

Upsala Area Schools



Mission Statement

Upsala Area Schools will provide a meaningful education and community experience that empowers each student to be a lifelong learner and citizen in a global and diverse world.

K-12 STUDENT/PARENT/GUARDIAN HANDBOOK 2023-2024

The Upsala School District complies with all federal and state rules and regulations and does not discriminate on the basis of race, color, national origin, gender, or disability. This holds true for all students who are interested in participating in educational programs and/or extracurricular school activities. Inquiries regarding compliance and/or grievance procedures may be directed to the school district's Title IX officer and/or Section 504/ADA coordinator and/or EEOC coordinator.

K-12 Principal: Nick Klug

Title IX Officer/Section 504 Coordinator/ADA Coordinator/EEOC Coordinator

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Upsala, MN 56384

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Handbook Index	Page(s)
School Staff.....	3
School Day Schedule.....	4
Academic Honesty/Cheating.....	5
Activities.....	5
Activity Fee.....	6
Address/Student Records.....	6
Alternative Educational Opportunities.....	6
Attendance Policy.....	6-8
Backpacks.....	8
Bullying Prohibition Policy.....	8-16
Chemical Health.....	16
College Visits.....	17
Dances/Prom.....	17
Discipline.....	18-37
Discretionary Action Disclaimer.....	37
Displays of Affection.....	37
Electronic Devices.....	38
Emergency Drills.....	38-39
Food.....	39
Grading Scale.....	39-40
Incompletes.....	40
Graduation Requirements.....	40
Harassment.....	40-41
Hazing.....	41-42
Health, Illness, Emergency Care, Medication.....	42-44
Laser Pointers.....	44
Latex.....	44
Lockers.....	44
Lunch.....	44-45
Notice of Violent Behavior.....	45
Parent/Teacher Conferences.....	45
Parking lot	45
Personal Possessions.....	45
Personal Rights.....	45
Reasonable Force.....	46
Recess.....	46
School Attire.....	46
Searches.....	46-47
Senior Class Trip.....	46-47
School Bus Safety.....	47
Student Disability Nondiscrimination.....	47
Student Gender Nondiscrimination.....	47
Student Privacy.....	47-48
Telecommunications, Computer Systems, Internet Acceptable Use.....	48
Tobacco Free.....	49-51
Transportation Expectations.....	51-52
Trespassing.....	52-53

Vandalism.....	53
Vending Machines.....	53
Weapons.....	54-55
Weather.....	55
Report Form.....	56
Acceptable Use Policy.....	57-66

Upsala Area Schools Personnel

Administration

Vern Capelle	Superintendent
Nick Klug	K-12 Principal
Colleen Harren	Business Mgr.
Dylan Zimmermann	Activities Director

Administrative Assistants

Sherry Soltis
Gina Gross

Guidance Counselor

Jayne Glaser

Social Worker/Behavioral Interventionist

Kari Prokott
Brooke Schleicher

Technology Coordinator

Curtis Robertson

Media Center Specialist

Dan Cheney

Community Ed

Dan Cheney

Speech

Karlee Peterson
Candace Stangl

Nurse

Liz Schafer

Food Service Supervisor

Alice Westrich

Preschool Teachers/ECFE

Kari Lamb
Sara Schultz
Beka Swisher
Laurie Barthel

Teaching Staff

Sara Bauer
Desiree Bengston
Lindsay Bergmann
Denise Cheney
Kennedy Duclos
Aaron Fisher
Chelsea Fuchs
Jennifer Henry
Jessica Hovland
Avery Jackson
Jessica Johnson
Karisa Justen
Courtney Justin
Mindy Klosowski
Jonathan Leither
Melissa Luethmers
Amber Mayers
Kaye Nienaber
Mary Jo Peterson
Kerry Osberg
Grace Rahn
Tom Riitters
Jenna Robertson
Patrick Ross
Gretchen Schleper
Renee Scholz
Hannah Tiffany
Cody Van Sloten
Samantha VanWienen
Anna Wolbeck

Paraprofessionals

Gina Boeckermann
Jane Israelson
Janice Kiley
Karen Kobylinski
Madalin Koetter
Jayne Lange
Jen Loudon
Marilyn Lanners
Jackie Oldakowski
Gloria Olson
Kristy Ripplinger
Michelle Schumer
Sarah Thomas
Jackie Wolbeck
Gail Wuebkers

High School & Elementary Schedule

Period 1 8:15-9:05

Period 2 9:09-9:59

Period 3 10:03-10:53

Period 4 10:56-11:46

Advisory 11:50-12:05

Period 5 12:07-1:24

Period 6 1:28-2:18

Period 7 2:22-3:12

Early Release Schedule

Period 1 8:15-8:41

Period 2 8:45-9:11

Period 3 9:15-9:41

Period 4 9:45-10:11

Period 5 10:15-10:41

Period 6 10:45-11:11

Period 7-11:11-11:36-Lunch 9-12, Class 7&8

-11:36-12:01 Lunch 7&8, Class 9-12

Late Start Schedule

Period 1 10:15-10:41

Period 2 10:45-11:11

Period 3 11:15-11:41

Period 4 11:45-12:11

Period 5 12:11-1:26

Period 6 1:30-2:18

Period 7 2:22-3:12

Academic Honesty/Cheating

Purpose

All students are encouraged to exhibit personal honesty in their work and expect the same from others. Doing so allows each student to be evaluated on his or her personal accomplishments.

Definition

With regard to individuals, academic dishonesty includes, but is not limited to:

1. Cheating on quizzes or tests by copying another student's work or using concealed answers.
2. Copying an assignment or worksheet or sharing information about an assignment or test that is graded or will become part of a student's permanent record.
3. Theft of assignments, worksheets, or any other intellectual property.
4. Lying to a teacher about academic activities.
5. Failing to indicate quotations taken from a source or failing to identify sources in writing.
6. Use of electronics (including internet) in an academically dishonest manner.

Penalty

Violations of the Academic Policy may be subject to penalties including, but not limited to:

1. Grade Reduction
2. Detention
3. Suspension

-Any of the above are based on the discretion of the teacher involved and the Principal. Any grade reduction may lead to failing the course.

Activities: Extra Curricular/Co-Curricular

Academic eligibility refers to academic standards students must meet to be eligible to participate in extracurricular activities which include: fine arts, athletics, and academic extensions. The Minnesota State High School League states that students must be in good standing with the district and be on pace to graduate.

Academic checks will be conducted every four weeks. If a student has an F in the course at the end of the four weeks, that student will be placed on probation for one week. During this week, they may still practice and participate in the events. At the end of the week, if said student is still failing the course, they will be ineligible to play until the grade is passing. The Principal will assist the teacher and student to put together an academic plan to maintain passing status for said student.

Every situation will be handled on a case by case basis, with the Principal having the final say on eligibility situations.

Students who participate in activities are expected to be at school for at least half a school day in order to participate in practice or a scheduled contest. Expectations will be taken into consideration and the Principal will have the final say.

At Upsala Schools, students may participate in the following activities:

-Volleyball	-Football	-Swimming	-Fall Play	-Tennis	-Knowledge Bowl
-Speech	-Basketball	-Wrestling	-Band	-Choir	-Mentorship Program
-Art Club	-Track	-Baseball	-Softball	-FFA	-Trap Shooting
-Cross Country		-Spring Musical		-Hockey	-Soccer

Activity Fees

No student may practice or play in a sport until the activity fee has been paid. The fee is \$25 for Junior High sports and \$50 for any Varsity sport. There is a \$250.00 family cap to help keep costs down for families that have many athletes participating.

The refund policy is: 100% refund if an injury forces a student out of participation within the first 4 weeks and no refund after 4 weeks; 80% refund if a student withdraws within the first 2 weeks; 50% refund if the student withdraws after 2 weeks; no refund after 4 weeks. There must be a written request for refund by parents or guardians. There will be no refund when a student has broken a MSHSL rule and no reduction for students entering an activity late in the season.

Address Information/Student Records

It is important that the school office have current and accurate directory information on all students and parents/guardians. Please review your information in JMC. All this information remains confidential and is not available to the public. All requests will be handled according to data privacy laws.

In this regard it is important for parents to communicate their wishes to us.

Students 18 years of age and older: District policy requires that a parent or guardian must still write an excused note.

ALTERNATIVE EDUCATIONAL OPPORTUNITIES

Some students may be at risk of not completing their educational programs. At the discretion of the school district, alternative learning options may be provided for students who are at risk of not succeeding in school. Alternative educational opportunities may include special tutoring, modified curriculum and instruction, instruction through electronic media, special education services, homebound instruction, and enrollment in an alternative learning center, among others. Options for alternative educational opportunities may be discussed with the Principal.

Attendance Policy

Learning is enhanced by regular school attendance. Regular attendance assists in maximizing the educational experience for each student. Research shows that school attendance is a key factor in student success. Under the federal educational law Every Student Succeeds Act, students attending 90% or less of required school days are considered chronically absent. School districts are required to report overall student body attendance to the Minnesota Department of Education. Additionally, Minnesota law states that if a child under 12 has attendance issues, educational neglect could be filed through Child Protection in the student's county of residence.

Attendance at school is a shared responsibility between the individual student, and his/her parents or guardians, and the school. State law stipulates that it is the parent's/guardian's responsibility to ensure that their son/daughter attends school. The expectation is for parents/guardians to provide an honest reason for an absence or tardiness and the school determines whether it is excused or unexcused.

