Print)

Parent/Guardian Name: \_\_\_\_\_  
(Please Print)

I understand the Every Student Succeeds Act (ESSA) and Minn. Stat. 13.32, Subd, (a) Military Recruitment, and request that information on my child not be released to military recruiters.

Signature of Parent/Guardian: \_\_\_\_\_

Date: \_\_\_\_\_

## Signature Page

By signing below, I acknowledge that I am responsible for all of the information contained in the Student Handbook and any consequences of not following the expectations outlined therein.

Student Name: \_\_\_\_\_

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent(s)/Guardians: \_\_\_\_\_ Date: \_\_\_\_\_

## POLICY & PROCEDURES

Refer to the [Minnesota Valley Education District Board Policies](#) for a list of all MVED policies. This reference can also be found on the MVED website.

More information on the following policies can be found on the MVED website.

[501- School Weapons Policy](#)

[506 - Student Discipline](#)

[520 - Student Surveys](#)

[522 - Student Sex Nondiscrimination \(Title IX\)](#)

[524 - Internet Acceptable Use & Safety Policy](#)

[808 - COVID-19 Face Covering Policy](#)

Students, Parents & Guardians must review the policy/procedures below, at least annually. These policies are also available on the MVED website.

### MVED Policy 413

#### **413 HARASSMENT AND VIOLENCE**

##### **I. PURPOSE**

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

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

- A. The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender

identity or expression, or disability, as defined by this policy. (For purposes of this policy, school district personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)

- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who is found to have violated this policy.

### III. DEFINITIONS

- A. "Assault" is:
  - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
  - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
  - 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability when the conduct:
  - 1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;

2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
  3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.

D. Protected Classifications: Definitions

1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
  - a. has a physical, sensory, or mental impairment which materially limits one or more major life activities;
  - b. has a record of such an impairment; or
  - c. is regarded as having such an impairment.
2. "Familial status" means the condition of one or more minors being domiciled with:
  - a. their parent or parents or the minor's legal guardian; or
  - b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's

biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.

7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.
- F. Sexual Harassment: Definition
1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
    - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
    - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
    - c. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
  2. Sexual harassment may include, but is not limited to:
    - a. unwelcome verbal harassment or abuse;
    - b. unwelcome pressure for sexual activity;
    - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
    - d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;



- e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
- f. unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

G. Sexual Violence: Definition

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

H. Violence: Definition

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

**IV. REPORTING PROCEDURES**

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence

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

- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the Director of Administrative Services. If the complaint involves the building report taker, the complaint shall be made or filed directly with the Director of Administrative Services or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the Director of Administrative Services or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.

- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. In the District. The school board hereby designates Melissa Wagner, 801 Davis Street St. Peter, MN 56082, 507-934-5420, [mwagner@mnved.org](mailto:mwagner@mnved.org) as the school district human rights officer to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the supervising superintendent.
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

Consequences for employees who permit, condone, or tolerate violence or harassment or engage in an act of reprisal or intentional false reporting of violence or harassment may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of violence or harassment may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts.

## **V. INVESTIGATION**

- A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the Director of Administrative Services upon completion of the investigation. If the complaint involves the Director of Administrative Services, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

## **VI. SCHOOL DISTRICT ACTION**

- A. Upon completion of an investigation that determines a violation of this policy has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.
- B. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

## **VII. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be

sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

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

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

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

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minn. Stat. § 626.556 may be applicable.
- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

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

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

## MVED Policy 419

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

#### I. PURPOSE

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

#### II. GENERAL STATEMENT OF POLICY

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

#### III. DEFINITIONS

- A. “Electronic delivery device” means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption through inhalation of aerosol or vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- B. “Heated tobacco product” means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. “Tobacco” means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- D. “Tobacco-related devices” means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- E. “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. “Vaping” means using an activated electronic delivery device or heated tobacco product.

#### **IV. EXCEPTIONS**



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

**V. VAPING PREVENTION INSTRUCTION**

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

**VI. ENFORCEMENT**

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to

Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.

- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

## **VII. DISSEMINATION OF POLICY**

- A. This policy shall appear in the student handbook.
- B. The school district will develop a method of discussing this policy with students and employees.

# **MVED Policy 514**

## **514 BULLYING PROHIBITION POLICY**

### **I. PURPOSE**

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

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

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, on school district property, at school functions or activities, or on school transportation. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place

constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources.

- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.
- C. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- E. False accusations or reports of bullying against another student are prohibited.
- F. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures, including the school district's discipline policy (See Policy 506). The school district may take into account the following factors:
  - 1. The developmental ages and maturity levels of the parties involved;
  - 2. The levels of harm, surrounding circumstances, and nature of the behavior;
  - 3. Past incidences or past or continuing patterns of behavior;
  - 4. The relationship between the parties involved; and
  - 5. The context in which the alleged incidents occurred.

Consequences for students who commit prohibited acts of bullying may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. The school district shall employ research-based developmentally appropriate best practices that include preventative and remedial measures and effective discipline for deterring violations of this policy, apply throughout the school district, and foster student, parent, and community participation.

Consequences for employees who permit, condone, or tolerate bullying or engage in an act of reprisal or intentional false reporting of bullying may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from school district property and events.

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

### III. DEFINITIONS

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

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

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

- B. “Cyberbullying” means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- D. “Intimidating, threatening, abusive, or harming conduct” means, but is not limited to, conduct that does the following:

1. Causes physical harm to a student or a student's property or causes a student to be in reasonable fear of harm to person or property;
  2. Under Minnesota common law, violates a student's reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or
  3. Is directed at any student or students, including those based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.
- E. "On school premises, on school district property, at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
- F. "Prohibited conduct" means bullying or cyberbullying as defined in this policy or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.
- G. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.
- H. "Student" means a student enrolled in a public school or a charter school.

