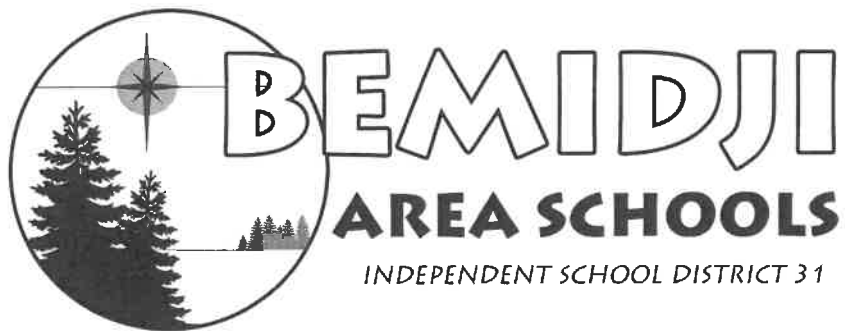




Employee Handbook

**Prepared by the Office of Human Resources
September 2021**

An Equal Opportunity Employer-Educator

MISSION STATEMENT

Empower each learner to succeed in our diverse and changing world.

We believe:

- Each learner will be challenged to develop his/her full potential.
- Learning is a lifelong process that enriches our lives.
- Education is a partnership among school, family, and community.
- There are expectations of quality for ourselves and for others.
- Our school district values and reflects culturally diverse talents, backgrounds and viewpoints.
- All students should take responsibility for their own success.
- Our staff are highly qualified and should be reflective of our student body.

To accomplish this mission, the Board has established the following Aims:

- Equitable Student Achievement
- Building Relationships/Partnerships/Collaboration with Stakeholders
- Workforce Development
- High Quality District

DISCLAIMER

This information has been compiled to summarize several policies, rules and regulations of the school district as well as provide information useful to employees. Please feel free to contact Human Resources if you have suggestions for making this material more useful.

Bemidji Area Schools reserves the right to improve, modify, rescind, or add to any of the policies, procedures, benefits, or practices described in this handbook, without prior notice. The contents of this handbook are for information only and should in no way be construed to be a contract of employment.

This handbook replaces all handbooks as well as written or verbal statements of policies and procedures that have been previously provided.

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ATTACHMENTS

- A. Bullying (SBR 700-90-4)
- B. Confidentiality (SBR 900-20-1, 900-20-1R)
- C. Controversial Issues (SBR 400-30-5)
- D. Drug and Alcohol Free Workplace (SBR 200-80-1, SBR 900-10-4)
- E. Emergency Conditions (SBR 900-10-2)
- F. Employee Discipline (SBR 200-70-1R)
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- O. Leave Requests and Other Absence (SBR 200-90-12)
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- Q. School Calendar
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- W. Transporting Students (SBR 500-10-1)
- X. Travel (SBR 500-20-1R)
- Y. Weapons (SBR 900-30-1)
- Z. Diversity Statement

Activity Passes:

Employees of Bemidji Area Schools may use their District issued Photo Identification Badge (ID Badge) to attend District sponsored athletic and arts activities. Employees will be required to pay the gate/ticket fee for the activity if they are unable to present their ID Badge to the event staff. Student and adult passes are available for purchase at the Bemidji High School Activities Office. Activity passes and employee identification badges are not valid for admission to Minnesota State High School League (MSHSL) tournament activities.

Alarms:

Security alarms are in operation at all District work sites. Activation of an alarm will result in a response by local law enforcement and a charge to the District. Employees should not attempt to access a District facility unless the alarm system has been turned off or they have received instruction on proper use of the alarm system.

Annuities - 403(b) and Minnesota Deferred Compensation Plan:

State and federal regulations enable qualified District employees to make contributions to authorized plans for retirement investment purposes. Contributions to a 403(b) or Minnesota Deferred Compensation plan account are handled through payroll deduction and can be cancelled at any time.

Please refer to your collective bargaining agreement or terms and conditions of employment to see if you are eligible for a District match!

Employees who are interested in a tax sheltered annuity program should contact the Business Office or check the District Forms in the Staff Google Portal for a current list of participating providers. Additional information about the Minnesota Deferred Compensation Plan can be found online at www.msrs.state.mn.us.

Attendance:

Our primary responsibility is to provide educational services for our students. Employees are expected to report to their assigned work location on time each scheduled work day. Any time an employee is absent or late, students are negatively impacted and an extra burden is placed on other District staff.

Employees **must** notify their supervisor as soon as possible of any absence. Designated employees must also record the absence using the automated substitute system to ensure a qualified substitute is obtained. A substitute request should be made as soon as the need for leave is known.

Bullying:

The District and every employee have a responsibility to prevent and respond to acts of bullying, intimidation, violence, and other inappropriate behavior. All employees should be alert to possible situations, circumstances or events that might constitute acts of bullying, intimidation, violence, and other inappropriate behavior and report the incident(s) to the appropriate supervisor or building administrator. Please refer to School Board Policy 700-90-4: *Bullying Prohibition Policy* for more information.

Business Office:

Questions regarding insurance benefits and payroll can be answered by staff in the District Business Office. New employees are expected to complete payroll information prior to their first day of employment. Failure to complete required payroll forms may result in a delay of an employee's paycheck.

District insurance programs are also administered through the District Business Office. All forms must be completed properly and in a timely manner to avoid any lapse in insurance benefits.

Co-Curricular Program:

Bemidji Area Schools has long been known for high quality co-curricular programs. All employees are encouraged to support our co-curricular programs. Employees with an interest in coaching a co-curricular activity should watch District email and the Job Opportunities page of the District website for information about applying for available positions.

Community Education:

The District has an extensive Community Education program with many opportunities for employees. Employees are encouraged to contact the Community Education Office for more information. Community Education programs include: Early Childhood, Kid's & Co. After School Childcare, Youth Sports, Aquatics, and Adult Enrichment Classes.

Confidentiality:

During the course of your employment with Bemidji Area Schools, you may have access to confidential information about students and/or staff. Please respect the privacy and dignity of our students and **only** discuss student issues with staff members who need to know the information. In accordance with state and federal laws, employees may not disclose confidential or private information without appropriate authorization. Employees who are asked to provide private or confidential information should contact their supervisor prior to responding to any request.

Please refer to School Board Policy 900-20-1: *Public Access to Government Data and Rights of Subjects of Data*; and, School Board Policy 900-20-1R: *Public Access to Government Data – Administrative Procedures*. (See www.bemidji.k12.mn.us, select District and Board of Education for Procedures)

Continuation of Benefits - COBRA:

The Consolidated Omnibus Budget Reconciliation Act (COBRA) requires that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health insurance coverage (called "continuation coverage") at group rates in certain instances where coverage under the plan would otherwise end. If you are covered by the District group health insurance plan and lose coverage because of a reduction in hours or the termination of your employment, whether voluntary or involuntary (except for reasons of gross misconduct), you have the right to elect continuation coverage. For further details concerning continuation of benefits, please contact the District Business Office.

Controversial Issues [School Board Policy 400-30-5]:

Staff may not use class time to express an individual viewpoint or deal with matters unrelated to the course of study or regular school program. This does not preclude the inclusion of controversial subjects pertinent to the course. Staff should employ appropriate parent notification when controversial subjects are to be dealt with in the classroom.

Curriculum:

Outcomes have been established for every course taught by Bemidji Area Schools. Information about Curriculum Outcomes and Minnesota Academic Standards are available on the District website.

Many employees also have children enrolled in one or more of our schools. Whenever questions arise about the educational needs of their students, employees are encouraged to talk to their students' teachers and/or building administrators. Questions about the content of courses or test results should be directed to the child's teacher, the school principal or the Director of Curriculum and Administrative Services.

Direct Deposit:

In accordance with Minnesota Statute 471.426, the Bemidji School Board has passed a resolution to require direct deposit of payroll for all employees. Direct deposit is a cost effective method of providing payroll services in a timely manner. Employees typically have more immediate access to their wages and don't have to expend time and resources cashing or depositing a paper check. The school district has made it possible for anyone without a bank account to get one for purposes of receiving direct deposit payroll.

Drug and Alcohol Free Workplace:

Board policy establishes that Bemidji Areas Schools shall provide a drug and alcohol free environment for all students, employees and patrons. No person may possess, distribute or use alcohol or any illegal drug at school sponsored activities, on school grounds, or in a District vehicle. Please refer to School Board Policies SBR 200-80-1: *Alcohol and Other Drug Policy for Employees* and SBR 900-10-4: *Drug and Alcohol Free School/Workplace* for more information.

Emergency Closings:

All employees should monitor local and designated radio and television stations or check the District web page for the latest information regarding emergency conditions. A notification system has been established for all District employees to facilitate timely communication during emergency conditions/closings. All employees are expected to fulfill their notification system responsibilities to ensure the safety of students and staff. Please refer to School Board Policy 900-10-2: *Emergency Closings*, for specific information regarding emergency conditions, late starts, and cancellations. Employees may also register for “skylert” notifications via text message and/or voice call.

Employee Assistance Program:

The Bemidji Area Schools Employee Assistance Program (EAP) is available to all District employees and members of their household. The EAP is provided through NuVantage Employee Resource and is designed to provide help to employees, their household family members and dependent children living outside the home, when they are experiencing marital and family issues; mental or emotional problems; financial difficulty; alcohol or chemical abuse/misuse; legal problems; or other concerns.

NuVantage Employee Resource services are free and completely confidential. EAP services can be accessed by contacting NuVantage at 800-577-4727. You can find out more about NuVantage Employee Resource by going to their website at www.nuvantage.org.

Employee Discipline Policy:

Corrective action may be implemented by supervisors to address employee behavior or performance that disrupts the activities and goals of the District. Corrective action may also be initiated to address violations of work rules, violations of District policies, or other acts that undermine public trust in the employee or the District.

Refer to School Board Policy 200-70-1: *Employee Discipline*; and School Board Policy 200-70-1R: *Employee Discipline – Administrative Procedures* for more information.

Equal Employment Opportunity (EEO):

Bemidji Area Schools is committed to providing equal employment opportunities for all. No applicant or employee shall be subjected to discrimination based on race, creed, religion, age, national origin, color, status with regard to public assistance, disability, sexual orientation, marital status or political convictions. The Director of Human Resources is the designated EEO officer for the District and will investigate all complaints of discrimination.

Bemidji Area Schools also complies with the provisions of the Americans with Disabilities Act. Employees who require reasonable accommodation should contact the Director of Human Resources. The school district may request appropriate medical documentation of any disability forming the basis for an accommodation request.

Persons hired by the District are selected on the basis of ability, aptitude, experience, education and desire.

Equipment Use Policy:

District personnel may not use school equipment or facilities during or after school hours for personal gain or convenience. Please refer to School Board Policy SBR 600-20-1: *Equipment Transfer and Use*, for more information.

Expectation of Privacy:

Employees should be aware that District property may be entered and searched/reviewed by authorized District personnel at any time, without notice. This includes, but is not limited to: classrooms, offices, desks, file cabinets, lockers, vehicles, voice mail, e-mail, and computers. Please refer to School Board Policy 200-90-1: *Expectations of Privacy*, for more information.

Facilities:

District facilities exist primarily for the education of our students. The District welcomes and encourages the public use of school facilities. Please refer to School Board Policy 600-30-1: *Facility Use Policy*, for information regarding the appropriate use and scheduling of District facilities.

Flexible Spending Accounts:

The District maintains a flexible spending plan to which eligible employees may contribute pre-tax dollars from their pay to cover unreimbursed medical/dental expenses, child care expenses, and/or health insurance premiums. Please contact the Payroll Manager in the District Business Office for more information and enrolment form.

Account management is all online. The web site address to access the participant portal is www.hellofurther.com.