Student Responsibilities

- If they are in good standing, students have a right to attend school at UAS.
- Students attending school have the responsibility to maintain punctual, regular attendance to all classes.

- The school reserves the right to determine if an absence is excusable.
- If the absence is related to an appointment (doctor, dentist, physical therapy, orthodontist, etc...) the student must have a note from the doctor's office in order for it to be excused. The note should be submitted when the student returns to school.
- On the day the student returns to school, the student is responsible for arranging make up work.
- Student is responsible for completing the homework or making up assessments in the time line established by the teacher.

Parent/Guardian Responsibilities

- It is the responsibility of the parent to make every effort to ensure their daughter/son is present each school day.
- Parents are expected to call school by 9am on the day of the absence to notify the school of their child's absence.
- Parents are expected to send a note with their child explaining the absence to the school upon the child returning to school.

Excused Absences

An excused absence indicates an acceptable absence from school or class with parental/guardian and school permission. A written/verbal excuse from a parent does not automatically excuse an absence. An explanation of the absence is necessary to ensure that it will be excused. A student may have up to eight excused absences per semester. When absences (excused or unexcused) become excessive (more than 10 a semester), a doctor's notes will be necessary to excuse the student. Full credit is given for all makeup work. Students need to check with teachers the day of their return to develop a plan to make up any missed work. The following are examples of excused absences:

- Sickness of the student - doctor excuse required after three (3) consecutive days
- Dental, medical or counseling appointments (Requires doctor verification)
- Death or serious illness or funeral of an immediate family member
- Impassable roads/inclement weather/late buses
- Family Emergencies
- Driver's Test
- Religious holiday observance
- Required court appearance
- Trips taken with the family, when cleared with the Principal, by a parent/guardian before the absence occurs.
- College visits (Requires college officials verification and blue excuse form from District)
- Excuses other than those listed above must be cleared with the building Principal by a parent/guardian before the absence occurs.

Unexcused Absence

An unexcused absence occurs if a student is absent for one or more periods for a reason other than those listed above. Unexcused absences will require the time, through detention and/or In-School Suspension, and work to be made up. Parents will be notified of unexcused absences. Excessive unexcused absences will require a parent/guardian/student meeting with the Principal.

Tardies

A Tardy is when a student is 15 minutes or less late for school or if they enter class after the bell sounds to signify the beginning of the class period. Students who are late to school need to stop by the office to receive a pass to be admitted into class. Students who are late to class during the school day will be marked tardy. 6 tardies in a semester to the same class will result in detention. 12 or more tardies in the same class period will result in In-School Suspension.

Truancy

Students are truant when they miss any portion of the school day without approval from parents or school administration. Students will be considered truant if they:

- Do not attend school without knowledge of a parent/guardian
- Leave school anytime during the school day without authorization
- Are absent from class without permission or do not attend class while in school (skipping)
- Falsify or forge an absence note
- Any unexcused absence from class or school

Consequences for truancy may include detention, suspension, parental contact, meeting with administration, and a county truancy referral.

Backpacks

Backpacks are not allowed to be used during the school day unless a student receives permission due to extenuating circumstances. Backpacks must be kept in the student's locker.

Bullying Prohibition Policy

Upsala Area Schools is committed to maintaining an environment conducive for all students to learn. This policy defines bullying and the procedures involved with acts that would be considered bullying. Behaviors which could be determined as bullying are prohibited in the school building, on school grounds, on school transportation and at school sponsored activities.

A. An act of bullying, by either an individual student or a group of students, is expressly prohibited:

1. on the school premises, at the school functions or activities, on the school transportation;
2. by the use of electronic technology and communications on the school premises, during the school functions or activities, on the school transportation, or on the school computers, networks, forums, and mailing lists; or
3. by use of electronic technology and communications off the school premises to the extent such use substantially and materially disrupts student learning or the school environment.

B. A school-aged child who voluntarily participates in a public school activity, such as a co curricular or extracurricular activity, is subject to the policy provisions applicable to the public school students participating in the activity.

C. 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. This policy also applies to sexual exploitation.

D. Malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, religion, sexual harassment, and sexual orientation and gender identity as defined in Minnesota Statutes, chapter 363A is prohibited. This prohibition applies to students, independent contractors, teachers, administrators, and other school personnel.

Malicious and sadistic conduct and sexual exploitation by a school district or school staff member, independent contractor, or enrolled student against a staff member, independent contractor, or student that occurs as described in Article II.A above is prohibited.

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

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

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

H. False accusations or reports of bullying against another student are prohibited.

I. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures, including the school district's discipline policy (See MSBA/MASA Model Policy 506). The school district may take into account the following factors:

1. The developmental ages and maturity levels of the parties involved;
2. The levels of harm, surrounding circumstances, and nature of the behavior;
3. Past incidences or past or continuing patterns of behavior;
4. The relationship between the parties involved; and
5. The context in which the alleged incidents occurred.

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

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

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

J. 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, malicious and sadistic conduct, and sexual exploitation.

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. "Malicious and sadistic conduct" means creating a hostile learning environment by acting with the intent to cause harm by intentionally injuring another without just cause or reason or engaging in extreme or excessive cruelty or delighting in cruelty.

F. "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.

G. "Prohibited conduct" means bullying, cyberbullying, malicious and sadistic conduct, sexual exploitation, or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about prohibited conduct.

H. "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.

I. "Student" means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

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

C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

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

D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.

E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.

F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.

G. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. SCHOOL DISTRICT ACTION

A. Within three days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker or a third party designated by the school district.

B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct,

the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.

C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

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

E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.

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

VI. RETALIATION OR REPRISAL

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

VII. TRAINING AND EDUCATION

A. The school district shall discuss this policy with school personnel and volunteers and provide appropriate training to school district personnel regarding this policy. The school district shall establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.

B. The school district shall require ongoing professional development, consistent with Minnesota Statutes section 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:

1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
4. The incidence and nature of cyberbullying; and
5. Internet safety and 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 MSBA/MASA Model Policy 515) in the student handbook.

VIII. NOTICE

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 must be conspicuously posted throughout each school building, in the administrative offices of the school district, and in the office of each school.

C. This policy must be distributed to each school district or school employee and independent contractor at the time of hiring or contracting.

D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See MSBA/MASA Model Policy 506) distributed to parents at the beginning of each school year.

E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school district's or a school's website.

F. Each school must develop a process for discussing this policy with students, parents of students, independent contractors, and school employees.

G. 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 Minnesota Statutes, sections 121A.031 and 121A.0312 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

Chemical Health

Upsala Area Schools upholds and enforces state law and school regulations regarding the use of mood altering chemicals, tobacco, e-cigarettes, vapes, and any product similar to cannabis or nicotine. Students may not use, be under the influence of, or be in possession of alcoholic beverages, tobacco, e-cigarettes, vapes and /or vape chemicals, any product similar to cannabis or nicotine, illegal drugs, mood altering chemicals or drug related devices in school, on school provided transportation, on school property and/or at any school sponsored functions.

Students found to be in violation of such school policy will face the following consequences:

1. Conference with school officials, chemical health coordinator, law enforcement officials, parents/guardians.
2. If the violation occurred at school or a school sponsored event, the student will be suspended from school for up to 15 days.
3. It may be required of a student in violation of this policy to schedule a chemical dependency evaluation.
4. The student in violation of this policy will be required to participate in an appropriate school support/insight group. Failure to comply with the consequences of this policy may result in dismissal from this school.

Additionally, students in violation of this policy will face the appropriate consequences for violation of Minnesota State High School League by-laws with regard to eligibility status for participation in school activities.

Students may be subjected to random breathalyzers at all UAS events.

All drugs and paraphernalia confiscated at school, on school property, or in the school zone will be given to the local police and will not be returned to the student.

College Visits

Seniors will be allowed to make two college visits (one per semester) to the college, technical school or trade school of their choice without having those days count as absences from school. Juniors will be allowed one visit during the course of their junior year. Any other college visits will be counted as excused absences, unless prior approval is granted by the administration. A college visit form can be picked up in the office.

Dances and Activities/School Sponsored

School dances and activities are part of the school experience. Students are encouraged to attend dances and activities. Many classes and organizations at UAS use dances to fundraise for their group. Most dances at UAS are for students in grades 7-12. However, some dances may have other age ranges (example, see prom).

The following general rules guide such events:

1. All Upsala students and their guests will be required to sign in when arriving at a school sponsored dance for identification purposes.
2. Only UAS Students and their invited guests (registered in the office with administration approval prior to the dance), will be permitted to attend dances. (Upsala hosts the homecoming dance every other year with Swanville, so Swanville students 7-12 are permitted)
3. All guests attending dances must be approved prior by administration. UAS students should sign their guests up in the main office. Failure to do so will result in their guest(s) not being permitted into the dance.
4. Guests 21 years of age or older will not be allowed to attend.
5. General rules:
 - No use or evidence of use of any mood altering chemicals including tobacco, e-cigarettes, vapes, and any product similar to cannabis or nicotine.
 - If students leave a dance without the permission of a chaperone, students are not allowed back into the dance for the night.
 - No dancing activity that has the potential for injury to self or to others such as “mosh pits”
 - Students will model school-appropriate dance. If in doubt, please ask an adult.
 - Students will respond appropriately if asked to model school-appropriate dance, or be asked to leave.
 - School rules and expectations apply.
6. Backpacks and/or purses will be subject to being searched prior to entering the dance.
7. Students may be subjected to random breathalyzers at every dance.