#### **IV. REPORTING PROCEDURE**

- A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may

report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.
- C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the Director of Administrative Services. If the complaint involves the building report taker, the complaint shall be made or filed directly with the Director of Administrative Services or the school district human rights officer by the reporting party or complainant.

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

- D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.
- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.

- F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.
- G. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

**V. SCHOOL DISTRICT ACTION**

- A. Within three days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy (See Policy 506) and other applicable school district policies; and applicable regulations.
- E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who

have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.

- F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the school district shall, when determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in bullying or other prohibited conduct.

## **VI. RETALIATION OR REPRISAL**

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

## **VII. TRAINING AND EDUCATION**

- A. The school district shall discuss this policy with school personnel and volunteers and provide appropriate training to school district personnel regarding this policy. The school district shall establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.
- B. The school district shall require ongoing professional development, consistent with Minn. Stat. § 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address



bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:

1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
  2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
  3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
  4. The incidence and nature of cyberbullying; and
  5. Internet safety and cyberbullying.
- C. The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.
- D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.
- E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

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

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

1. Engage all students in creating a safe and supportive school environment;

2. Partner with parents and other community members to develop and implement prevention and intervention programs;
  3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
  4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
  5. Teach students to advocate for themselves and others;
  6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
  7. Foster student collaborations that, in turn, foster a safe and supportive school climate.
- F. The school district may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
- G. The school district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (See Policy 515) in the student handbook.

## **VIII. NOTICE**

- A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. This policy or a summary thereof must be conspicuously posted in the administrative offices of the school district and the office of each school.
- C. This policy must be given to each school employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See Policy 506) distributed to parents at the beginning of each school year.

- E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school district's or a school's website.
- F. The school district shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

## **IX. POLICY REVIEW**

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

# **MVED Policy 526**

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

or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, tolerate, or are a party to prohibited acts of hazing may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

Consequences for employees who permit, condone, or tolerate hazing or engage in an act of reprisal or intentional false reporting of hazing may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of hazing may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts.

- G. This policy applies to hazing that occurs during and after school hours, on or off school premises or property, at school functions or activities, or on school transportation.
- H. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.
- I. The school district will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

### III. DEFINITIONS

- A. "Hazing" means committing an act against a student, 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 school district policies or regulations.
- B. “Immediately” means as soon as possible but in no event longer than 24 hours.
- C. “On school premises or school district property, or at school functions or activities, or on school transportation” means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student’s walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting hazing at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
- D. “Remedial response” means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.
- E. “Student” means a student enrolled in a public school or a charter school.
- F. “Student organization” means a group, club, or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities, or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

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

- A. Any person who believes he or she has been the target or victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report hazing anonymously. However,

the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

- B. The school district encourages the reporting party to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.

The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of hazing at the building level. Any adult school district personnel who receives a report of hazing prohibited by this policy shall inform the building report taker immediately. Any person may report hazing directly to a school district human rights officer or to the Executive Director. If the complaint involves the building report taker, the complaint shall be made or filed directly with the Executive Director or the school district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.

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

consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

## **V. SCHOOL DISTRICT ACTION**

- A. Within three (3) days of the receipt of a complaint or report of hazing, the school district shall undertake or authorize an investigation by school district officials or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students or others pending completion of an investigation of alleged hazing prohibited by this policy.
- C. The alleged perpetrator of the hazing shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines hazing has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; and applicable school district policies and regulations.
- E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets or victims of hazing and the parent(s) or guardian(s) of alleged perpetrators of hazing who have been involved in a reported and confirmed hazing incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or to respond to hazing committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in hazing.

## **VI. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged hazing, who provides information about hazing, who testifies, assists, or participates in an investigation of alleged hazing, or 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. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct.

## **VII. DISSEMINATION OF POLICY**

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

## **MVED Policy 534**

### **534 UNPAID MEAL CHARGES**

#### **I. PURPOSE**

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the school district's nutrition program and that school district 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. GENERAL STATEMENT OF POLICY**

The school district provides breakfast and meal services for all students. School district families participate in the program either through purchasing meals or receiving assistance through the National School Lunch Program (free and reduced lunch). When families are delinquent in their food service accounts, the school district follows a series of steps to address unpaid bills.

#### **III. PAYMENT OF MEALS**



- A. All students, regardless of their lunch account balance, shall be offered a reimbursable school breakfast and lunch each school day. Students with a negative meal account balance of -\$20.00 or more are not allowed to charge for additional items.
- B. Families can pay for meals online via Infinite Campus at no charge or submit a check or cash.

#### **IV. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION**

- A. The school district 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 \$20.00. Weekly email notifications will be sent through the Infinite Campus messaging system. Elementary students may also receive a paper notice to take home.
- C. If/when email or paper notifications are unsuccessful, the principal or designee will contact the family to request payment and offer assistance with the Free and Reduced meal application.
- D. For balances of -\$50.00 or more, a request for payment or payment arrangements is mailed through the US post office. If there is no response, additional letters are sent either through US regular or registered mail.
- E. Families with a negative food service account balance of -\$200.00 or more will be notified via phone, email, and/or US mail.

#### **IV. 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-price 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.
- C. Negative balances of more than \$200, not paid prior to the end of the school year, will be turned over to the Executive Director or Executive Director's designee 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 school district may not deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.

**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 school district, at the time of enrollment; and
  - 3. all school district personnel who are responsible for enforcing this policy.
- B. The school district may post the policy on the school district's website, in addition to providing the required written notification described above.