Fundraising:

All fundraising activities are governed by School Board policy. Employees who have fundraising responsibilities must be familiar with this policy and follow it carefully. Please refer to School Board Policy 300-90-3: *Student Activity Accounting*, for specific information.

Harassment, Violence and Discrimination:

Bemidji Area Schools is committed to maintaining work and educational environments that are free from harassment, violence and discrimination. All employees should familiarize themselves with School Board Policy 200-90-15: *Miscellaneous Harassment, Violence and Discrimination Standards of Behavior for Staff and Students*; School Board Policy 200-90-15R: *Miscellaneous Harassment, Violence and Discrimination Standards of Behavior for Staff and Students Procedures*; and School Board Policy 200-90-9: *Harassment and Violence*. Anyone found in violation of these policies will be subject to corrective action.

Hazing Prohibition:

Hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times. Please refer to School Board Policy 700-90-1: *Hazing Prohibition* for more information.

Identification Badges:

All staff will be issued a school district identification badge by the District Office. Your identification badge is an important part of your work attire as it lets students, parents, co-workers, vendors, and the general public know who you are. Ensuring that everyone who enters our schools is identified is an important part of providing a secure environment for students and staff.

Employees must wear their District issued identification badge any time they are at work. Please refer to School Board Policy 600-60-1: *Staff Photo Identification Policy* for more information. Lost or stolen identification badges should be reported to the building/departments supervisor immediately.

Insurance:

Health, dental, long-term disability, long term care, cancer insurance and life insurance are available based on the provisions of the applicable bargaining unit's fringe benefit package. Please refer to the applicable collective bargaining agreement or terms and conditions of employment summary to find out what is available for you.

The District health insurance plans are provided through the Northwest Service Cooperative (NWSC) or the Minnesota Public Employees Insurance Program (PEIP)

NWSC plans are administered by Blue Cross/Blue Shield. Questions regarding health insurance claims through NWSC plans should be made through the following toll free number: 1-888-878-0136.

Questions regarding health insurance claims through PEIP should be made by contracting PEIP at 1-800-829-5601.

The district's dental coverage is provided through Delta Dental. Contact Delta Dental at 1-800-553-9536 for any questions relating to dental coverage.

The District contact for insurance questions and benefit change deadlines is the Payroll Manager who is located in the District Business Office.

Internet Acceptable Use Policy [SBR 600-50-1]:

Bemidji Area Schools recognizes the power of the Internet to support and enrich instruction. This medium allows access to thousands of libraries, databases, bulletin boards and other resources while exchanging information with people around the world.

Major policy points include the following staff expectations:

1. I will monitor student use of the Internet so it is always used for instructional purposes.
2. I will use the Internet on school properties to access information related to the duties I perform.
3. Other than occasional use, I will not use the Internet to promote my personal agenda.
(Example: excessive use of E-mail or utilize sites strictly for personal use.)
4. I will not use the Internet to promote personal business.
5. I will not use the Internet for illegal purposes.

Failure to adhere to this policy will result in corrective action.

Leave Requests (General):

Employees who must be away from their assigned work location, other than for scheduled lunch periods and breaks, must obtain appropriate supervisory approval and complete a leave request. Leave request forms are available from every supervisor in the school district. When an employee has been away from work due to illness, they are required to complete a leave request form within **one** work day of their return to work. Failure to report an absence in a timely manner may result in a denial of the leave request and/or corrective action. Absences related to an on the job injury must be reported on a leave form within 24 hours of the absence.

Leave Requests (Specific):

- PCI** Personal Illness: This type of leave is used for illness or injury (not absences resulting from a work related accident/injury). It has also been approved for absences related to employee assistance program participation.
- FI** Family Illness: This type of leave is used when an employee has been absent due to a serious illness or injury of an immediate family member (refer to your employment agreement for definition of "immediate family"). Employees who are gone three or more days must provide Human Resources with documentation from the family member's health care provider.
- DA** Doctor/Dentist: This type of leave is used for employee absences for doctor or dentist appointments.
- B** Bereavement-Sick Leave: Employees may be eligible to use sick leave in the event of a death in the immediate family. Please refer to your work agreement for more information.
- M** Maternity/Medical Leave: This type of leave is for an extended absence. As soon as an employee knows that he or she will need a medical or childbearing leave of absence, the employee should submit a written document to the Director of Human Resources requesting a leave. The employee should indicate the period of time the he or she is unable to perform his or her regular duties and the reason for the requesting leave. In most cases, a Certification of Health Care Provider (CHCP) form should be completed by the employee's health care provider. CHCP forms are available from Human Resources.
- JI** On-the-Job Injury: This leave is used for absences resulting from an on the job accident/injury. On-the-job injuries **must** be reported to the building administrator as soon as possible.
- FLEX** Flexible Leave: A school term, noncertified employee who has completed the probationary period shall be eligible for one day of flexible leave per school year deductible from accumulated sick leave.
- SPD** Special Leave: Teachers who have completed five years of teaching service and who make their request at least three working days in advance may use this leave. These days can be used in half or full-day increments. The rate for a substitute teacher will be deducted from their payroll check.

VAH	<u>Vacation Leave</u> : Various employee groups are eligible for vacation. (Refer to your employment agreement.)
NDV	<u>Nonduty Days</u> : Employees in the principal's group, nonlicensed group and support services group may work duty days. They are required to work a specific number of days between July 1 and June 30 and may use nonduty days in accordance with established procedures.
PED	<u>Personal Leave</u> : Teachers are granted two days (prorated for part-time teachers) of Personal Leave. Requests for Personal Leave must be submitted at least three working days in advance and can only be used in half or full-day increments.
DID	<u>Discretionary/Personal Leave</u> : Teachers are granted one day (prorated for part-time teachers) for the following situations: 1. court appearances; 2. attendance at a wedding as a member of the wedding party; 3. funerals (anyone); 4. a meeting for adopting parents with a licensed adoption agency at which attendance is required by the agency. This type of leave can only be used in half or full-day increments.
ABD	<u>Association Leave BEA</u> : The BEA is granted 20 days of absence to carry out association duties.
ASD	<u>Association Leave BEA Superintendent Discretion</u> : The BEA is granted 15 days to carry out the business which the district, in its sole discretion, determines will be of benefit to the district.
B	<u>Bereavement Leave</u> : Refer to your collective bargaining agreement or terms and conditions of employment for specific information.
EC	<u>Extra Curricular</u> : This type of leave is for coaches, advisors and other supervisors who take students to school sponsored events.
JD	<u>Jury Duty/Subpoena</u> : When an employee is selected for jury duty, a leave request with this reason checked must be completed. Upon completion of jury duty time, the amount paid for serving must be turned in the Human Resource Office in order to claim regular pay for the time missed. When a person is released from Jury Duty for the day, the employee must report to their work station if their employment day has not ended.
MIL	<u>Military</u> : This leave is used when required to be absent due to military service obligations. The applicable orders must be attached. (Maximum of 15 days)
O	<u>Other</u> : This leave is used only when advised to do so by the Human Resource Office.
P	<u>Professional/Job Related</u> : This leave is used by employees who are away from the work place for District business.
SD	<u>Salary Deduct</u> : When an employee requires time off for reasons that do not meet any of the specific requirement for other leaves, a leave with full salary deduction may be requested. Please refer to School Board Policy 200-90-12: <i>Other Absence</i> .

Licensure/Certification:

Each employee who is required to be licensed or certified must maintain a current license or certificate with Human Resources. Individuals are expected to know the date of expiration of their license/certificate and meet the requirements for relicensure or certification in a timely manner in order to remain employed in that capacity.

Renewal of a license for all licensed personnel requires evidence of completion of 125 clock hours during each five-year relicensure period from July 1 of the year of issuance to June 30 of the year of expiration. Clock hours are verified and granted by the District Continuing Education Committee. Licensed staff should affiliate with the Continuing Education Committee as soon as the first continuing license is issued. Please contact Human Resources with any questions regarding continuing education requirements.

Maltreatment of Minors:

Minnesota Statute §626.566, *Reporting of Maltreatment of Minors*, makes it mandatory for people working with children to report suspected neglect or physical and/or sexual abuse of children. Failure to do so could have serious consequences for the employee. The key to remember is, report, do not investigate. Please refer to School Board Policy 700-90-3: *Maltreatment of Minors*.

General Rules for Reporting Maltreatment of Minors

1. *If you have contact with or have responsibility for children in your work, you are mandated to report any suspected neglect or physical and/or sexual abuse.*
2. *You must report suspected neglect or abuse if you have knowledge about the abuse or if you have reasonable cause to believe a child has been neglected or abused in the past three years.*
3. *You must report your suspicions personally.*
4. *You must report immediately.*
5. *Do not attempt to investigate the case on your own.*
6. *Do not contact the child's parents on your own.*
7. *Oral reports must be followed by written report within 72 hours*
8. *Reports can be made to either the police department or the Beltrami County Social Services department.*
9. *You will be immune from civil liability if you report in good faith.*
10. *If you fail to report, you can be criminally prosecuted.*

Mandatory Reporter:

Any person who works with students in Bemidji Area Schools; whether a paid employee or a volunteer; has a legal responsibility for protecting all students from sexual abuse, physical abuse and neglect. Failure to fulfill these responsibilities can result in disciplinary action and/or criminal penalties.

Sexual Abuse, Physical Abuse, and Neglect

In general, when someone has touched the genital area, sexual abuse has occurred. Physical abuse is oftentimes observable. Neglect or the withholding of nurture or basic needs is more difficult to ascertain.

Mandatory Reporting

There is a very long and complex law on abuse. Part of the law **requires** anyone who works with children to be a mandatory reporter. This includes **all** paid employees (teachers, paraprofessionals, and school staff) as well as volunteers. This is an area where you are required to use your **own best common sense**. If, in your judgment, there is the potential that a student in your care has been abused, you must report the incident to social services and/or law enforcement immediately.

How to Report

If you suspect abuse or neglect you should call the applicable County Human Services Department or Law Enforcement Agency immediately.

Beltrami County Human Services	333-4223
Beltrami County Law Enforcement & Police Department	333-9111
Hubbard County Human Services	877-450-1451 or 218-732-1451
Red Lake Nation Human Services	218-679-2122
Cass Lake Human Services	335-8270
Clearwater County Human Services	800-245-6064 or 218-694-6164

Reporting Specifics

If you suspect abuse:

1. Call County Human Services and/or Law Enforcement immediately. Minnesota statute mandates this call be made within 24 hours of knowledge of the incident.
2. Within 72 hours you must follow your verbal report with a written report. Send written report to the appropriate County Human Services agency.
3. **Do not investigate** – wait for someone in authority to ask you to do something.
4. Do not talk about the case.
5. Keep good documentation of what you have observed.
6. Keep a copy of the written report in a locked cabinet.
7. Staff who have first-hand knowledge are required to write and submit the report.

8. It is acceptable to report incidents of suspected abuse or neglect to your supervisor. However, it does not meet the requirement of the law. Mandatory reporters are immune from any legal action. This has been made part of the law to allow students maximum protection and freedom to grow up in a society free from abuse.

Knows or Has Reason to Believe

These words come from the statute. How do you know or have reason to believe? People who physically or sexually abuse children or neglect their basic needs come from all walks of life. You cannot look at someone and make a judgment about their potential to abuse students. Experience tells us it is better to look at the characteristics of those who have the potential to be abused. Assume anyone can be an abuser.

The key word is vulnerability. Some children are more vulnerable than others. When students are placed in vulnerable positions they are potential victims: the last child to get off the bus; the coach who takes students home after practice; the only female in a work group. These are examples of things to watch. Homes with risk factors are also areas to watch. If a student is struggling with life issues, he or she could be more vulnerable to abuse and neglect.