Prom Expectations

1. Prom is open to juniors and seniors. Tenth grade students by invitation only. Ninth grade students are not allowed to attend prom. Students age 21 or older will not be allowed to attend prom.
2. Prom is a school sponsored event from the time students arrive in the parking lot until students leave the parking lot. All school rules apply.
3. Students must be in good standing, as defined by the MSHSL league and Upsala High School, in order to attend prom.
4. Students bringing guests from other schools must get approval from administration.
5. Students will be breathalyzed upon entering school for the grand march. Students may also be breathalyzed at any time during prom.

Discipline Guidelines

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

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

In view of the foregoing and in accordance with Minnesota Statutes, section 121A.55, the school board, with the participation of school district administrators, teachers, employees, students, parents, community members, and such other individuals and organizations as appropriate, has developed this policy which governs student conduct and applies to all students of the school district.

III. DEFINITIONS

A. "Nonexclusionary disciplinary policies and practices" means policies and practices that are alternatives to dismissing a pupil from school, including but not limited to evidence-based positive behavior interventions and supports, social and emotional services, school-linked mental health services, counseling services, social work services, academic screening for Title 1 services or reading interventions, and alternative education services. Nonexclusionary disciplinary policies and practices include but are not limited to the policies and practices under sections 120B.12; 121A.575, clauses

(1) and (2); 121A.031, subdivision 4, paragraph (a), clause (1); 121A.61, subdivision 3, paragraph (r); and 122A.627, clause (3).

B. "Pupil withdrawal agreement" means a verbal or written agreement between a school administrator or district administrator and a pupil's parent to withdraw a student from the school district to avoid expulsion or exclusion dismissal proceedings. The duration of the withdrawal agreement cannot be for more than a 12-month period.

IV. POLICY

A. The school board must establish uniform criteria for dismissal and adopt written policies and rules to effectuate the purposes of the Minnesota Pupil Fair Dismissal Act. The policies must include nonexclusionary disciplinary policies and practices consistent with Minnesota Statutes, section 121A.41, subdivision 12, and must emphasize preventing dismissals through early detection of problems. The policies must be designed to address students' inappropriate behavior from recurring.

B. The policies must recognize the continuing responsibility of the school for the education of the pupil during the dismissal period.

C. The school is responsible for ensuring that alternative educational services, if the pupil wishes to take advantage of them, must be adequate to allow the pupil to make progress toward meeting the graduation standards adopted under Minnesota Statutes, section 120B.02 and help prepare the pupil for readmission in accordance with section Minnesota Statutes, section 121A.46, subdivision 5.

D. For expulsion and exclusion dismissals and pupil withdrawal agreements as defined in Minnesota Statutes, section 121A.41, subdivision 13:

1. for a pupil who remains enrolled in the school district or is awaiting enrollment in a new district, the school district's continuing responsibility includes reviewing the pupil's schoolwork and grades on a quarterly basis to ensure the pupil is on track for readmission with the pupil's peers. The school district must communicate on a regular basis with the pupil's parent or guardian to ensure that the pupil is completing the work assigned through the alternative educational services as defined in Minnesota Statutes, section 121A.41, subdivision 11. These services are required until the pupil enrolls in another school or returns to the same school;

2. a pupil receiving school-based or school-linked mental health services in the school district under Minnesota Statutes, section 245.4889 continues to be eligible for those services until the pupil is enrolled in a new district; and

3. the school district must provide to the pupil's parent or guardian information on accessing mental health services, including any free or sliding fee providers in the community. The information must also be posted on the school district website.

V. AREAS OF RESPONSIBILITY

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.
- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or to prevent imminent bodily harm or death to the student or another.
- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to restrain a student to prevent imminent bodily harm or death to the student or another.
- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student to prevent bodily harm or death to the student or another.
- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the behavior of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.
- I. Reasonable Force Reports

1. The school district must report data on its use of any reasonable force used on a student with a disability to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c), as outlined in section 125A.0942, subdivision 3, paragraph (b).
2. Beginning with the 2024-2025 school year, the school district must report annually by July 15, in a form and manner determined by the MDE Commissioner, data from the prior school year about any reasonable force used on a general education student to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c).
3. Any reasonable force used under Minnesota Statutes, sections 121A.582; 609.06, subdivision 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred shall be reported to the Minnesota Department of Education as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person.

VI. STUDENT RIGHTS

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

VII. STUDENT RESPONSIBILITIES

All students have the responsibility:

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

- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

VIII. CODE OF STUDENT CONDUCT

A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.

- 1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
- 2. The use of profanity or obscene language, or the possession of obscene materials;
- 3. Gambling, including, but not limited to, playing a game of chance for stakes;
- 4. Violation of the school district's Hazing Prohibition Policy;
- 5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
- 6. Violation of the school district's Student Attendance Policy;

7. Opposition to authority using physical force or violence;
8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment Policy;
9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;

22. Use of a cell phone in violation of the school district's Internet Acceptable Use and Safety Policy;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district's Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;

38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
40. Verbal assaults or verbally abusive behavior including, but not limited to, use of words, symbols, acronyms, or language, whether oral or written, that are discriminatory, abusive, obscene, threatening, intimidating, degrading to other people, or threatening to school property;
41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
43. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy;
44. Violation of the school district's one-to-one device rules and regulations;
45. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
46. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

IX. RECESS AND OTHER BREAKS

- A. "Recess detention" means excluding or excessively delaying a student from participating in a scheduled recess period as a consequence for student behavior. Recess detention does not include, among other things, providing alternative recess at the student's choice.
- B. The school district is encouraged to ensure student access to structured breaks from the demands of school and to support teachers, principals, and other school staff in their efforts to use evidence-based approaches to reduce exclusionary forms of discipline.
- C. The school district must not use recess detention unless:
 1. a student causes or is likely to cause serious physical harm to other students or staff;
 2. the student's parent or guardian specifically consents to the use of recess detention; or

3. for students receiving special education services, the student's individualized education program team has determined that withholding recess is appropriate based on the individualized needs of the student.

D. The school district must not withhold recess from a student based on incomplete schoolwork.

E. The school district must require school staff to make a reasonable attempt to notify a parent or guardian within 24 hours of using recess detention.

F. The school district must compile information on each recess detention at the end of each school year, including the student's age, grade, gender, race or ethnicity, and special education status. This information must be available to the public upon request. The school district is encouraged to use the data in professional development promoting the use of non exclusionary discipline.

G. The school district must not withhold or excessively delay a student's participation in scheduled mealtimes. This section does not alter a district or school's existing responsibilities under Minnesota Statutes, section 124D.111 or other state or federal law.

X. DISCIPLINARY ACTION OPTIONS

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

A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;

B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.

C. Parent contact;

D. Parent conference;

E. Removal from class;

F. In-school suspension;

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

XI. REMOVAL OF STUDENTS FROM CLASS

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

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

1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn;

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

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

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

B. If a student is removed from class more than ten (10) times in a school year, the school district shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.

[Note: The following Sections C. - J. must be developed and inserted by each school district based upon individual district practices, procedures, and preferences. School districts may consider developing and inserting procedures identified in Sections K-N.]

C. Procedures for Removal of a Student from a Class.

1. Specify procedures to remove a student from a class to be followed by a teacher, school administrator or other school district employee;
2. Specify required approvals necessary;
3. Specify paperwork and reporting procedures.

D. Period of Time for which a Student may be Removed from a Class (may not exceed five (5) class periods for a violation of a rule of conduct)

1. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

E. Responsibility for and Custody of a Student Removed from Class.

1. Designation of where student is to go when removed;
2. Designation of how student is to get to designated destination;
3. Whether student must be accompanied;

4. Statement of what student is to do when and while removed;
 5. Designation of who has control over and responsibility for student after removal from class.
- F. Procedures for Return of a Student to a Specific Class from Which the Student was Removed.
1. Specification of procedures;
 2. Actions or approvals required such as notes, conferences, readmission plans.
- G. Procedures for Notifying a Student and the Student's Parents or Guardian of Violation of the Rules of Conduct and of Resulting Disciplinary Actions;
1. Specification of Procedures;
 2. Actions or approvals required, such as notes, conferences, readmission plans.
- H. Students with Disabilities; Special Provisions.
1. Procedures for consideration of whether there is a need for further assessment;
 2. Procedures for consideration of whether there is a need for a review of the adequacy of the current Individualized Education Program (IEP) of a student with a disability who is removed from class or disciplined; and
 3. Any procedures determined appropriate for referring students in need of special education services to those services.
- I. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.
1. Establishment of a chemical abuse pre assessment team pursuant to Minnesota Statutes, section 121A.26; and
 2. Establishment of teacher reporting procedures to the chemical abuse pre assessment team pursuant to Minnesota Statutes, section 121A.29.
- J. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct.
- K. Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior.
- L. Any Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems.

M. Any Procedures Determined Appropriate for Referring a Student in Need of Special Education Services to Those Services;

N. Any Procedures Determined Appropriate for Ensuring Victims of Bullying who Respond with Behavior not Allowed under the School's Behavior Policies have Access to a Remedial Response, Consistent with Minnesota Statutes, section 121A.031;

XII. DISMISSAL

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

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

The school district shall not dismiss any student without attempting to use nonexclusionary disciplinary policies and procedures before dismissal proceedings or pupil withdrawal agreements, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:

1. Willful violation of any reasonable school board regulation, including those found in this policy;
2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or
3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

C. Disciplinary Dismissals Prohibited

1. A pupil enrolled in the following is not subject to dismissals under the Pupil Fair Dismissal Act:

- a. a preschool or prekindergarten program, including an early childhood family education, school readiness, school readiness plus, voluntary prekindergarten, Head Start, or other school-based preschool or prekindergarten program; or
- b. kindergarten through Grade 3.