Summary

Students can be physically abused. Marks left on their bodies are generally evidence of this type of abuse. Sexual abuse is generally identified by listening to student complaints as well as listening to their friends. Neglect is withholding life's basic needs from a child. This too will be observed by closely watching students and listening to what they say.

Students who are abused or neglected can be affected for life. You may be the only person who stands between them having a normal childhood and an abnormal one. This makes your responsibility one of the most important ones you will ever experience.

If you have any questions please feel free to call:

Bemidji Area Schools Human Resources	333-3100 ext. 31111
District School Nurse	333-3115 ext. 37209
High School Social Worker	444-1600 ext. 63310
Middle School Social Worker	333-3215 ext. 58181
Gene Dillon Social Worker	333-3400 ext. 49408
Elementary School Social Worker	333-3115 ext. 37208

Mentoring:

Newly selected members of the teaching staff of Bemidji Area Schools will be assigned a teacher to work closely with them for the first year of employment. They should feel free to ask this person for help and guidance at any time. The assigned teacher should have regular contacts with the new teacher.

Money:

Staff members have occasionally left money in a conspicuous place only to find it gone when they return. If a staff member is responsible for handling school funds and they are stolen, that staff member may be held liable for the funds. Never leave money where it can be easily stolen. Submit all school funds to the appropriate office **at the end of each day**. The school mail is **not** to be used for the transmittal of cash and/or checks unless provisions have been made for special handling.

Official Bulletin Board:

There is an official bulletin board at every work site. All bulletins and memorandums relating to school district policy and procedures are posted on the official bulletin board. Employees are encouraged to read these bulletins. All job openings are posted through the District e-mail system.

Overtime:

Any hours worked by hourly employees over 40 hours per week may be considered overtime (unless stated differently in the employees working agreement). Overtime will normally be calculated at time and one-half normal base pay. No overtime

shall be worked and/or paid **without the prior approval** of your Supervisor. Certain professional, administrative and supervisory personnel are exempt from the overtime provisions of the Fair Labor Standards Act (FLSA).

Payroll:

Bemidji Area Schools issues payroll electronic deposits on the 15th and the last day of each month. Those persons completing time sheets must submit them to their supervisors at the end of the day on the **10th** and **25th** of each month.

Bemidji Area Schools provides direct deposit of your paycheck into your checking or savings account. Contact the Payroll Office for more information about your electronic deposits.

Personal Information:

It is your responsibility to promptly notify the Payroll Office of any changes in your name, mailing address, telephone number or other contact information.

Personnel Files:

Every employee has a personnel file maintained by the District. With reasonable advance written notice, you may review your personnel file, but only in the Human Resources Office and in the presence of a member of the office staff. Whenever something is placed in the personnel file, a copy will be made available to the employee. Employees are notified when something is to be placed in their personnel file. Material in the personnel file may be reproduced at the employee's expense.

Professional Appearance:

As employees of Bemidji Area Schools, we are judged not only by our professional services, but by our personal appearance. It is the District's expectation that every employee will report to work well-groomed and professionally attired.

Requisitions, Purchase Orders and Supplies:

No employee or student shall financially obligate the District without completing a requisition and forwarding it through the appropriate administrative channels for approval by the superintendent or designee. All approved purchases shall be made by the use of an authorized purchase order from the Business Office. The same procedure shall be used when ordering material or supplies on approval basis.

Each work site stores an array of supplies necessary for day-to-day operation. Additional materials and supplies can be requisitioned from the central warehouse. Procedures for supply requisitions can be obtained from your supervisor. (Note: The Warehouse Catalog can be found at <http://www.bemidji.k12.mn.us> under the "Staff" heading.)

Resignations:

It is expected that non-licensed staff will provide the district with at least two weeks advanced written notice of resignation. Licensed staff should follow the notification requirements established by Minnesota law and the applicable collective bargaining agreement. The letter should be addressed to the Director of Human Resources with a copy to the immediate supervisor. Upon your separation of employment with Bemidji Area Schools, you must report to your supervisor on your last day of work to return keys, ID badge, and any other district property.

Safety:

All employees are expected to work together to develop and maintain a safe work place. The District owes students a safe environment in which to learn. Employees are asked to report any unsafe conditions to the Safety Officer at 333-3149 as soon as these conditions are known.

School Board:

Bemidji Area Schools is governed by a six member school board. All are elected for a four year term. The school board establishes policy for the District. Administrators, with the help of all other staff, are employed to carry out this policy. Like any other school patron in the District, employees should feel free to talk to school board members about areas of concern.

School Board Policy:

Employees are encouraged to review policies that have been adopted by the School Board. The policies are available on the District website at www.bemidji.k12.mn.us.

School Calendar:

The school calendar is approved annually. Staff members are encouraged to be in attendance on every student day during the school year. **Your consistent and reliable attendance is critical to the academic progress of students!**

School District Mail Service:

Employees may use the District mail service and electronic mail to communicate with each other. The mail service may not be used for personal or commercial gain.

Security of School Equipment and Supplies:

All employees, at one time or another, work with supplies and equipment that may be very costly to replace if lost, stolen or misused. All employees have a responsibility to account for the supplies and equipment issued to them. Borrowing school equipment for personal use is prohibited. Employees who take supplies or use equipment without authorization will be subject to disciplinary action.

Sexual Harassment:

If employees feel they have been subjected to sexual harassment, they should report it immediately to their supervisor or the Human Resource Office. The supervisor will work with the Director of Human Resources to investigate the complaint. Sexual harassment is generally defined as unwelcome conduct which creates an intimidating, hostile, or offensive working environment. Refer to School Board Policy 200-90-9: *Harassment and Violence*.

Smoking/Tobacco Use:

Bemidji School District buildings, grounds and vehicles are tobacco free. Use of tobacco products in any form is not allowed in any District facility, grounds, or vehicle. Refer to School Board Policy 900-10-5: *Tobacco-Free Environment Policy* for more detailed information.

Special Education:

Special Education provides specialized, adapted instruction for students with unique needs. The Individual Education Plans (IEP) require that a specialized education program be tailored to the students specific needs and strengths.

All employees are expected to support instruction to ensure the best possible education for all students and full implementation of the student's IEP.

Staff Evaluations:

All staff will be evaluated according to a written plan. Employees are encouraged to talk to their supervisors about the components of this plan. Teachers should refer to School Board Policy 200-10-2: *Teacher Evaluation Policy* and 200-10-2R: *Teacher Evaluation Policy – Administrative Procedure* for more information.

Student Injuries:

The most basic expectation of every employee is to protect the safety of all students. Any employee witnessing the injury of a student is to take the following action:

- A. *If trained, perform the necessary first aid or call for someone who can administer appropriate first aid. (There is a health assistant at each school qualified to give first aid. Serious injuries should be referred to the school district nurse at 333-3115 ext. 37209.)*
- B. *Call for medical assistance if it is required.*
- C. *Contact and report to parents or guardians.*
- D. *Complete an accident report.*
- E. *Follow-up as required.*

A student should never go home with an injury which has not been reported to parents or guardians.

Student Behavior:

It is expected that employees will **never** strike students and that they be restrained only when there is a danger to the student and/or an employee or school patron. Employees who use restraint techniques must be trained in this technique. Employees are encouraged to seek help when they have problems with students. Refer to School Board Policy 700-40-2: *School Discipline Policy* for more information.

A Code of Conduct has been approved for implementation in the District. This Code directs the consequences for student misbehavior. All staff members are encouraged to secure a copy of this document and review the content.

Transporting Students:

Staff members who are asked to transport students must be licensed drivers and must complete all requirements for the use of a Type III motor vehicle. In no instance should students be allowed to transport other students. Only school vehicles are to be used to transport students. In general, only licensed school bus drivers will transport students. Other staff members may transport students on approved trips with approved school district vehicles upon completion of appropriate training and a review of their driving record. Refer to School Board Policy 500-10-1: *Student Transportation Safety Policy* for more information.

Travel:

When school district employees travel on District business, expenses such as mileage, meals and hotels may be fully or partially reimbursed. It is important to keep receipts related to expenditures and an accurate record of mileage. Employees travelling on District business are encouraged to seek instructions from their immediate supervisor regarding a vehicle request and submission of the travel voucher. All travel must be approved in advance by the appropriate supervisor. Refer to School Board Policy 500-20-1R: *Staff Travel – Administrative Procedures* for more information.

Weapons:

No student, employee, volunteer or visitor shall possess, use or distribute a weapon when in a school location except as provided in SBR 900-30-1: *School Weapons Policy*. The District will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, volunteer, or member of the public who violates this policy.

Work Related Injuries:

The District covers employees for work related injuries through its Workers Compensation carrier. All work related injuries must be reported to the employee's supervisor and to the Administrative Assistant in the Business Office at 333-3100 ext. 31121. An official supervisor's accident report must be completed by the employee and supervisor. Failure to report an injury could result in the rejection of a workers compensation claim. Prior approval is necessary before visiting a doctor. The district has an active back to work policy. The District will work with the injured employee to identify alternate or modified work that is both productive and safe. It is expected that all employees will cooperate fully in facilitating the timely return-to-work of injured workers. It is further expected that all injured workers will cooperate by accepting alternate or modified work that is within their skills and abilities. If you have questions regarding workers compensation, please contact the Administrative Assistant in the Business Office.

The District allows employees to augment worker's compensation benefits with personal sick leave in order to receive 100% of regular pay. In order to receive this benefit, a leave form must be completed and approved by your supervisor.

**STUDENT PERSONNEL
BULLYING PROHIBITION POLICY**

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, on district property or at school-related functions, or on school transportation. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, of other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.
- C. Apparent permission or consent by a student being bullied does not lessen the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- E. False accusations or reports of bullying against another student are prohibited.
- F. A person who engages in an act of bullying, reprisal, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with school district's policies and procedures, including the school district's discipline policy. 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 researched-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 and/or termination of services and/or contracts.

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

III. DEFINITIONS

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

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

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

- B. “Cyberbullying” means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- D. “Intimidating, threatening, abusive, or harmful 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 defines in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

- E. “On school premises, on school district property, at school functions or activities, or on school transportation” means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student’s walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
- F. “Prohibited conduct” means bullying or cyberbullying as defined in this policy or retaliation or reprisal for asserting alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.
- G. “Remedial response” means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.
- H. “Student” means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

- A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A student 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 from 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 reasonable 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, or 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 official may take immediate steps, at its discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, reporter, students, or others pending completion of an investigation of 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 the 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, and other school district policies; and regulations.
- E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets 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 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, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of

the conduct and shall take into account the factors specified in Section II.F. of this policy.

VII. TRAINING AND EDUCATION

- A. The school district shall discuss this policy with school personnel and volunteers and provide appropriate training to school district personnel regarding this policy. The school district shall establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.
- B. The school district shall require ongoing professional development, consistent with Minn. Stat. §122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:
 - 1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
 - 2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
 - 3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
 - 4. The incidence and nature of cyberbullying; and
 - 5. Internet safety and cyberbullying.
- C. The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.
- D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the victim, and to make resources or referrals to resources available to 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 in the student handbook.

VIII. NOTICE

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

IX. POLICY REVIEW

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definition of Public School)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.03 (Sexual, Religious and Racial Harassment and Violence)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.0311 (Notice of Rights and Responsibilities of Students and Parents under the Safe and

Supportive Minnesota Schools Act)
 Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
 Minn. Stat. § 121A.69 (Hazing Policy)
 Minn. Stat. § 124D.10 (Charter School)
 Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
 20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
 34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)
Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
 MSBA/MASA Model Policy 413 (Harassment and Violence)
 MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
 MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
 MSBA/MASA Model Policy 423 (Employee-Student Relationships)
 MSBA/MASA Model Policy 501 (School Weapons Policy)
 MSBA/MASA Model Policy 506 (Student Discipline)
 MSBA/MASA Model Policy 507 (Corporal Punishment)
 MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
 MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
 MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)
 MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
 MSBA/MASA Model Policy 525 (Violence Prevention)
 MSBA/MASA Model Policy 526 (Hazing Prohibition)
 MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)
 MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
 MSBA/MASA Model Policy 711 (Video Recording on School Buses)
 MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

MISCELLANEOUS - PUBLIC ACCESS TO GOVERNMENT DATA AND RIGHTS OF
SUBJECTS OF DATA

I. PURPOSE

The purpose of this policy is to provide guidance to school district employees as to the data the school district collects and maintains regarding its personnel.

II. GENERAL STATEMENT OF POLICY

A. All data on individuals collected, created, received, maintained or disseminated by the school district, which is classified by statute or federal law as public, shall be accessible to the public pursuant to the procedures established by the school district.

B. All other data on individuals is private or confidential.

III. DEFINITIONS

A. "Public" means that the data is available to anyone who requests it.

B. "Private" means the data is available to the subject of the data and to school district staff who need it to conduct the business of the school district.

C. "Confidential" means the data is not available to the subject.

D. "Parking space leasing data" means the following government data on an application for, or lease of, a parking space: residence address, home telephone number, beginning and ending work hours, place of employment and work telephone number.

E. "Personnel data" means data on individuals collected because they are or were employees of the school district, or an individual was an applicant for employment, volunteers for the school district, or is a member of or applicant for an advisory board or commission.

F. "Finalist" means an individual who is selected to be interviewed by the school board for a position.

IV. PUBLIC PERSONNEL DATA

A. The following information on employees, including volunteer and independent contractors, is public:

1. name;

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Legal References::

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

Minn. Stat. § 13.02 (Definitions)

Minn. Stat. § 13.43 (Personnel Data)

Minn. Stat. § 122A.20, Subd. 2 (Mandatory Reporting)

2. actual gross salary;
3. Salary range;
4. contract fees;
5. actual gross pension;
6. the value and nature of employer-paid fringe benefits;
7. the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;
8. job title;
9. bargaining unit;
10. job description;
11. education and training background;
12. previous work experience;
13. date of first and last employment;
14. the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action;
15. the final disposition of any disciplinary action, as defined in Minn. Stat. § 13.43, Subd. 2(b), together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the school district;
16. the terms of any agreement settling any dispute arising out of the employment relationship, including superintendent buy out agreements, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money, and such agreement may not have the purpose or effect of limiting access to or disclosure of personnel data or limiting the discussion of information or opinions related to personnel data;
17. work location;
18. work telephone number;
19. badge number;
20. honors and awards received;
21. payroll time sheets or other comparable data that are used only to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data;
22. city and county of residence.

B. Personnel data may be disseminated to labor organizations to the extent the school district determines it is necessary for the labor organization to conduct its business or when authorized by the Commissioner of the Bureau of Mediation Services.

C. The following information on applicants for employment or advisory board/commission is public:

1. veteran status;
2. relevant test scores;
3. rank on eligible list;
4. job history;

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Legal References:

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

Minn. Stat. § 13.02 (Definitions)

Minn. Stat. § 13.43 (Personnel Data)

Minn. Stat. § 122A.20, Subd. 2 (Mandatory Reporting)

5. education and training;
6. work availability.

D. Names of applicants are private data except when certified as eligible for appointment to a vacancy or when they become finalists for an employment position.

E. Names and home addresses of applicants for appointment to and members of an advisory board/commission are public.

F. Regardless of whether there has been a final disposition as defined in Minn. Stat. § 13.43, Subd. 2(b), upon completion of an investigation of a complaint or charge against a public official, as defined in Minn. Stat. § 13.43, Subd. 2(e), or if a public official resigns or is terminated from employment while the complaint or charge is pending, all data relating to the complaint or charge are public, unless access to the data would jeopardize an active investigation or reveal confidential sources.

V. PRIVATE PERSONNEL DATA

A. All other personnel data is private and will only be shared with school district staff whose work requires such access. Private data will not be otherwise released unless authorized by law or by the employee's informed written consent.

B. Data created, collected or maintained by the school district to administer employee assistance programs are private.

C. Parking space leasing data is private.

D. The school district may display a photograph of a current or former employee to prospective witnesses as part of the school district's investigation of any complaint or charge against the employee.

E. The school district may, if the responsible authority or designee reasonably determines that the release of personnel data is necessary to protect an employee from harm to self or to protect another person who may be harmed by the employee, release data that are relevant to the concerns for safety to:

1. The person who may be harmed and to the attorney representing the person when the data are relevant to obtaining a restraining order;
2. A pre-petition screening team conducting an investigation of the employee under Minn. Stat. § 253B.07, Subd. 1; or
3. A court, law enforcement agency or prosecuting authority.

F. A complainant has access to a statement provided by the complainant to the school district in connection with a complaint or charge against an employee.

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Legal References:

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

Minn. Stat. § 13.02 (Definitions)

Minn. Stat. § 13.43 (Personnel Data)

Minn. Stat. § 122A.20, Subd. 2 (Mandatory Reporting)

H. Private personnel data shall be disclosed to the department of economic security for the purpose of administration of the reemployment insurance program under Minn. Ch. 268.

If data on individuals is classified as both private and confidential by Chap. 13, or any other state or federal law, the data is private.

The classification of data in the possession of the school district shall change if it is required to do so to comply with other judicial or administrative rules pertaining to the conduct of legal actions or with a specific statute applicable to the data in the possession of the disseminating or receiving agency.

The school district has designated [name and title, telephone] as the authority responsible for personnel data. If you have any questions, contact [him/her].

An employee authorization form is included as an addendum to this policy.

Minn. Stat. § 122A.20, Subd. 2 (Mandatory Reporting)

INSTRUCTION – CONTROVERSIAL ISSUES

The professional staff will not use class time to express an individual viewpoint or deal with matters unrelated to course of study or regular school program. This does not preclude the inclusion of controversial subjects pertinent to the course.

While it is recognized that the curriculum can include controversial subjects, which shall be judged controversial by the teacher, we must also recognize that parents have certain rights in determining whether or not their children will be exposed to these subjects.

Parents shall receive advance notification when controversial subjects are to be dealt with in the classroom.

Should parent(s)/guardian(s) refuse to allow their child(ren) to participate in the activity, alternate arrangements must be made for the child during the period of instruction.

Principals are responsible for making certain that all members of their building teaching staff are aware of and conform to these requirements.

PERSONNEL

Alcohol and Other Drugs Policy for Employees

In accordance with the Drug-Free School and Community Act of 1989 (Section 5245 of P.L. 101-226), all districts are required to have a policy pertaining specifically to the use of alcohol and other mood-altering chemicals for district employees.

The Board of Education recognizes the implications of alcohol and other drug health issues and problems. As the elected representatives of the community, and in keeping with our responsibilities relating hereto, we must continue to investigate these areas of concern. To this end, the employees of the district must recognize their responsibilities toward the use of alcohol or the illicit use of drugs.

Standards of Conduct (On and Office Campus)

You are hereby notified that it is a violation of the policy of the Bemidji Area Schools for any employee to distribute, dispense, possess, use or be under the influence of any alcoholic beverage, malt beverage, or fortified wine or other intoxicating liquor before, during, or after school hours at school or in any other school district location as defined below:

“School district location” means in any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored activity, event or function, such as a field trip or athletic event where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business. Compliance with these standards of conduct is mandatory.

You are hereby notified that it is a violation of the policy of the Bemidji Area Schools for any employee to unlawfully manufacture, distribute, dispense, possess or use or be under the influence of any narcotic drug, hallucinations drug, amphetamine, barbiturate, marijuana, anabolic steroid or any other controlled substance as defined in schedules I through V of Section 202 of the Controlled Substance Act (21 U.S.C. 812) and as further defined by regulations 21 C.F.R. 1300.11 through 1300.15.

Sanctions

Employees will have imposed upon them for violations of the section up to and including termination of employment. In addition, employees who violate the standards of conduct will be referred for prosecution consistent with local, state, and federal laws.

Sanctions against employees, including nonrenewal, suspension and termination shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreement and school district policies. Each employee shall be provided a copy of this policy.

Information

Employees shall be provided with a copy of the Standards of Conduct including sanctions for violations.

1. Public a statement notifying employees that it is unlawful to manufacture, distribute, dispense, possess or use a controlled substance in the workplace. In this statement we will specify the actions that will be taken against employees for violation of such prohibitions.
2. Establish a drug-free awareness program to inform employees about:
 - a. the dangers of drug abuse in the workplace
 - b. drug-free policies
 - c. available drug counseling, rehabilitation, Employee Assistance Program, and
 - d. the penalties for violation of these policies

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LEGAL REFERENCE: P.S. 101-226 (Drug-Free Schools & Communities Act)

ATTACHMENT D

3. Give to any employee who is to be engaged in the performance of the grant a copy of the policy statement.
4. Notify these employees that as a condition of employment, they will:
 - a. abide the terms of the statement, and
 - b. notify the employer of any criminal drug statutes conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Notify the agency within ten (10) days after receiving notice under paragraph 4(b) from an employer or otherwise receiving actual notice of such conviction.
6. Taking one of the following actions, within 30 days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted.
 - a. take appropriate personnel action against such an employee, up to and including termination, or
 - b. requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purpose by a federal, state or local health, law enforcement, or other appropriate agency.
7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1-6 above.

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LEGAL REFERENCE: P.S. 101-226 (Drug-Free Schools & Communities Act)

DRUG AND ALCOHOL-FREE SCHOOL/WORKPLACE POLICY**I. PURPOSE**

The purpose of this policy is to maintain a safe and healthy environment for employees and students by prohibiting the use of alcohol, toxic substances and controlled substances without a physician's prescription.

II. GENERAL STATEMENT OF POLICY

- A. Use of controlled substances, toxic substances, and alcohol before, during, or after school hours, at school or in any other school location, is prohibited as a general policy. Paraphernalia associated with controlled substances is prohibited.
- B. It shall be a violation of this policy for any student, school district personnel, or member of the public to use alcohol, toxic substances, or controlled substances in any school location.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, school personnel, or member of the public who violates this policy.

III. DEFINITIONS

- A. "Alcohol" includes any alcoholic beverage, malt beverage, fortified wine, or other intoxicating liquor.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 U.S.C. § 812, including analogues and look-alike drugs.
- C. "Toxic substances" includes glue, cement, aerosol paint, or other substances used or possessed with the intent of inducing intoxication or excitement of the central nervous system.
- D. "Use" includes to sell, buy, manufacture, distribute, dispense, possess, use, or be under the influence of alcohol and/or controlled substances, whether or not for the purpose of receiving remuneration or consideration.
- E. "Possess" means to have on one's person, in one's effects, or in an area subject to one's control.
- F. "School location" includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.

IV. EXCEPTIONS

- A. It shall not be a violation of this policy for a person to bring on to a school location, for such person's own use, a controlled substance which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. It shall not be a violation of this policy for a person to possess an alcoholic beverage in a school location when the possession is within the exceptions of Minn. Stat. § 624.701, Subd. 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).

V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance must comply with the school district's student medication policy.
- B. Employees who have a prescription from a physician for medical treatment with a controlled substance are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee may be required to provide a copy of the prescription.
- C. Each employee shall be provided with written notice of this Drug & Alcohol-Free School/Workplace policy.
- D. Employees are subject to the school district's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances in a school location except with the express permission of the Superintendent.
- F. Possession of alcohol on school grounds pursuant to the exceptions of Minn. Stat. § 624.701, Subd. 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

VI. ENFORCEMENT**A. Students**

- 1. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.
- 2. The student may be referred to a drug or alcohol assistance or rehabilitation program and/or to law enforcement officials when appropriate.