2. This section does not apply to a dismissal from school for less than one school day, except as provided under Minnesota Statutes, chapter 125A and federal law for a student receiving special education services.

3. Notwithstanding this section, expulsions and exclusions may be used only after resources outlined under Nonexclusionary discipline have been exhausted, and only in circumstances where there is an ongoing serious safety threat to the child or others.

D. Suspension Procedures

1. “Suspension” means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.

2. School administration must allow a suspended pupil the opportunity to complete all school work assigned during the period of the pupil's suspension and to receive full credit for satisfactorily completing the assignments. The school principal or other person having administrative control of the school building or program is encouraged to designate a district or school employee as a liaison to work with the pupil's teachers to allow the suspended pupil to (1) receive timely course materials and other information, and (2) complete daily and weekly assignments and receive teachers' feedback.

3. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the pupil's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.

4. The definition of suspension under Minnesota Statutes, section 121A.41, subdivision 10, does not apply to a student's dismissal from school for one school day or less, except as provided under federal law for a student with a disability. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.

5. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6th) consecutive day of suspension or the tenth (10th) cumulative day of suspension has elapsed.

6. Alternative education services must be provided to a pupil who is suspended for more than five (5) consecutive school days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minnesota Statutes, section 123A.05 selected to allow the pupil to progress toward meeting graduation standards under Minnesota Statutes section 120B.02, although in a different setting.

7. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.

8. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:

a. strongly encourage a parent or guardian of the student to attend school with the student for one day;

b. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and

c. petition the juvenile court that the student is in need of services under Minnesota Statutes chapter 260C.

9. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes sections 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)

10. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.

11. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.

12. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) consecutive school days.

E. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.

2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.

3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.

4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.

5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minnesota Statutes sections 121A.40-121A.56; describe the non exclusionary disciplinary practices accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district must advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE) and is posted on its website.

6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.

7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.

8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.

9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.

10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.

11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.

12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.

13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.

14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.

15. The student cannot be compelled to testify in the dismissal proceedings.

16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.

17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of the Minnesota Department of Education (Commissioner) of the basis and reason for the decision.

18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant

to Minnesota Statutes section 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.

19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.

20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.

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

XIII. ADMISSION OR READMISSION PLAN

A school administrator must prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan must include measures to improve the student's behavior, which may include completing a character education program consistent with Minnesota Statutes, section 120B.232, subdivision 1, social and emotional learning, counseling, social work services, mental health services, referrals for special education or 504 evaluation, and evidence-based academic interventions. The plan must include reasonable attempts to obtain parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

XIV. NOTIFICATION OF POLICY VIOLATIONS

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

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

XV. STUDENT DISCIPLINE RECORDS

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

XVI. STUDENTS WITH DISABILITIES

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

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

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

XVII. OPEN ENROLLED STUDENTS

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

XVIII. DISCIPLINE COMPLAINT PROCEDURE

Students, parents and other guardians, and school staff may file a complaint and seek corrective action when the requirements of the Minnesota Pupil Fair Dismissal Act, including the implementation of the local behavior and discipline policies, are not being implemented appropriately or are being discriminately applied.

The Discipline Complaint Procedure must, at a minimum:

1. provide procedures for communicating this policy including the ability for a parent to appeal a decision under Minnesota Statutes, section 121A.49 that contains explicit instructions for filing the complaint;
2. provide an opportunity for involved parties to submit additional information related to the complaint;
3. provide a procedure to begin to investigate complaints within three school days of receipt, and identify personnel who will manage the investigation and any resulting record and are responsible for keeping and regulating access to any record;
4. provide procedures for issuing a written determination to the complainant that addresses each allegation and contains findings and conclusions;
5. if the investigation finds the requirements of Minnesota Statutes, sections 121A.40 to 121A.61, including any local policies that were not implemented appropriately, contain procedures that require a corrective action plan to correct a student's record and provide relevant staff with training, coaching, or other accountability practices to ensure appropriate compliance with policies in the future; and
6. prohibit reprisals or retaliation against any person who asserts, alleges, or reports a complaint, and provide procedures for applying appropriate consequences for a person who engages in reprisal or retaliation.

XIX. DISTRIBUTION OF POLICY

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

XX. REVIEW OF POLICY

The principal and representatives of parents, students and staff in each school building shall confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes shall be submitted to the superintendent for consideration by the school board, which shall conduct an annual review of this policy.

Discretionary Action Disclaimer

It is impossible to anticipate and address every circumstance, which may occur in the course of a school year. To ensure safety and order, students and others are subject to all school district rules, regulations and policies, and the reasonable and prudent interpretation thereof by responsible school officials regardless of whether or not they are specifically addressed in this handbook.

DISPLAYS OF AFFECTION

Students are encouraged to maintain a publicly acceptable standard of behavior with regard to school relationships. Any conduct that is disruptive or offensive will be responded to on an individual case-by-case basis. Outward displays of affection include, but are not limited to kissing, embracing, and inappropriate touching.

Electronic Devices (Cell Phones)

1. Students are prohibited from using cell phones and other electronic communication devices during instructional times. Students may use cell phones before and after school, during passing times, and during lunch. Students also are prohibited from using a cell phone or other electronic communication device to engage in conduct prohibited by school district policies including, but not limited to, cheating, bullying, harassment, and malicious and sadistic conduct.
2. If the school district has a reasonable suspicion that a student has violated a school policy, rule, or law by use of a cell phone or other electronic communication device, the school district may search the device. The search of the device will be reasonably related in scope to the circumstances justifying the search.
3. Students who use an electronic communication device during the school day and/or in violation of school district policies may be subject to disciplinary action pursuant to the school district's discipline policy. In addition, a student's cell phone or electronic communication device may be confiscated by the school district and, if applicable, provided to law enforcement. Cell phones or other electronic communication devices that are confiscated and retained by the school district will be returned in accordance with school building procedures.

If misuse occurs:

- 1st offense-item confiscated by the classroom teacher and given back to the student at the end of the class period.
- 2nd offense-item confiscated and given to the office. Items will be returned at the end of the school day.
- 3rd offense-item confiscated and given to the office. Item will be returned to the parent/guardian at the end of the school day and two hours detention will be assigned.
- Any offense thereafter may result in the cell phone not being allowed in school.
- Failure to give phone to staff when requested will result in a day of ISS and the phone will be confiscated by Administration. Parents/Guardians will be required to pick up the device. Loss of device privileges may occur.

If an electronic device is confiscated or collected during class, UAS is not responsible if it is damaged, lost, or stolen.

Any devices with picture-taking capability are prohibited from being used in locker rooms and restrooms. Students must be given permission by the individual prior to taking videos/pictures of other students or staff. Students may not post a photo or video to social media without the consent of the students and staff involved.

In the event that a student becomes ill during the school day, the school nurse will call the parent/guardian. Students are not to call parents to get themselves out of school. Students will be required to see the health office staff and the office staff will notify parents/guardians.

Emergency Drills: Fire/ALICE/Severe Weather

The school district's All Hazards Plan requires UAS to conduct a minimum of five fire drills, five lockdown (ALICE) drills, and one severe weather drill during the school year. These drills will be held at irregular and unannounced intervals so that in an emergency the students will be able to follow procedures quickly and in a safe and orderly manner. Teachers instruct their students as to proper procedures for fire drills, ALICE drills and severe weather drills along with directions being posted in every classroom. Upsala Area Schools has adopted the ALICE program, an active shooter/intruder response program. ALICE stands for Alert, Lockdown, Inform, Counter, Evacuate (in no specific order). Staff and students have been trained to alert others of the situation, providing as much information as possible, then lockdown by barricading doors and/or evacuating the building.

Food Policy

To minimize the risk of foodborne illnesses in school, no food prepared at home and brought to school with the intent of sharing with others is permitted. All food brought to school by students with the intent of sharing must be in commercially wrapped containment. Under the direction of school personnel, sharing of such commercially prepared and wrapped food is permitted. If food brought to school for the intent of sharing has unknown origins, sharing will not be permitted. No outdated commercially prepared and packaged food may be shared. At the discretion of school personnel, anything questionable about food brought to school with the intent of sharing regarding origin or freshness will result in prohibition of its consumption and will be sent back home with the student. Food delivered to students during the school day is not permitted. Please do not make arrangements to have such items delivered to the school.

Grading Scale

A 93% and above
A - 90% - 93%
B + 87% - 89%
B 83% - 86%
B - 80% - 82%
C + 77% - 79%
C 73% - 76%
C - 70% - 72%
D + 67% - 69%
D 63% - 66%
D - 60% - 62%
F Below 60%

Grading Scale GPA

A 4.000
A- 3.667
B+ 3.333
B 3.0
B- 2.667

C+ 2.333
C 2.000
C- 1.667
D+ 1.333
D 1.000
D-.667
F 0

-There are no weighted grades at UHS. Students who take college courses either PSEO or CIS will receive more credit in most cases.