B. Employees

- 1. As a condition of employment in any federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring in any of the places listed above on which work on a school district federal grant is performed, no later than five (5) calendar days after such conviction.
- 2. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, termination, or discharge as deemed appropriate by the school board.
- 3. In addition, any employee who violates the terms of this policy may be required to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school district. Any employee who fails to satisfactorily participate in and complete such a program is subject to nonrenewal, suspension, or termination as deemed appropriate by the school board.
- 4. Sanctions against employees, including nonrenewal, suspension, termination, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.

C. The Public

A member of the public who violates this policy shall be informed of the policy and asked to leave. If necessary, law enforcement officials will be notified and asked to provide an escort.

Legal References:

Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)
Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)
Minn. Stat. § 609.684 (Sale of Toxic Substances to Children; Abuse of Toxic Substances)
Minn. Stat. § 624.701 (Liquor in Certain Buildings or Grounds)
41 U.S.C. §§ 701-707 (Drug-Free Workplace Act)
20 U.S.C. § 7101-7165 (Safe and Drug-Free Schools and Communities Act)
21 U.S.C. § 812 (Schedules of Controlled Substances)
21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)
34 C.F.R. Part 85 (Government-wide Requirements for Drug-Free Workplace)

MISCELLANEOUS

Emergency Closings

The Superintendent or designee, after consultation with the Coordinator of Transportation, will make the decision about school closings. The Coordinator of Transportation consults with designated "spotters" in various parts of the school district to ascertain conditions district-wide. Parents are encouraged to listen to the local media because schools can close for a variety of reasons. (The most common reasons for school closings are: no heat, water or electricity at a school, road conditions, storms, weather so cold diesel busses do not operate and conditions are unsafe for parents, students and staff.)

I. General

- A. In the event of inclement weather or some other emergency condition, which would require school to be canceled prior to the start of the day, all nine month staff employed to work days scheduled as "student days" should not report to work. Emergency employees; defined as: maintenance and custodial personnel, building administrators and supervisors, and designated district transportation personnel; must report to work to insure the maximum safety of students and district facilities. Twelve month employees not designated as "emergency employees" may choose to (1) report to work, or (2) not report to work and use accrued vacation or available salary deduct for the day. Emergency employees unable to safely report due to the emergency condition must contact their supervisor and may be granted authorization to not report to work and use accrued vacation or salary deduct.
- B. When school is closed for emergency conditions, all activities (curricular and co-curricular) and all Community Education classes will normally be suspended.
- C. When school starts late because of emergency conditions, all staff are expected to report to work at the regularly scheduled time unless there is an announcement to the contrary, or a condition exists making it unsafe to arrive at the regularly scheduled time.
- D. When school is canceled after the start of the school day, all regularly scheduled staff are expected to remain at their work stations unless released by the Superintendent or designee.
- E. Should the scheduling of make up days become necessary, the school calendar may be adjusted and/or the school year may be extended beyond the last scheduled work day to provide the appropriate number of student days/instructional hours.

II. Bus Drivers

- A. Each bus driver must keep on file, in the office of the Coordinator of Transportation Services, current information concerning the driver's telephone number and where the driver may be reached during the school day.
- B. In transporting children home when emergency conditions prevail, bus drivers will make certain that all children are accounted for before leaving the school, and insure that no children are discharged from the bus when there is a real and apparent danger the children might not reach safe shelter.

III. Parents

- A. When it appears that emergency conditions exist, individual parent(s) should consider local conditions and determine whether or not their child(ren) should be sent to school. If, prior to the start of school, the parent(s) or guardian(s) consider conditions are such that a genuine cause for concern for the safety of the child(ren) is warranted, the child(ren) should be kept home.
- B. All parents are encouraged to have a family strategy for times when schools start late, end early, or are canceled because of emergency conditions.

IV. Employee Compensation

A. Cancellation Before the Start of the Day

- a. Nine Month Employees will work alternate days that may be added at the discretion of the district. There will be no deduction in the compensation for nine month staff if no alternate day is added.
- b. Twelve Month Employees reporting for work will be compensated according to the appropriate collective bargaining agreement or Board policy. Those exercising their discretion to not report to work are authorized to use accrued vacation or salary deduct.

V. Extraordinary Emergencies

- A. The Superintendent is hereby authorized to suspend any of the provisions of this policy in the event of an extraordinary emergency that cannot reasonably be anticipated (i.e., bomb threat, acts of violence, etc.).

PERSONNEL -EMPLOYEE DISCIPLINE

District #31 employs over 800 licensed and nonlicensed staff. Although most perform their jobs well, there are times when individuals engage in inappropriate behavior. The intent of the School District's disciplinary procedure is to correct the inappropriate behavior in a manner which assures due process for all employees. Under normal circumstances the process is progressive in nature. However, the disciplinary procedure may begin at any step up to and including discharge in appropriate situations.

Informal Discussion - (Conference Report)

In general, most disciplinary actions will be preceded by one or more informal discussions in an effort to solve the problem. This can be done by conducting informal meetings with the employee in an informal setting. These meetings are not documented in writing and nothing is placed in the employee's personnel file.

If the informal meeting does not work, a letter should be sent asking the employee to attend a meeting. At this meeting the supervisor will discuss the concerns with the employee and will send a letter to the employee summarizing the meeting. The employee has a right to have a representative at this meeting. Neither the letter requesting the meeting nor the letter summarizing the meeting is placed in the employee's personnel file. However, they can be used as supporting data if the inappropriate behavior continues and formal discipline is commenced. The letter summarizing the meeting should include a statement that the employee could be subject to formal discipline if the inappropriate behavior continues.

Although it is hoped that most problems can be corrected through these informal discussions, the School District reserves the right to move directly to the formal discipline at anytime, depending upon the seriousness of the behavior.

Formal Discussion

Normally the formal discipline process is progressive in nature. The first two steps are nonpunitive and are directed solely at correcting the inappropriate behavior. The next two steps are also intended to correct the behavior, but they also include sanctions for the behavior. The disciplinary procedure may begin at any step up to and including discharge depending upon the severity of the situation.

Step 1. Warning

In Step I, there is a formal conference with the supervisor outlining the nature of the problem, how it relates to the job description of the employee, short term goals for improvement, time lines for future meetings, if applicable. If an employee continues to act in an inappropriate manner following informal discussions or if the employee commits an act believed to be more serious in nature than those that warrant only an informal discussion, a written warning will be issued. There is a formal conference with the supervisor, and time lines, if any. A letter is written, signed by both parties and a copy is placed in the employee's personnel file. Should the employee refuse to sign, this fact should be noted on the letter.

Step 2. Reprimand

Step 2 results in a formal letter of reprimand. This step contains a summary of what happened in Step 1, with emphasis upon the job description, the nature of the problem, goals for improvement and time lines for future meetings. Again, the letter would become part of the employee's personnel file.

Step 3. Suspension

At this step an employee is suspended without pay for some period of time appropriate for the situation. At this step an emphasis should be made regarding the concerns of the supervisor, goals for improvement and time lines for further meetings, if any. Every effort would be made to help the employee meet his/her stated goals. Again, a letter would be placed in the personnel file of the employee.

Step 4. Termination

Step 4 would result in termination of the employee after a due process hearing. Veterans have a right to an additional hearing prior to termination if requested. (Nonlicensed staff only.)

Note: Any supervisor contemplating the use of the Employee Discipline Plan with any employee, including informal discipline, must communicate with the Assistant Superintendent prior to commencing any communication with the employee.

Note: Employees who are subjected to employee discipline have a right to attach their account of the matter at all levels of discipline.

The superintendent has the discretion to remove letters from the employee's personnel file when such action, in the superintendent's judgment, would further the interests of the school district. The superintendent's action is not considered precedent setting.

SCHOOL PROPERTIES – EQUIPMENT – TRANSFER AND USE

Equipment and supplies are purchased with public tax dollars and are intended to be used for educational purposes. Faculty members and other school district personnel shall not use school equipment or facilities during or after school hours for personal gain or convenience.

This policy does not limit any use specifically authorized by other district policies or collective bargaining agreements.

Unauthorized use of equipment and supplies may result in disciplinary action.

MISCELLANEOUS – EXPECTATIONS OF PRIVACY

The classrooms, offices, desks, file cabinets, buildings, lockers, vehicles, equipment, telephone, voice mail, books, papers, computer systems and all other property of the School District may be entered and searched/reviewed by School District personnel at any time, without notice.

Employees, agents, independent contractors and all other individuals or entities using School District property or equipment shall have no expectations of privacy in their use or possession of any property belonging to the School District, including classrooms, desks, e-mail accounts, computers, computer disks, voice mail, papers, books, etc., except as provided by the Minnesota Government Data Practices Act.

Employees may be disciplined for any misuse of School District property. Other individuals or entities misusing School District property may be denied further access to such property, as well as other adverse action, consistent with applicable law.

ACKNOWLEDGEMENT OF
RECEIPT OF POLICY
(Staff Only)

I hereby acknowledge that I have received a copy of the Independent School District No. 31, Bemidji, Policy of Expectations of Privacy dated _____.

Printed Name: _____

Signature: _____

Date: _____

INDEPENDENT SCHOOL DISTRICT #31
FACILITY AND EQUIPMENT USE POLICY

I. PURPOSE

The purpose of this policy is to provide guidelines for community use of district facilities and equipment.

II. GENERAL STATEMENT OF POLICY

Independent School District No. 31 (Bemidji Area Schools) believes that the public schools are owned and operated by and for community residents and are an integral part of the community. The school board encourages use of district facilities and equipment for community purposes if, in its judgement, that use will not interfere with use for district purposes.

III. GENERAL COMMUNITY USE OF DISTRICT FACILITIES AND EQUIPMENT

- A. The District may authorize the use of district facilities and equipment. It may impose reasonable regulations and conditions upon the use of district facilities and equipment as it deems appropriate.
- B. The District may require a rental fee for the use of district facilities and equipment consistent with this policy and Appendix A. Such fee may include the cost of custodial and staff member services if deemed necessary.
- C. When emergencies or unusual circumstances arise that necessitate rescheduling the use of district facilities and equipment, reasonable efforts will be made to find acceptable alternative meeting space.
- D. The District expects users who use district facilities and equipment to do so with respect for district property and an understanding of proper use.
- E. An approved permit shall not be considered by the permit holder as a lease, and the District reserves the right to cancel or revoke any permit at any time with or without cause. In the event of such cancellation or revocation, there shall be no claim or right to damages or compensation on account of any loss, damage, or expense whatsoever.

IV. LIMITATIONS OF DISTRICT FACILITIES AND EQUIPMENT USE

- A. District facilities and equipment shall not be used for events or activities which:
 - 1. Advocate for or assist in raising funds for social or political change by violence.
 - 2. Are illegal or which materially or substantially interfere with the orderly conduct of the educational activities of the district.
 - 3. Advertise or promote any activity, product or service that is illegal for minors or adults.
 - 4. Encourage people to commit illegal acts, acts that violate district or school policies, rules, regulations and procedures, or acts that substantially disrupt the orderly operation of a school or district activities.
 - 5. Express or advocate any form of discrimination, harassment or violence because of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, familial status, disability, sexual orientation, age, or political affiliation.
 - 6. Violate any district policy, rule, regulation or procedure, or federal, state or local law.
 - 7. Are in conflict with a district program or contrary to the basic educational mission of the district.
 - 8. Jeopardize the safety, security, or supervision of individuals or district facilities or equipment.
 - 9. May be detrimental to the best interests of the District.
 - 10. Might result in any undue damage or wear, or is not consistent with the use for which the facilities and equipment were designed.
 - 11. Advocate drug or alcohol use, abuse, sex or conduct that is otherwise inconsistent with the shared values of a civilized social order.
 - 12. Present a danger or potential for harm to a degree not appropriate for a district facility.
- B. Requests may be denied, approval for events and activities may be revoked and prepaid fees/deposits forfeited for:
 - 1. Repeated or material violation of district policy, rules, regulations or procedures, or violation of federal, state or local laws.
 - 2. Repeated short notification of cancellations or no-shows.
 - 3. Failure to pay rental fees.
 - 4. Inadequate group supervision as determined by the authorized personnel or Facility Scheduler.
 - 5. Misuse of equipment or facilities or damage to district property.
 - 6. Group conduct of an inappropriate or unacceptable nature as determined by the authorized personnel or Facility Scheduler.
 - 7. Lack of availability of district facilities, equipment or district employees to be present at the event or activity.

8. Potentially harmful or dangerous actions by the program or its participants that are not of a moral standard equivalent to that generally accepted in the community.
 9. Other reasons as stated in this policy.
- C. District facilities and equipment use shall not be allowed during the regularly scheduled school day by community groups or organizations, unless specifically authorized by the Superintendent.
 - D. Facility use will not be scheduled between the hours of 11:00 p.m. and 6:30 a.m. The pool will not be scheduled for use after 9:00 p.m. Any exceptions must be approved by the Superintendent.
 - E. All district facilities will be closed on the following district-recognized holidays: Memorial Day, Fourth of July (Independence Day), Labor Day, Thanksgiving Day, Christmas Eve Day, Christmas Day, New Year's Eve Day and New Year's Day.
 - F. District facilities will not be used for the following private events: parties, dances, weddings, receptions, funerals or memorials. Exceptions to this policy will be reviewed on an individual basis by the Superintendent.
 - G. When a snow day, or other weather-related emergency, or event beyond reasonable district control closes part of or the entire school district, district facilities and equipment use shall be cancelled for the duration of the closure or until the Superintendent authorizes commencement of such use in the sole discretion of the District.
 - H. At no time while a district facility is being used for public programs may any exit be blocked or locked by the permit holder.

V. GENERAL REGULATIONS FOR DISTRICT FACILITIES AND EQUIPMENT USE

The following rules must be observed in the use of district facilities and equipment and the permit holder will be held responsible for compliance.

- A. **SAFETY:** All applicable fire and safety laws/regulations and district policies and procedures governing the use of district property must be observed at all times.
- B. **AGE REQUIREMENT:** An applicant must be 18 years of age or older to apply for the use of any district facility.
- C. **TOBACCO, ALCOHOL AND ILLEGAL SUBSTANCES:** Tobacco products, e-cigarettes, vape pens, other vaping devices and paraphernalia, illegal substances and alcoholic beverages are prohibited in and on all district buildings and grounds.
- D. **WEAPONS:** No weapons of any kind are allowed on district property except as provided by Policy 900-30-1 School Weapons Policy. Facility use must be consistent with Policy 900-30-1.
- E. **LIABILITY:** Application for district facility use shall constitute acceptance by the applicant of responsibilities and the willingness to comply with all rules and regulations regarding the use of district facilities and equipment as prescribed by the District. The applicant must exercise the utmost care in the use of district premises and agrees to protect, indemnify, and save harmless Independent School District No. 31 and its officers and employees from any and all claims, liabilities, damages, or rights of action directly or indirectly growing out of the use of the premises covered by the permit. This provision does not apply to groups who are covered under the district general liability insurance.
- F. **PERSONAL PROPERTY:** The District shall not be held responsible for any damage or loss that may occur to non-district property brought in or onto district facilities.
- G. **PERSONAL INJURY:** The District shall not be held responsible for any personal injury that may occur to users, participants and individuals in or on district facilities during the use of district facilities or equipment.
- H. **SNOW REMOVAL:** The District may charge for snow removal services unless removal would have been performed in the course of normal district operations.
- I. **SUPERVISION:** Custodians, cooks, technicians and other staff on duty will supervise the operation of the district building and shall not be required to supervise facility users or its activities. All scheduled events and activities must be under competent adult supervision. It is this adult's responsibility to maintain control of the behavior and location of the users, participants and individuals involved in the event or activity to ensure they remain in the area authorized by the District. Members of the activity will not be admitted until the group supervisor is present and the permit is presented to the custodian or designated district building supervisor on duty. Disorderly conduct is prohibited and punishable by ejection from the buildings and grounds.
- J. **DAMAGE:** The permit holder will be responsible for its use of the district facilities and equipment as granted by the District and will accept responsibility for any behavior of users, participants and individuals, any damage to district facilities or equipment and for any custodial or staff member fees incurred. District facilities, facility areas and equipment used shall be left in an orderly condition and restored to the same condition as prior to use. In the event of damage to district property, the permit holder shall accept the responsibility for same and shall pay all appropriate repair or replacement costs.
- K. **TECHNOLOGY:** Room rental fees do not include the use of technical equipment unless specifically permitted and may be limited to certain district facilities. The District may assess fees for technical equipment damage.

- L. EQUIPMENT: Use of gymnasiums and other physical education or athletic facilities do not include the use of supplies and equipment unless specifically permitted by the building principal or activities office.
- M. FOOD AND BEVERAGES: District kitchen facilities and equipment may only be used by a district food service employee. Beverages and snacks may be served without using kitchen facilities in designated areas such as the commons or cafeteria if the user provides their own food and serving supplies. Food and beverages must not be transported outside the area designated on the permit. No food or drink is allowed in any of the carpeted areas or gymnasium without prior approval. Other restrictions may apply.
- N. ASSIGNMENT: Permit holders shall not transfer or sublet the permit to another organization.
- O. NO ENDORSEMENT IMPLIED: Authorization for use of district facilities shall not be considered as an endorsement of or approval of the activity, group, or organization nor the purposes they may represent.
- P. PUBLICITY: When any organization is granted use of a district facility, either free or for a rental fee, and when publicity of the meeting is disseminated by press, radio, leaflets, or other means, the organization or association must agree to, at all times, fully identify itself, the name of the person who is the official representative of that organization and contact information for that official representative in/on all such publicity.
- Q. OTHER: The Facility Scheduler or building principal is authorized to act in any case not covered by the rules and regulations or to make exception to the rules and regulations as deemed necessary.

VI. PROCEDURE

- A. RENTAL REQUEST: All requests for use of Independent School District No. 31 facilities and equipment are reviewed and processed by the Facilities Scheduler. Requests are prioritized by tier and order in which they are received. District facility and equipment use may be available during non-instructional hours, non-school days, weekends, summer break or for extended hours with a completed Facility Request Form. Requests for use of district facilities and equipment will not be permitted on district-recognized holidays.

All applications should be made through the Facility Request Form located on the district website: www.bemidji.k12.mn.us. Phone or email requests will not be accepted. A completed form must be received at least five days prior to the first requested date. Large events (over 100 people/day) may require more advanced notice. Requests received with less than the required minimum notice may be processed if possible.

Permits will be issued only for the dates, hours, areas, and equipment specified on the application and include only the nearest lavatories and drinking fountains. Requests must specify any district equipment (recreation, audio visual, tables, chairs, etc.), staff, as well as set up times and other special needs, including technology on the application. Unless specially authorized, equipment must be used in its assigned facility.

Approval/disapproval of the Facility Request Form will be provided through email notification.

- B. CERTIFICATE OF INSURANCE: The permit holder may be requested by the District to provide a certificate of liability and property damage insurance in the minimum amount of \$300,000 combined single limit coverage with the District named as additional insured.
- C. ESTIMATE OF FEES: Upon receipt of a completed Facilities Request Form, the Facility Scheduler will verify space availability and may provide the permit holder with an Estimate of Fees. This estimate will include any rental and personnel fees the event or activity is expected to incur. Additional fees for use of additional space or personnel may be incurred by the permit holder if the event or activity deviates from the terms stated on the Facility Request Form/Facility Use Agreement. Buildings must be vacated by the time indicated on the permit or additional charges may be assessed.
- D. INVOICE FOR FEES: The Facility Scheduler will compile the rental and personnel fees incurred along with any fees for damage to district facilities and equipment, custodial or staff member fees and any additional set-up and tear-down fees and invoice the permit holder. Payment shall be made to Independent School District No. 31 and is required within 30 days of receipt. Failure to remit payment for invoices may result in the revocation or denial of approval for future events and activities. Facility charges shall be made in accordance with Appendix A.
- E. CANCELLATION: The permit holder may cancel an event or activity without penalty provided notice is given to the Facility Scheduler at least 24 hours prior to the scheduled use. Failure to timely notify the Facility Scheduler of a cancellation may result in an invoice for expenses incurred in preparation for use of the facility.

VII. PRIORITIZATION OF FACILITY AND EQUIPMENT USE

Bemidji School District programs have priority of facility use and the District reserves the right to pre-empt a building permit due to a conflict with a planned district program. Due to the contractual nature of some events, the Superintendent may guarantee a facility to a specific permit holder in advance.

District facility and equipment use shall not conflict with the requirements of the district's educational programs and shall be scheduled according to the following priorities.

- A. TIER ONE: All Bemidji School District events and activities. These activities and events will have precedence over all other groups. If a conflict arises, the building principal of the affected building will mediate the conflict. If mediation does not work, the building principal's determination will be final.
 - K-12 activities (instructional and co-curricular).
 - Activities Department activities (including Minnesota State High School League).
 - District meetings.
 - Community Education events and activities.
- B. TIER TWO: Bemidji School District sponsored events and activities and local tax-exempt organizations within the boundaries of the Bemidji School District serving youth.
 - District/School affiliated organizations and activities for meetings (i.e. PTA/PTO groups, Booster clubs) designed and intended to promote or support parent/teacher/student interactions.
 - Non-school community youth groups (i.e. cub scouts, boy scouts, girl scouts).
 - City of Bemidji Parks and Recreation.
 - Local/State/National elections and caucuses.
 - District/School affiliated sports association practices and events that do not charge admission or team entry fees.
- C. TIER THREE: Events and activities for local (minimum of 50% school district residents) tax-exempt organizations within the boundaries of the Bemidji School District serving adults and for-profit youth activities.
 - Non-profit adult community and athletic activities.
 - Meetings, classes or activities of non-profit community agencies and organizations and fundraising events sponsored by non-profit community groups and associations.
 - Any program or activity sponsored solely by a postsecondary college or university.
 - Meetings held by charitable groups, organized community services and citizens and civic groups (i.e. Jaycees, Rotary, Lions, VFW, American Legion, Chamber of Commerce).
 - Youth sports association tournaments and events that charge admission or team entry fees.
 - Religious organizations for worship or instruction.
- D. TIER FOUR: Events and activities for commercial businesses inside and outside the boundaries of the Bemidji School District, tax-exempt organizations outside the boundaries of the Bemidji School District serving youth and adults and any other appropriate use of school facilities and equipment.
 - For-profit, commercial and business organizations.
 - Non-district sanctioned events where a registration or admission fee is charged.
 - Individuals, private agencies, companies or vendors.
 - Any group that does not fall into Tier 1, 2 or 3.

VIII. FACILITY AND EQUIPMENT USE FEES

District facility, equipment and personnel fees are described in Appendix A. All permit holders are responsible for payment of all personnel fees directly related to their use of district facilities and equipment. The following fees will be assessed to all users, regardless of tier.

- A. A district custodian or other qualified district staff member must be present at all times when district property is in use. If use takes place outside of the custodian/supervisor's regular schedule, the permit holder will be charged a minimum of two hours beyond the requested rental time to open, close and secure the building, to perform any requested event setup and/or teardown and to clean after the event. The District will arrange for custodial services and/or building supervision if use of the facility occurs at a time when custodians are not on duty, determine if additional services are needed, and/or if the nature of the event dictates such staffing.
- B. Additional setup and teardown fees may be assessed when appropriate as determined by the District.
- C. Events held outside of district buildings on district property may not need a district employee to be present. To ensure compliance with the facility use policy, district personnel may perform a post-event inspection. Fees may be assessed for trash pickup or damage as deemed appropriate by the Facilities Scheduler.