Incompletes

Students have two (2) weeks from the posting of the grades to complete work that has resulted in an incomplete (I). An incomplete will turn to an F after the two week time period, unless there are extenuating circumstances deemed reasonable by the teacher and administrator. Incompletes are given at the discretion of the teachers. The Principal will have the final say regarding incompletes.

Graduation Requirements

The School Board of Independent School District #487 will require that all students shall demonstrate competency in the statewide standards for mathematics, reading, and written composition. The district also requires students to take Money Management or a PSEO equivalent to Money Management to graduate from Upsala Area Schools. All students need to earn 28.5 credits from 9th grade to 12th grade, unless designated on his or her IEP or due to transfer of credits from a previous school. Students will be required to accumulate 28.5 credits to participate in graduation ceremonies. Additionally, to qualify as a senior, students must accumulate 21.5 credits prior to the start of their twelfth grade year. GPA calculations for class rank and academic awards will be calculated after the first semester of the student's senior year. The student with the number one class rank will be designated the Valedictorian and will deliver the Valedictorian address. The student with the number two class rank will be designated the Salutatorian and will deliver the Salutatorian address. Students honored for Valedictorian and Salutatorian shall have received 51% or more of their educational program from Upsala Area High School. Students that have a 3.66-4.0 GPA will graduate with High Honors and wear a gold cord at graduation and those with a 3.0-3.65 will graduate with Honors and wear a silver cord.

Seniors are required to attend graduation rehearsal. Also, students going through commencement must wear school authorized caps & gowns and abide by school dress code for graduation. Walking in the graduation ceremony is a privilege not a right. Students who have completed the requirements for graduation are allowed to participate in graduation exercises, unless participation is denied for appropriate reasons, which may include discipline. Graduation exercises are under the control and direction of the building principal(s).

Harassment Policy

Upsala Area Schools is committed to maintaining a harassment free environment. This policy covers harassment based on race, color, national origin, ethnicity, sex, disability, sexual orientation, religion and age. Behaviors which could be determined as harassing are name calling, spreading rumors, teasing, joke telling, violations of personal space, cat calls or whistling, unwanted looks or gestures, and initiation. These behaviors and other such harassing actions are prohibited in the school building, on school grounds, on school transportation and at school sponsored activities.

Harassment Based on Race or National Origin

Harassment may be oral, written, graphic or physical conduct that is sufficiently severe, pervasive, or persistent so as to interfere with or limit the ability of an individual to participate in or benefit from the district's programs or activities. Harassment of this nature may constitute a "hate or bias crime." Such crimes are offenses against persons or property motivated by hate or bias against a victim based on race, ethnicity, national origin, religion, or sexual orientation. Examples of hate crimes include threatening phone calls, defacing or destroying property or buildings, hate mail, bomb threats of physical harm or intimidation, physical assault, arson, vandalism, cross-burning, and destruction of religious symbols.

Other incidents of harassment, such as racial epithets or graffiti, that occur at school are also of interest to law enforcement agencies, as well as to school officials, because of their potential for causing dangerous confrontation, disruption of order and public safety, and violent retaliation outside of school property or school hours. School officials will contact law enforcement officials when hate crimes are committed or suspected on school property or in connection with off-site school activities.

Reporting Procedure

If students feel they have been harassed in either a physical or verbal manner, they should notify the building principal immediately to file a formal report/complaint of the incident. That report/complaint will be forwarded to the superintendent of schools within 24 hours of the filing of it with the building Principal. An investigation to determine whether the allegations constitute harassment will take into consideration the circumstances, the nature of the harassment, and the relationship between the parties involved. Any disciplinary or legal action will take place at the conclusion of the investigation. Consequences for such substantiated behavior may include but are not limited to conference and warning, detention, suspension, a recommendation to expel, and/or referral to appropriate social service or legal agencies. Harassment is also against the law. The Minnesota Human Rights Act prohibits harassment as a form of discrimination. This means that the Minnesota Human Rights Department has the authority to investigate formal complaints of harassment. In certain circumstances, victims have the right to sue the person harassing him or her or the institution, business, or individual enabling such behavior to continue after complaints have been brought forth.

Hazing Policy

Hazing of any type will not be tolerated. 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 person to be initiated into or affiliated with a student organization, or for any other purpose. A school organization includes grade levels, classes, teams, activities, or particular school events. A student organization does not have to be an official school organization.

The term hazing includes, but is not limited to:

- Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking or placing a harmful substance on the body.
- 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.

- 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 or harm or that adversely affects the mental or physical health or safety of the student.
- 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 or physical health or safety of the student.
- Any activity that causes or requires the student to perform a task that involves violation of state or federal law or school district policies or regulations, including the use of Social Media in accordance with the district's Internet Acceptable Use and Safety Policy. Any person who believes he or she has been the victim of hazing or has knowledge of conduct which may constitute hazing shall report the incident immediately to the building Principal. The building Principal will conduct an investigation regarding the incident. Any disciplinary or legal action will take place at the conclusion of the investigation. Consequences for such substantiated behavior may include but are not limited to conference and warning, detention, suspension, a recommendation to expel, and/or referral to appropriate social service or legal agencies.

Health, Illness and Emergency Care Information

Illness during the school day

Please inform the school health services and teacher(s) of your child's unique health conditions or concerns. If your child becomes ill during the school day and it is determined by health office staff that they cannot continue with their school day, a parent, guardian or emergency contact will be contacted BEFORE a student is allowed to leave school.

Students will not be excused from school for an illness if a parent calls him or her out prior to the student seeing the nurse in the health office. Arrangements will need to be made by parents about transporting their child home. We appreciate you doing this in a timely manner, so as to minimize exposure of other students to communicable diseases. A reasonable amount of time is 30 minutes or less.

Illnesses in which students should not be in school

- Vomiting
- Sore throat with fever
- Fever above 100°F
- Diarrhea
- Red/Crusty Eyes
- Head Lice
- Any other illness with fever

Immunizations

The state of Minnesota requires that all students be appropriately immunized against the following diseases: Polio, Diphtheria, Tetanus, Pertussis, Measles, Mumps, Rubella, Hepatitis B and Varicella (chicken pox). Various grade levels have different requirements for the number of doses prior to certain grades. Please check with the health office at your child's school for the particular requirements for your child's grade level.

Emergency Care

School district staff will provide reasonable emergency care and assistance (to include calling 911 if necessary) when a student is undergoing a medical emergency during school or school activities.

Absence due to illness, injury, surgery

As much advance notice as possible is helpful for teaching staff to prepare for a child's extended absence. If a child is absent due to illness for 3 or more consecutive days, the parent must obtain medical documentation from their healthcare provider. This documentation must include: the medical diagnosis, anticipated or actual date to return to school, restrictions necessary once the child returns to school, and the signature of the health care provider. In some extenuating circumstances, it is at the discretion of the District Licensed School Nurse to require medical documentation as is deemed appropriate for extended absences from school by a student.

Procedures for Administration of Medication

- Only medications with authorization from a healthcare provider will be administered in school and only if there is no viable alternative. This includes both prescription and over-the-counter medications, as well as dietary supplements and essential oils. Medications may include, but are not limited to: cough syrup, Advil, Pamprin, Tylenol, antacids, etc.
- Students requiring medications at school shall be identified by parents/guardians and physicians.
- Students observed self-administering unauthorized medications will be reported to their parents/guardians and possibly face disciplinary action.
- Parents/guardians shall complete and return to the health office the "Authorization for Administration of Medication" form prior to medication administration. Note: the prescribing physician's signature is required on this form.
- It is the parent/guardian's responsibility to see that the medication to be administered at school is in a pharmacy-labeled container which identifies the student (patient), medication, dosage, prescribing physician, current date, time to be administered, accurate directions for administration, and telephone number of the pharmacy.
- A parent/guardian must deliver the medication and any refills to the health office. Controlled medications must be dropped off and picked up at the health office by the parent/guardian. Students may not transfer controlled substances to/from school.
- Parents/guardians will be contacted if the permission form or labeling is not adequate, and therefore the medication will not be administered until all is compliant with the policy.
- Medications ordered three times a day should be given at home unless medically indicated by the physician and must be given during school hours.
- All medications must be picked up within one week following the last day of school. Parents/guardians will have to make arrangements to pick up the medication(s). Any medications or individual medical supplies will be destroyed one week after school is out.
- Medication administration is often delegated to health assistants and occasionally to trained administrative assistants from the main office; however teachers and/or other trained staff may administer medications while on field trips.
- Any exceptions to this policy shall be reviewed and subsequently approved or denied by the District Licensed School Nurse.

Non-Prescription Medication Policy

A student may possess and use non-prescription/over-the-counter pain (i.e. Tylenol, Advil, Midol, etc.), cold, and allergy relief medications consistent with the labeling. The parent/guardian must sign the "non-prescription medication authorization" form (a new form is required each school year) for the student to self-administer the identified medication(s). The medication(s) must be in the original container and the container may be kept in the student's locker and/or the high school health office. No cold or allergy medication containing ephedrine or pseudoephedrine will be allowed. Students may NOT share their medication(s) with other students. The school district may revoke the student's privilege to possess and use the medication if the district determines that the student is abusing the privilege.

Laser Pointers

Laser pointers are not allowed at Upsala Area Schools or Upsala Area Schools sponsored activity. Laser pointers will be confiscated.

Latex Safe Environment District

Upsala Area Schools is a latex safe environment. Due to health concerns of our staff and students, please do not bring latex items into our school. This includes latex balloons.