- D. Use of pool facilities requires a district employed WSI or LGT certified lifeguard on duty. Fees for this service will apply and be assessed.
- E. Kitchen equipment may only be used by district food service employees. Fees for this service will apply and be assessed.
- F. Technology and equipment usage may require the district Broadcast and Auditorium Technician be present. Fees for this service will apply and be assessed.

A. RENTAL FEES: The following facility rental fees apply to the event or activity as well as any additional setup and teardown time.

SPACE	TIER 1	TIER 2	TIER 3	TIER 4
Performing Arts Center – High School	\$0.00	\$0.00	\$125/hour or \$1000/day	\$250/hour or \$2000/day
Cafeteria - Elementary	\$0.00	\$0.00	\$15/day	\$30/day
Commons - High School	\$0.00	\$0.00	\$50/day	\$100/day
Classroom	\$0.00	\$0.00	\$15/day	\$30/day
Computer Lab	\$0.00	\$0.00	\$50/day	\$100/day
Conference Room	\$0.00	\$0.00	\$15/day	\$30/day
Lumberjack Room (Tiered Classroom)	\$0.00	\$0.00	\$50/day	\$100/day
Media Center	\$0.00	\$0.00	\$25/day	\$50/day
Multipurpose Breakout Area	\$0.00	\$0.00	\$25/day	\$50/day
Main Gym - High School	\$0.00	\$0.00	\$100/day	\$200/day
Auxiliary Gym - High School	\$0.00	\$0.00	\$50/day	\$100/day
North Gym - Middle School	\$0.00	\$0.00	\$50/day	\$100/day
South Gym - Middle School	\$0.00	\$0.00	\$50/day	\$100/day
Main Gym - Gene Dillon	\$0.00	\$0.00	\$50/day	\$100/day
Auxiliary Gym - Gene Dillon	\$0.00	\$0.00	\$50/day	\$100/day
Elementary Gym	\$0.00	\$0.00	\$25/day	\$50/day
Football Field	\$0.00	\$0.00	\$100/day	\$200/day
Outdoor Fields: Baseball, Softball, Soccer	\$0.00	\$0.00	\$25/day	\$50/day
Nymore Arena (including custodian)	\$0.00	\$0.00	\$130/hour	\$130/hour
Swimming Pool - Middle School/High School	\$0.00	\$0.00	\$50/hour	\$50/hour
Tennis Courts	\$0.00	\$0.00	\$25/day	\$50/day
Track	\$0.00	\$0.00	\$50/day	\$100/day
Weight Room	\$0.00	\$0.00	\$25/day	\$50/day

- B. **PERSONNEL FEES:** Personnel fees apply for each hour of the event as well as any setup and teardown time required. The District reserves the right to specify the number of personnel required for events based on expected participation and setup needs.

PERSONNEL	HOURLY RATE PER PERSON
Custodial Staff	\$40 per hour
Food Service Staff	Charges will vary. For catering services contact the food service department.
Lifeguard	\$25 per hour
Broadcast & Auditorium Technician	\$50 per hour

- C. **EQUIPMENT FEES:** Equipment and/or technology may be available in designated rooms. District equipment may only be used on district property. The applicant must indicate intent to use equipment on the Facility Request Form. Organizations must provide any additional equipment and/or technology needs for their event or activity not listed below.

EQUIPMENT	RATES	NOTES
Grand Piano (auditorium only)	\$25 per day (plus cost of tuning)	
Athletic Equipment (i.e. nets, balls, etc.)		Athletic equipment requests will be handled on an individual basis through the building principal or activities office.
Technology Equipment		Limited technology is available only in the Lumberjack room and Commons at BHS. Specialized technology is available in the Performing Arts Center.

The Superintendent has authority to reduce rental fees when there are special circumstances.

To complete an application for facility use visit us at www.bemidji.k12.mn.us > district tab > facilities calendar & scheduling > facilities request form.

STUDENT ACTIVITY ACCOUNTING

I. PURPOSE

The school board recognizes the need to provide alternative paths to learning, skill development for its students, and activities for student enjoyment. It also understands its commitment to and obligation for assuring maximum accountability for public funds and student activity funds. For these reasons, the school board will assume control over and/or oversee funds for student activities as set forth in this policy.

II. GENERAL STATEMENT OF POLICY

A. Curricular and Cocurricular Activities

The school board shall take charge of, control over, and account for all student activity funds that relate to curricular and cocurricular activities.

B. Extracurricular Activities

The school board shall take charge of and control over all student activity accounting that relates to extracurricular activities.

C. Non-Student Activities

In overseeing student activity accounts under this policy, the school board shall not maintain or account for funds generated by non-students including, but not limited to, convenience funds of staff members, booster club funds, parent-teacher organization or association funds, or funds donated to the school district for specified purposes other than student activities.

III. DEFINITIONS

A. Cocurricular Activity

A “cocurricular activity” means those portions of the school-sponsored and directed activities designed to provide opportunities for students to participate in such experiences on an individual basis or in groups, at school and at public events, for improvement of skills (i.e., interscholastic sports, band, etc.). Cocurricular activities are not offered for school credit, cannot be counted toward graduation, and have *one or more* of the following characteristics:

1. They are conducted at regular and uniform times during school hours, or at times established by school authorities;
2. They are directed or supervised by instructional staff in a learning environment similar to that found in courses offered for credit; and
3. They are partially, primarily, or totally funded by public moneys for general instructional purposes under direction and control of the school board.

B. Curricular Activity

A “curricular activity” means those portions of the school program for which credit is granted, whether the activity is part of a required or elective program.

C. Extracurricular (Noncurricular/Supplementary) Activity

An “extracurricular (noncurricular/supplementary) activity” means all direct and personal services for students for their enjoyment that are managed and operated under the guidance of an adult or staff member. Extracurricular activities have *all* of the following characteristics:

1. They are not offered for school credit nor required for graduation;
2. They generally are conducted outside school hours or, if partly during school hours, at times agreed by the participants and approved by school authorities;
3. The content of the activities is determined primarily by the student participants under the guidance of a staff member or other adult.

D. Public Purpose Expenditure

A “public purpose expenditure” is one which benefits the community as a whole, is directly related to the functions of the school district, and does not have as its primary objective the benefit of private interest.

IV. MANAGEMENT AND CONTROL OF ACTIVITY FUNDS

A. Curricular and Cocurricular Activities

1. All money received on account of cocurricular activities shall be turned over to the treasurer, who shall deposit such funds in the general fund, to be disbursed for expenses and salaries connected with the activities, or otherwise, by the school board upon properly allowed itemized claims.
2. The treasurer shall account for all revenues and expenditures related to curricular and cocurricular activities in accordance with the Uniform Financial Accounting and Reporting Standards (UFARS) and school district policies and procedures.

B. Extracurricular Activities

1. Any and all costs of extracurricular activities may be provided from school revenues.
2. All money received or expended for extracurricular activities shall be recorded in the same manner as other revenues and expenditures of the school district and shall be turned over to the treasurer, who shall deposit such funds in the general fund, to be disbursed for expenses and salaries connected with the activities, or otherwise, by the school board upon properly allowed itemized claims.
3. The treasurer shall account for all revenues and expenditures related to extracurricular activities in accordance with UFARS and school district policies and procedures.
4. All student activity funds will be collected and expended:

- a. in compliance with school district policies and procedures;
 - b. under the general direction of the principal and with the participation of students and faculty members who are responsible for generating the revenue;
 - c. in a manner which does not produce a deficit or an unreasonably large accumulation of money to a particular student activity fund;
 - d. for activities which directly benefit the majority of those students making the contributions in the year the contributions were made whenever possible; and
 - e. in a manner which meets a public purpose.
5. Activity accounts of a graduated class will be terminated prior to the start of the school year following graduation. Any residual money from a graduating class activity fund will remain in the general fund and may be used for any school district purpose. Prior to depositing such accounts, all donations or gifts accepted for the specific purpose of the student activity account shall be administered in accordance with the terms of the gift or donation and school district policy.

V. DEMONSTRATION OF ACCOUNTABILITY

A. Annual External Audit

The school board shall direct its independent certified public accountants to audit, examine, and report upon student activity accounts as part of its annual school district audit in accordance with state law.

B. Fundraiser Report

The administration will prepare a fundraising report annually which will be reviewed by the school board in January. The report will list the activity, type of fundraisers, timing, and results.

Legal References: Minn. Stat. § 123B.02, Subd. 6 (General Powers of Independent School Districts)
Minn. Stat. § 123B.09 (Boards of Independent School Districts)
Minn. Stat. § 123B.15, Subd. 7 (Officers of Independent School Districts)
Minn. Stat. § 123B.35 (General Policy)
Minn. Stat. § 123B.36 (Authorized Fees)
Minn. Stat. § 123B.37 (Prohibited Fees)
Minn. Stat. § 123B.38 (Hearing)
Minn. Stat. § 123B.49 (Extracurricular Activities; Insurance)
Minn. Stat. § 123B.52 (Contracts)
Minn. Stat. § 123B.76 (Expenditures; Reporting)
Minn. Stat. § 123B.77 (Accounting, Budgeting, and Reporting Requirement)
Minn. Rules Part 3500.1050 (Definitions for Pupil Fees)
Visina v. Freeman, 252 Minn. 177, 89 N.W.2d 635 (1958)
Minn. Op. Atty. Gen. 159a-16 (May 10, 1966)

PERSONNEL

MISCELLANEOUS HARASSMENT, VIOLENCE AND DISCRIMINATION
STANDARDS OF BEHAVIOR FOR STAFF AND STUDENTS

Each year the School Board affirms to state and federal authorities its intent to provide equal opportunity in its programs, practices and policies regardless of race, color, creed, religion, national origin, sex, sexual orientation, sexual identity, marital status, status with regard to public assistance or disability. Therefore, it is the policy of School District No. 31 to maintain a learning and working environment that is free from any form of discrimination, violence or harassment.

Bemidji School District No. 31 recognizes that regardless of intent, harassment, violence and discrimination in any form has the capacity of substantially harming both the individuals to whom it is addressed and the educational community as a whole. Whenever the behavior creates a hostile or intimidating work or learning environment, it will be investigated.

Harassment, violence and discrimination can take the form of racial and ethnic remarks as well as remarks about gender, religion or disability. Besides derogatory remarks or violent behavior, this form of harassment can also be pictures or gestures directed to individual group(s).

Students or staff who have been subjected to the above may file a formal grievance with the Human Rights Officer of the school district or with their supervisor. A grievance against the Human Rights Officer should be filed with the Superintendent of Schools and a grievance against the Superintendent of Schools may be filed with the Chairperson of the School Board.

The district will thoroughly investigate the complaint and will protect the rights of all parties to the complaint.

Students or staff who, while acting within the scope of their employment, violate this policy will be subject to appropriate disciplinary action. Supervisors who fail to take prompt action to discipline staff who have been found guilty of inappropriate behavior shall be subject to the discipline process.

BEMIDJI AREA SCHOOLS

HARASSMENT, VIOLENCE AND DISCRIMINATION REPORT FORM
 RACE, COLOR CREED, RELIGION, NATIONAL ORIGIN, GENDER, MARITAL STATUS, PUBLIC
 ASSISTANCE OR DISABILITY

General Statement of Policy Prohibiting Harassment, Violence and Discrimination

Independent School District No. 31 maintains a firm policy prohibiting all forms of discrimination based on sex, race, age or disability. Harassment, violence and discrimination against students or employees is illegal. All persons are to be treated with respect and dignity. Personal harassment, violence or discrimination by a person, male or female, 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) _____

Check what you believe to be the nature of the complaint:

_____ Race _____ Gender _____ Age _____ Disability _____ Religion _____ Marital Status
 _____ Other _____

Name of person you believe harassed you, was violent toward you, or discriminatory against you:

List any witnesses that were present:

Where did the incident(s) occur?