Lockers

Each student is assigned a locker. In addition, each student who participates in physical education or an extracurricular activity is assigned a locker. Student backpacks, purses, hats, and jackets must be stored in a locker during the school day and not carried from class to class or lunch. Locker numbers and combinations are printed on student schedules. Do not, for student security, set the locker to open without the benefit of the combination. Students must take care of their lockers. Do not under any circumstances stick anything to, or write on any surface of the locker. Report any damage to the locker to the office immediately. Any damage unreported will be the student's responsibility, and the student will be charged for the clean up and/or repairs. Until such fines are paid, final grade reports, transcripts, and diplomas can be withheld until all obligations are met. Lockers must be emptied at the end of each school year or a fee will be assessed. The lockers are the property of the school, provided on a yearly basis for student use. With reasonable suspicion, school officials can enter student lockers for inspection purposes with or without student permission, and students can be held accountable for contents. If school officials carry out such a search of student possessions, the student must be notified of the search within a reasonable time period, unless such a search is part of an ongoing investigation by school officials and/or police. Students' lockers **should be** locked at all times.

Lunch

Upsala Area Schools operates as a closed campus during the school day. Students need the permission of parent/guardian or administration in order to leave campus during school hours. Students are not allowed to have food delivered to the school for lunch. Please bring your dishes and trash to the dish return room. Students who do not cooperate during lunch will be disciplined. Food should not be taken out of the lunchroom, unless students are eating in the commons (students in grades 9-12 may eat in the commons during lunch). Students eating in the commons, , like in the lunchroom, are responsible for keeping the commons clean. If students

leave a mess, they will be required to clean and will lose the privilege of eating in the commons area. Lunch will be free for all students (pre-K-12) for the 2023-2024 school year.

NOTICE OF VIOLENT BEHAVIOR BY STUDENTS

The school district will give notice to teachers and other appropriate school district staff before students with a history of violent behavior are placed in their classrooms. Prior to giving this notice, district officials will inform the student's parent/guardian that the notice will be given. The student's parents/guardians have the right to review and challenge their child's records including the data documenting the history of violent behavior. Any violent behavior will result in the immediate removal of the student from the classroom to face proper disciplinary action.

PARENT/TEACHER CONFERENCES

Parent/Teacher Conferences will be held twice each school year for all students K-12. Elementary conferences (K-4) will be scheduled and conferences for 5-12 are from 3:30-7:30pm and are not scheduled. The dates for Parent/Teacher Conferences will be published in the school calendar. Information will be shared with families regarding conferences as the first conference date approaches. For more information, contact the Principal.

Parking Lot

Upsala Area Schools take the safety of students very seriously. Students driving to school must obey all traffic laws. Students are not to drive recklessly while in the parking lot. Any student deemed driving recklessly will not be allowed to park in the school parking lot for the remainder of the school year and disciplinary action will be taken. Students must park within the lot lines. Any student who drives a vehicle to school without a license will be reported to the Morrison County Sheriff's Office. Parking in the school lot is a privilege and this privilege will be revoked if the student cannot follow the rules. Any student who parks inappropriately may be towed at their expense. Students who are suspended from the lot and attempt to park there, will be towed at their expense.

Personal Possessions

Do not bring items of value to school. If something is lost or stolen, please report the incident to the office immediately.

Personal Rights

At Upsala Area Schools, the administration and staff will do everything possible to recognize, respect, and preserve your rights as individuals within the framework of our rules, regulations and policies. Any time that you experience problems in school you have the right to a fair hearing with any teacher or administrator to discuss your problem. No disciplinary action can be taken against the student that results in detention or suspension without an opportunity for the student to state his/her position. Any teacher or other employee of this school has the right and responsibility to assist in student supervision. Therefore, when any such staff member makes a reasonable request of any student, you are expected to cooperate and comply. Failure to cooperate is grounds for disciplinary action..

Reasonable Force Notice

A teacher, a school employee, school bus driver or other agent of a district may use reasonable force in compliance with Minnesota Statutes § 121A.582 and other laws.

Recess

All students beginning with Preschool are expected to come to school each day prepared for outdoor recess and physical education classes. In the winter this means boots, gloves, hats and gear suitable for even cold weather. Below zero wind chill, rain, or muddy grounds are the exceptions but these judgments are made on a daily basis at school. Other rules and regulations will be posted and reviewed by our elementary staff and physical education teachers.

School Attire

Students are expected to wear clothing that is appropriate for weather conditions and in good taste at all times. Exposed undergarments, cutoff t-shirts that expose the stomach, bare midriffs, tube tops, backless garments, excessively tight garments, and clothing that contains offensive words, symbols or pictures that are inappropriate for the school setting are not allowed. Off the shoulder shirts must be worn with a tank top underneath. Clothing of any kind must be free of references to alcohol, drugs, or sexual innuendo. Words, pictures, or symbols on articles of clothing which are judged to be inappropriate by staff members or which have significance as gang identification will require a reversal or a change. When in doubt, use common sense and/or ask a staff member for an opinion. Due to safety concerns and possible damage to furniture, visible chains and spiked jewelry will not be allowed. Additionally, a student may be asked to remove certain items that may be deemed a safety hazard. Shoes must be worn at all times. Shoes should not have cleats, wheels, spikes or any other devices that endanger the student or others. **Hats and hoods are not to be worn during the school day, unless special permission is given.** Sagging of pants where undergarments show is not permitted. If a student wears inappropriate clothing to school they will be asked to do one of the following – cover it up, turn it inside out or change clothes. If none of those requests can be done the student may be sent home. Refusal to cooperate may result in suspension.

Students enrolled in Tech Ed classes are not permitted to be wearing shorts or sandals due to safety concerns. Students in Tech Ed. Classes (class in the shop) must abide by all safety rules established by the instructor. If a student at any time endangers themselves or classmates, they will be removed from class immediately. The student will be disciplined which may include removal from the class.

The School District reserves the right to determine what is considered appropriate or inappropriate.

SEARCHES

In the interest of student/employees safety and to ensure that schools are drug free, district authorities may conduct searches. Students violate school policy when they carry contraband on their person or in their personal possessions or store contraband in their desks, lockers, or vehicles parked on school property. “Contraband” means any unauthorized item, the possession of which is prohibited by school district policy and/or law. If a search yields contraband, school officials will seize item(s) and, where appropriate, give the item(s) to legal officials for ultimate

disposition. Students found in violation of this policy are subject to discipline in accordance with the school district's "Student Discipline" policy, which may include suspension, exclusion, expulsion, and, when appropriate, the student may be referred to legal officials.

Search of the Interior of a Student's Motor Vehicle

The interior of a student's motor vehicle in a school district location, including the glove and trunk compartments, may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law and/or school policy or rule. The search will be reasonable in its scope and intrusiveness. Such searches may be conducted without notice, without consent, and without a search warrant. A student will be subject to withdrawal of parking privileges and to discipline if the student refuses to open a locked motor vehicle or its compartments under the school's control upon the request of a school official. If a student loses their parking on campus privileges, they will be towed at their expense.

Senior Class Trip

The Senior class may take a class trip during the school year. Funds for this trip will be provided by the class. The trip is planned by the class with the assistance of the class advisors and the Principal. The trip must be approved by the administration. Seniors with any discipline issues and/or grade issues will not be allowed on the class trip. The Principal will determine who is eligible for the class trip. If the student has attendance issues deemed excessive by the Principal, they will not be allowed on the class trip. The Senior Class trip is a privilege.

School Bus Safety

All students in grades PreK through 10th grade will be required to go through bus safety at the beginning of the school year.

Student Disability Nondiscrimination

- Disabled students are protected from discrimination on the basis of a disability.
- It is the responsibility of the school district to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973, need special services, accommodations, or programs in order that such learners may receive the required free appropriate public education.
- For this policy, a learner who is protected under Section 504 is one who:
 - has a physical or mental impairment that substantially limits one or more major life activities, including learning;
 - has a record of such impairment;
 - is regarded as having such impairment.
- Learners may be protected from disability discrimination and be eligible for services under the provisions of Section 504 even though they do not require IEP services pursuant to the Individuals with Disabilities Education Act.

Student Gender Nondiscrimination

The School District provides equal educational opportunity for all students, and does not unlawfully discriminate on the basis of sex. No student will be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any educational program or activity operated by the School District on the basis of sex.

-It is the responsibility of every School District employee to comply with this policy.
-The School Board hereby designates the Building Principal, 415 S. Main St., Upsala, MN 56318, 320-573-2175, as its Title IX Coordinator. This employee coordinates the School District's efforts to comply with and carry out its responsibilities under Title IX.
-Any student, parent or guardian having questions regarding the application of Title IX and its regulations and/or this policy should discuss them with the Title IX Coordinator. Questions relating solely to Title IX and its regulations may be referred to the Assistant Secretary for Civil Rights of the United States Department of Education. In the absence of a specific designee, an inquiry or complaint should be referred to the Superintendent acting as the School District human rights officer.

Student Privacy Information

Upsala Area Schools is committed to providing a safe and positive digital learning experience for students and staff. Upsala Area Schools uses online electronic resources (i.e. apps, services, and websites) to support a variety of instructional goals. These resources provide tools to transform and personalize the learning environment for all students. These online electronic resources have limited access to student information which allows for the generation of and access to student accounts. In compliance with federal educational guidelines and to assure that student data is not sold or compromised, all online electronic resources accessing student data must be approved for content quality and student data privacy guidelines. Upsala Area Schools strives to hold these online electronic resources to federal guidelines and uses common criteria and resources to vet each online electronic resources. Common criteria, such as not collecting unnecessary information and not selling student data, can be found in the Student Privacy Pledge, a national clearinghouse for data privacy endorsed by the National PTA, National School Board. Criteria is available at: <https://studentprivacypledge.org/privacy-pledge/>

Additional Resources:

- COPPA The Children's Online Privacy & Protection Act governs the collection, use, and disclosure of personal information collected from children under age 13.
- FERPA The Family Educational Rights and Privacy Act protects the privacy of student education record.
- Description of FERPA <https://youtube/nhlDkS8hvMU>
- Education Privacy Resource Center <https://ferpasherpa.org/>

Technology and Classroom Fees

Telecommunications, Computer Systems, and Internet Acceptable Use

All school district students have conditional access to the school district's computer system and network, including Internet access, for limited educational purposes, including use of the system for classroom activities, educational research, and professional and career development. Use of the school district's system is a privilege, not a right. Unacceptable use of the school district's computer system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including, but not limited to, suspension, expulsion, or exclusion; or civil or criminal liability under other applicable laws. Students must sign the acceptable use policy before they can access the schools internet and use devices in school.

Tobacco Free School

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.

III. TOBACCO AND TOBACCO-RELATED DEVICES DEFINED

“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.

“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 vapors 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 American Indian student may carry a medicine pouch containing loose tobacco intended as observance of traditional spiritual or cultural practices. 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 non student possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off-campus events sponsored by the school district.

V. 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.

Transportation Expectations

Riding the school bus is a privilege, not a right, which may be withdrawn at any time for inappropriate behavior. The school district's student behavior rules are in effect for all students on school district buses and vehicles. The school district will not provide transportation for students whose transportation privileges have been revoked.

The school district is committed to transporting students in a safe and orderly manner. To accomplish this, student riders are expected to ride the bus/vehicle to which he/she is assigned and follow school district rules for waiting at the school bus stop and rules for riding on a school bus/vehicle.

While waiting for the bus/vehicle, or after being dropped off at a school bus stop, all students must comply with the following rules:

- Get to the bus stop before your scheduled pick up time. The school bus driver will not wait for late students.
- Respect the property of others while waiting at the bus stop.
- Keep your arms, legs, and belongings to yourself.
- Use appropriate language.
- Stay away from the street, road, or highway when waiting for the bus.
- Wait until the bus stops before approaching the bus.
- After getting off the bus, move away from the bus.
- If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
- No fighting, harassment, intimidation, or horseplay.
- No use of alcohol, tobacco, or drugs.

The bus driver is in complete charge of the bus and passengers must comply with all reasonable requests of the driver. To minimize bus conflicts, students will be assigned seating "areas" based on their grade levels. High school students will be in the back area, middle school

students in the middle area and elementary students in the front area. Parents who want an older sibling to sit with the younger child needs to contact the bus driver to make that arrangement. In those cases, the older child will sit in the younger child's area. While riding the school bus/vehicle, all riders must comply with the following rules:

- Follow the driver's directions at all times.
- Remain seated facing forward while the bus is in motion.
- Talk quietly and use appropriate language.
- Keep all parts of your body inside the bus/vehicle.
- Keep arms, legs, and belongings to yourself and out of the aisle.
- No fighting, harassment, intimidation, bullying, or horseplay.
- Do not throw any object.
- No eating, drinking, or use of alcohol, tobacco, or drugs.
- Do not bring any weapons or dangerous objects on the school bus.
- Do not litter, vandalize, deface, or otherwise damage the school bus.
- No possession of any materials deemed to be inappropriate by the driver and/or school administration.
- Do not use emergency exits or equipment without the permission of the driver.

Consequences for school bus/vehicle and bus stop misconduct will be imposed by the school district under the following adopted administrative discipline procedures:

1st Offense: Written warning sent to parents/guardians.

2nd Offense: Transportation privileges suspended for five days.

3rd Offense: Transportation privileges suspended for ten days, conference with parent, student, and administration.

4th Offense: Transportation privileges revoked for the remainder of the school year.

If bus/vehicle damage occurs during the misconduct, the student/parent/guardian will be required to make restitution for the damage.

Trespassing/Trespass Notice

Trespass Notice

District 487 reserves the right to deny any person access to district buildings or property for just cause. Just cause may include, but is not limited to the following: Threatening or disruptive behavior, improper or illegal behavior, or any activity by a person, which materially and substantially interferes with district programs, classes, activities or other events. Upon determination by school district authorities that a person's behavior represents such, a trespass notice can be served on that person limiting access to district buildings and grounds for a specified period of time up to 6 months. After six months the trespass notice may be re-issued for another period of time up to six months. Notification of such trespass notice will be given to local law enforcement authorities. If the person served the trespass notice fails to leave and stay away, police will be called and trespass charges will be filed. Students placed on out-of-school suspension may be served a trespass notice to cover the duration of the suspension. Trespassing

Minnesota Statute § 609.605 Subd, 4, makes it a misdemeanor for a person to enter a school building or be found on school grounds unless the person:

1. is an enrolled student, or parent/guardian of an enrolled student in, or an employee of the school or school district;
2. has permission or an invitation from a school official to be in the building or on school grounds;
3. in attending a school event, class, or meeting to which the person, the public, or a student's family is invited;
4. has reported the person's presence in the school building in the manner required for visitors to the school.

Minnesota Statute § 609.605 Subd 4, makes it a gross misdemeanor for a group of three or more persons to enter a school building or be found on school grounds unless one of the persons:

1. is an enrolled student in, or parents/guardians of an enrolled student in, or an employee of the school or school district;
2. has permission or an invitation from a school official to be in the building or on school grounds;
3. is attending a school event, class, or meeting to which the person, the public, or a student's family is invited;
4. has reported the person's presence in the school building in the manner required for visitors to the school. Note: It is a misdemeanor for a person to enter or be found on school property within six months after being told by the school principal or the principal's designee to leave the property and not to return, unless the principal or the principal's designee has given the person permission to return to the property

Vandalism to School Property

The school will provide most textbooks and instructional materials that the student will need for her/his classes at no charge. Students may be asked to pay for consumable materials such as workbooks and materials that one might use to make something in specialized classes. Students will be assessed charges for such materials and such charges must be paid before report cards are issued or before a diploma is released to students. If students damage school property, supplies or equipment, students will be expected to reimburse the school district for such damage. Willful acts of vandalism will result in suspension from school until a parent/guardian conference can be held to arrange repayment for damages and to consider other consequences. An amendment to Minnesota Statutes § 120A.22 provides that the school may charge students an appropriate replacement fee for textbooks, workbooks or library books lost or destroyed by students.

VENDING MACHINES

All vending machines will be located in the high school. The machines will be turned on during lunch. Students may use the vending machines before school, during lunch, and after school. Students are not allowed to use the vending machines during the school day.

Weapons Policy

Weapons (Assault)

1. Assault

- A. A threat of bodily harm or death to another person, without material physical contact, will result in a parent/guardian conference and possibly an initial suspension of up to 10 (10) days for 4th-12th grade students.
- B. A student who threatens bodily harm or death to another without material physical contact while in possession of a weapon shall be dealt with under the following section of this policy dealing with “weapons”.
- C. Students in grades 4-12 who engage in fighting with another person may be suspended from the classroom or from the building for up to three (3) days after an informal administrative conference. Fighting shall be characterized by a violent aggressive behavior by two or more individuals with the intent of inflicting physical harm upon one another and differentiated from “poking, pushing, shoving, or scuffling”. Any type of physical assault or physical aggression will result in the immediate removal from the classroom.
- D. Direct attack with a weapon: Direct attack with a weapon shall be dealt with under the following section of this policy dealing with “weapons”.
- E. Direct attack on another person: Students in grades 4-12 will be initially suspended for up to five (5) days. Students in grades K-3 will be suspended from class for the rest of the day and a parent/guardian conference will be held before re-admittance to class.

2. Weapons

- A. Student possession of a weapon* (see below) will result in:
 - 1. An initial suspension from school
 - 2. Confiscation of the weapon
 - 3. Notification of the Sheriff’s department
 - 4. May include a recommendation to the superintendent that the student be expelled. Referral to the appropriate District Level Placement Unit for educational disposition, if such disposition does not occur within five (5) school days, the student will be placed on homebound tutoring until such disposition is made.
- B. Appropriate District Level Placement Unit whether mainstream or alternative, will consider return to District 487 School Program after a multidisciplinary team completes an assessment of the situation.
- C. The chair of appropriate District Level Placement Unit will be responsible for formulating the assessment team. The assessment team will be composed of:
 - 1. A licensed psychologist;
 - 2. A county court services agent or a county social services worker or a county law enforcement officer;
 - 3. A school board representative;
 - 4. The superintendent of schools and the student’s principal. The superintendent will serve as the chair of the assessment team;
 - 5. Other people as deemed appropriate.

Weapon* means any firearm, whether loaded or unloaded, any device or instrument designed as a weapon or through its use capable of threatening or producing great bodily harm or death. Some examples of weapons are: guns (including pellet guns, look - alike guns and nonfunctioning guns that could be used to threaten others), knives, clubs, metal knuckles, (used

in a threatening manner), nunchucks, throwing stars, explosives, stun guns, ammunition, mace, Capstun or other aerosol repellents.

Weather/Closing Information

In the event of severely inclement weather or mechanical breakdown, school may be closed or starting time delayed. Weather conditions may also cause early dismissal. School closings, delayed starting times or early dismissal will be announced over several radio and TV stations. The radio stations include: KASM (1150), Albany; KLTF (960), Little Falls; WYRQ (92.1), Little Falls; KFML (94.1) Little Falls; and KEYL 99.7 Long Prairie. Local TV Stations CBS (Channel 4), KSTP (Channel 5), Fox (Channel 9), and NBC (Channel 11) will also be notified. Upsala Schools also uses JMC as well for a number of school announcements including delays and closings. Please make sure your information is updated in JMC. Reports in the morning will be between 6:00 A.M. and 7:30 A.M. If no report is heard, it can be assumed that school will be in session. Extracurricular events are canceled when school is called off unless specific announcements say otherwise.

INDEPENDENT SCHOOL DISTRICT NO. 487**RELIGIOUS, RACIAL, OR SEXUAL HARASSMENT AND VIOLENCE REPORT FORM**

General statement of policy Prohibiting Religious, Racial or Sexual Harassment
Independent School District No.487 maintains a firm policy prohibiting all forms of discrimination. Religious, racial, or sexual harassment or violence against is discrimination. All persons are to be treated with respect and dignity. Sexual Violence, Sexual advances, or other forms of religious, racial, or sexual harassment by any pupil, teacher, administrator, or other school personnel, which create an intimidating, hostile, or offensive environment, will not be tolerated under any circumstances.

Complainant _____

Home Address _____

Work Address _____

Home Phone _____ Work Phone _____

Date of Alleged Incident(s) _____

Circle as appropriate sexual \ racial \ religious

Name of person(s) you believe harassed or was violent toward you or another person

If the alleged harassment or violence was toward another person(s), identify that person(s)

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

Where and when did the incident(s) occur?

List of any witnesses who were present:

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

(Complainant Signature)

(Date)

(Received by)

(Date)

Adopted: _____

MSBA/MASA Model Policy 524

524 INTERNET ACCEPTABLE USE AND SAFETY POLICY

[Note: School districts are required by statute to have a policy addressing these issues.]

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. LIMITED EDUCATIONAL PURPOSE

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

IV. USE OF SYSTEM IS A PRIVILEGE

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

V. UNACCEPTABLE USES

- A. While not an exhaustive list, the following uses of the school district system and Internet resources or accounts are considered unacceptable:
 - 1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit, or distribute:
 - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
 - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
 - d. information or materials that could cause damage or danger of disruption to the educational process;
 - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.

2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.
4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.
6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.

[Note: School districts should consider the impact of this paragraph on present practices and procedures, including, but not limited to, practices pertaining to employee communications, school or classroom websites, and student/employee use of social networking websites. Depending upon school district policies and practices, school districts may wish to add one or more of the following clarifying paragraphs.]

- a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
- b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
 - (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
 - (2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

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

- c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as "Facebook," "Twitter," "Instagram," "Snapchat," "TikTok," "Reddit," and similar websites or applications.
7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person's account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.

8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
 9. Users will not use the school district system for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.
 10. Users will not use the school district system to engage in bullying or cyberbullying in violation of the school district's Bullying Prohibition Policy. This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.
- B. The school district has a special interest in regulating off-campus speech that materially disrupts classwork or involves substantial disorder or invasion of the rights of others. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations may include, but are not limited to, serious or severe bullying or harassment targeting particular individuals, threats aimed at teachers or other students, failure to follow rules concerning lessons, the writing of papers, the use of computers, or participation in other online school activities, and breaches of school security devices. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.
- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

VI. FILTER

[Note: Pursuant to state law, school districts are required to restrict access to inappropriate materials on school computers with Internet access. School districts seeking technology revenue pursuant to Minnesota Statutes section 125B.26 or certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children's Internet Protection Act, effective in 2001. Those districts are required to comply with additional standards in restricting possible access to inappropriate materials. Therefore, school districts should select one of the following alternative sections depending upon whether the school district is seeking such funding and the type of funding sought.]

ALTERNATIVE NO. 1

[Note: For a school district that does not seek either state or federal funding in connection with its computer system, the following language should be adopted. It reflects a mandatory requirement under Minnesota Statutes section 125B.15.]

All computers equipped with Internet access and available for student use at each school site will be equipped to restrict, by use of available software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

[Note: The purchase of filtering technology is not required by state law if the school site would incur more than incidental expense in making the purchase. In the absence of filtering technology, school sites still are required to use "other effective methods" to restrict student access to such materials.]

ALTERNATIVE NO. 2

[Note: Technology revenue is available to school districts that meet the additional condition of also restricting adult access to inappropriate materials. School districts that seek such state technology revenue may adopt or retain the following language. However, the school district is not required to do so.]

- A. All school district computers with Internet access and available for student use will be equipped to restrict, by use of available software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law.
- B. All school district computers with Internet access, not just those accessible and available to students, will be equipped to restrict, by use of available software filtering technology or other effective methods, adult access to materials that are reasonably believed to be obscene or child pornography under state or federal law.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

ALTERNATIVE NO. 3

[Note: School districts that receive certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children's Internet Protection Act, effective in 2001. This law requires school districts to adopt an Internet safety policy that contains the provisions set forth below. Also, the Act requires such school districts to provide reasonable notice and hold at least one public hearing or meeting to address the proposed Internet safety policy prior to its implementation. School districts that do not seek such federal financial assistance need not adopt the alternative language set forth below nor meet the requirements with respect to a public meeting to review the policy. The following alternative language for school districts that seek such federal financial assistance satisfies both state and federal law requirements.]

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

[Note: Although school districts are not required to adopt the more restrictive provisions contained in either Alternative No. 2 or No. 3 if they do not seek state or federal funding, they may choose to adopt the more restrictive provisions as a matter of school policy.]

VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

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

VIII. LIMITED EXPECTATION OF PRIVACY

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

IX. INTERNET USE AGREEMENT

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

X. LIMITATION ON SCHOOL DISTRICT LIABILITY

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

XI. USER NOTIFICATION

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

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

XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

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

XIII. NOTIFICATION REGARDING TECHNOLOGY PROVIDERS

- A. "Technology provider" means a person who:
 - 1. contracts with the school district, as part of a one-to-one program or otherwise, to provide a school-issued device for student use; and
 - 1. creates, receives, or maintains educational data pursuant or incidental to a contract with the school district.

- A. "Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.

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

 - 1. identify the educational data affected by the curriculum, testing, or assessment technology provider contract; and

 - 1. include information about the contract inspection and provide contact information for a school department to which a parent or student may direct questions or concerns regarding any program or activity that allows a curriculum, testing, or assessment technology provider to access a student's educational data.

- A. The school district must provide parents and students an opportunity to inspect a complete copy of any contract with a technology provider.

- A. A contract between a technology provider and the school district must include requirements to ensure appropriate security safeguards for educational data. The contract must require that:
 - 1. the technology provider's employees or contractors have access to educational data only if authorized; and

 - 1. the technology provider's employees or contractors may be authorized to access educational data only if access is necessary to fulfill the official duties of the employee or contractor.

- A. All educational data created, received, maintained, or disseminated by a technology provider pursuant or incidental to a contract with a public educational agency or institution are not the technology provider's property.

XIV. SCHOOL-ISSUED DEVICES

- A. "School-issued device" means hardware or software that the school district, acting independently or with a technology provider, provides to an individual student for that student's dedicated personal use. A school-issued device includes a device issued through a one-to-one program.

- A. Except as provided in paragraph C, the school district or a technology provider must not electronically access or monitor:

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

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

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

XVI. IMPLEMENTATION; POLICY REVIEW

- A. The school district administration may develop appropriate user notification forms, guidelines, and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms, and procedures shall be an addendum to this policy.
- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.

- C. The school district Internet policies and procedures are available for review by all parents, guardians, staff, and members of the community.
- D. Because of the rapid changes in the development of the Internet, the school board shall conduct an annual review of this policy.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)

Minn. Stat. § 13.32 (Educational Data)
 Minn. Stat. § 121A.031 (School Student Bullying Policy)
 Minn. Stat. § 124D.166 (Limit on Screen Time for Children in Preschool and Kindergarten)
 Minn. Stat. § 125B.15 (Internet Access for Students)
 Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
 15 U.S.C. § 6501 *et seq.* (Children's Online Privacy Protection Act)
 17 U.S.C. § 101 *et seq.* (Copyrights)
 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
 47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))
 47 C.F.R. § 54.520 (FCC rules implementing CIPA)
Mahanoy Area Sch. Dist. v. B.L., 594 U.S. ___, 141 S. Ct. 2038 (2021)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969)
United States v. Amer. Library Assoc., 539 U.S. 194 (2003)
Sagehorn v. Indep. Sch. Dist. No. 728, 122 F.Supp.2d 842 (D. Minn. 2015)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, 894 F.Supp.2d 1128 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), *aff'd* on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee's Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)

MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
 MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
 MSBA/MASA Model Policy 506 (Student Discipline)
 MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
 MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
 MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
 MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
 MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Grievance Procedures and Process)
 MSBA/MASA Model Policy 603 (Curriculum Development)
 MSBA/MASA Model Policy 604 (Instructional Curriculum)
 MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)
 MSBA/MASA Model Policy 806 (Crisis Management Policy)
 MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)