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 you did to avoid the situation? Did you ask the person(s) to stop their behavior? Did they stop? (Attach additional pages if necessary.)

This complaint is filed based on my honest belief that _____
 has harassed, was violent to me, or discriminated against me. 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.

Complaint Signature _____

Date _____

Received by _____

Date _____

**MISCELLANEOUS-HARASSMENT, VIOLENCE AND DISCRIMINATION
STANDARDS OF BEHAVIOR FOR STAFF AND STUDENTS ADMINISTRATIVE PROCEDURES**

General Statement of Policy

Harassment, violence and discrimination in any form violates several state and federal laws and regulations. It is the policy of Independent School District No. 31 to maintain a learning environment and working environment that is free from harassment, violence and discrimination of any kind. It shall be a violation of this procedure for any student or employee of Independent School District No. 31 to harass or be violent toward a student or an employee through conduct or communication defined by the policy.

The school district will investigate all complaints of harassment, violence or discrimination and discipline any student or employee who harasses, is violent or is discriminatory to a student or employee of the school district. This includes any vendors whose business brings them on school property.

Reporting Procedures

Any person who believes he or she has been the victim of harassment, violence or discrimination by a student or an employee of the school district, or any third person with knowledge or belief of conduct, which may constitute harassment, violence, or discrimination should report the alleged acts immediately to an appropriate school district official as designated by this policy. The school district encourages the reporting party or complainant to use the report form available from the principal or each building or available from the school district office.

- A. In Each School Building: The building principal is the person responsible for receiving reports of harassment, violence or discrimination at the building level. Upon receipt of a written complaint, the principal must notify the District Human Rights Officer immediately without screening or investigating the report. A written report will be forwarded simultaneously to the Human Rights Officer. Failure to forward any harassment, violence or discrimination report or complaint as provided herein will result in disciplinary action. If the complaint involves the principal, the complaint will be filed directly with the District Human Rights Officer.
- B. District-Wide: The school board hereby designates the Director of Human Resources as the School District Human Rights Officer to receive reports or complaints of harassment, violence and discrimination from any individual, employee or victim of harassment, violence or discrimination and from the building principals as outlined above. If the complaint involves the Human Rights Officer, the complaint shall be filed directly with the Superintendent.

The school district shall conspicuously post the name of the Human Rights Officer, including a mailing address and telephone number.

- C. Submission of a complaint or report of harassment, violence or discrimination will not affect the individual's future employment, grades or work assignments.

Investigation and Recommendation:

By authority of the school district, the Human Rights Officer, upon receipt of a report or complaint alleging harassment, discrimination, or violence, shall immediately authorize an investigation. This investigation may be conducted by school district officials or by a third party designated by the school district. The investigating party shall provide a written report of the status of the investigation within (10) working days to the Superintendent of Schools and the Human Rights Officer.

ISD NO. 31

SBR 200-90-15R

ORIGINAL JULY 20, 1992

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In determining whether alleged conduct constitutes harassment, discrimination or violence, the school district should consider the circumstances, the nature of the incident, relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes harassment, discrimination or violence requires a determination based on all the facts and surrounding circumstances.

The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

In addition, the school district may take immediate steps, at its discretion, to protect the complainant, students and employees pending completion of an investigation of alleged harassment or violence.

The school district Human Rights Officer shall make a report to the Superintendent upon completion of the investigation.

School District Action:

- A. Upon receipt of a recommendation that the complaint is valid, the school district will take such action as appropriate based on the results of the investigation.
- B. The results of the investigation of each complaint filed under these procedures will be reported in writing to the complainant by the school district if the complainant is an adult. Parents or guardians will be called in cases that involve students only.

Reprisal

The school district will discipline or take appropriate action against any pupil, teacher, administrator or other school personnel who retaliates against any person who reports alleged harassment, violence or discrimination or any person who testifies, assists or participates in an investigation, or who testifies, assists or participates in a proceeding or hearing relating to such harassment, violence or discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

Right to Alternative Complaint Procedures

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

Discipline:

Any school district action taken pursuant to the policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota statutes and school district policies. The school district will take such disciplinary action it deems necessary and appropriate, including warning, suspension or immediate discharge, to end harassment, violence and discrimination and prevent its recurrence.

STUDENT PERSONNEL HAZING PROHIBITION

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

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

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

III. DEFINITIONS

- A. "Hazing" means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to:
 - 1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking or placing a harmful substance on the body.
 - 2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics, or other activity that subjects the students to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.

3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the students to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
 5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.
- B. "Immediately" means as soon as possible but in no event longer than 24 hours.
- C. "On school premises or school district property, or at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting hazing at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
- D. "Remedial response" means a measure to stop and correct hazing, prevent hazing from reoccurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.
- E. "Student" means a student enrolled in a public school or a charter school.
- F. "Student organization" means a group, club or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report hazing anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial response.
- B. The school district encourages the reporting party to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.

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

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

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

V. SCHOOL DISTRICT ACTION

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

VI. RETALIATION OR REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor or other employee of the school district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged hazing who provides information about hazing, who testifies, assists, or participates in

an investigation of alleged hazing, or who testifies, assists or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct.

VII. DISSEMINATION OF POLICY

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

Legal References: Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents
Under the Safe and Supportive Minnesota Schools Act)
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)

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

PERSONNEL
Staff Photo Identification Policy

In order to improve service and security for students, staff and the community, all Bemidji Area Schools employees will be provided with a photo identification badge. All employees are required to wear their identification badges at work and when conducting District business away from their regular work location.

The identification badges will be issued in a standard District format or in a building format that has been approved by the Superintendent. All identification badges will include the employee's name, photograph, job title and department/program or building.

Each badge will be equipped with a clip fastener or lanyard. The badge must be visible and readable from the front and worn at or above waist level. Employees may be charged a fee for the replacement of lost, damaged or stolen identification badges or fasteners/lanyards. Lost or stolen identification badges must be reported to the building/program administrator and the Business Service Office no later than 9:00 a.m. on the work day after the identification badge has been lost or stolen.

The photo identification badges are the property of Bemidji Area Schools and must be returned upon separation from employment.

Each building/program will be issued generic "STAFF" identification badges that must be worn by staff while waiting for an original or replacement identification badge to be issued.

SCHOOL PROPERTIES - INTERNET ACCEPTABLE USE POLICY

I. PURPOSE

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

IV. USE OF SYSTEM IS A PRIVILEGE

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

V. UNACCEPTABLE USES

A. The following uses of the school district system and Internet resources or accounts are considered unacceptable:

1. Users will not use the school district system to access, review, upload, download store, print, post, receive, transmit, or distribute:
 - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
 - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
 - d. information or materials that could cause damage or danger of disruption to the

educational process;

- e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
 3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.
 4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
 5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information, 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, address, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.
 - a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
 - b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
 - (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with school board policy, 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 school board policy.

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 as “MySpace” and “Facebook.”
- 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. Message 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 authorized 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. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations include, but are not limited to, situations where the school district system is compromised or if a school district employee or student is negatively impacted. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.
- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate discloser shall be to the employee’s immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

VI. FILTER

- A. With respect to any of its computers with Internet access, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of

such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:

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

VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

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

VIII. LIMITED EXPECTATION OF PRIVACY

- A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. Parents have the right to investigate or review the contents of their child’s files and e-mail files. Parents have the right to request the termination of their child’s individual account at any time.
- E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, school district

employees should be aware that data and other material in files, maintained on the school district system may be subject to review, disclosure, or discovery under Minn. Stat. Ch. 13 (the Minnesota Government Data Practices Act).

- F. The school district will cooperate fully with local, state, and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

IX. INTERNET USE AGREEMENT

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents and employees of the school district.
- B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.
- C. The Internet Use Agreement form for students must be read and signed by the user, and a 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. LIMIT 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 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 finance obligation incurred by a student through the Internet is the sole responsibility of the student and/or student's parents.
6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by school board 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. PARENT 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, and the parent or guardian, and the supervising teacher prior to use by the student.
 5. A statement that the school district's Acceptable Use Policy is available for parental review.

XIII. IMPLEMENTATION: POLICY REVIEW

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

Legal References:

15 U.S.C. § 6501 *et seq.* (Children's Online Privacy Protection Act)
 17 U.S.C. § 101 *et seq.* (Copyrights)
 20 U.S.C. § 6751 *et seq.* (Enhancing Education through Technology Act of 2001)
 47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))
 47 C.F.R. § 54.520 (FCC rules implementing CIPA)
 Minn. Stat. § 121A.031 (School Student Bullying Policy)
 Minn. Stat. § 125B.15 (Internet Access for Students)
 Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
United States v. Amer. Library Assoc., 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221 (2003)
Doninger v. Niehoff, 527 F.3d 41 (2nd Cir. 2008)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, No. 12-588, 2012 WL 3870868 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), *aff'd* on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee's Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
Kowalski v. Berkeley County Sch., 652 F.3d 656 (4th Cir. 2011)
Layshock v. Hermitage Sch. Dist., 650 F.3d 205 (3rd Cir. 2011)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)
J.S. v. Bethlehem Area Sch. Dist., 807 A.2d 847 (Pa. 2002)

Cross References:

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
 MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
 MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
 MSBA/MASA Model Policy 506 (Student Discipline)
 MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
 MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
 MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
 MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
 MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)
 MSBA/MASA Model Policy 603 (Curriculum Development)
 MSBA/MASA Model Policy 604 (Instructional Curriculum)
 MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)
 MSBA/MASA Model Policy 806 (Crisis Management Policy)
 MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)

INTERNET USE AGREEMENT - STUDENT**STUDENT**

I have read and do understand the school district policies relating to safety and acceptable use of the school district computer system and the Internet and agree to abide by them. I further understand that should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken, and/or appropriate legal action may be taken.

User's Full Name (please print): _____

User Signature: _____

Date: _____

PARENT OR GUARDIAN

As the parent or guardian of this student, I have read the school district policies relating to safety and acceptable use of the school district computer system and the Internet. I understand that this access is designed for educational purposes. The school district has taken precautions to eliminate controversial material. However, I also recognize it is impossible for the school district to restrict access to all controversial materials and I will not hold the school district or its employees or agents responsible for materials acquired on the Internet. Further, I accept full responsibility for supervision if and when my child's use is not in a school setting. I hereby give permission to issue an account for my child and certify that the information contained on this form is correct.

Parent or Guardian's Name (please print): _____

Parent or Guardian's Signature: _____

SUPERVISING TEACHER

(Must be signed if applicant is a student)

I have read the school district policies relating to safety and acceptable use of the school district computer system and the Internet and agree to promote these policies with the student. Because the student may use the Internet on the school district computer system for individual work or in the context of another class, I cannot be held responsible for the student's use of the Internet on network. As the supervising teacher I do agree to instruct the student on acceptable use of the Internet and network and proper network etiquette.

Teacher's Name (please print): _____

Teacher's Signature: _____

INTERNET USE AGREEMENT - EMPLOYEE

SCHOOL DISTRICT EMPLOYEE

I have read and do understand the school district policies relating to safety and acceptable use of the school district computer system and the Internet and agree to abide by them. I further understand that should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken, and/or appropriate legal action may be taken.

User's Full Name (please print):

User Signature:

Date:

**BEMIDJI AREA SCHOOLS
LICENSED STAFF REQUEST FOR LEAVE**

ATTACHMENT O

LEGAL NAME (print) _____ SIGNATURE _____

TODAY'S DATE _____ BUILDING _____ SUBJECT/GRADE/DEPT _____

REASON FOR REQUEST _____

DATE(S) OF ABSENCE: FROM _____ (month) (day) (year) TOTAL DAY(S)/HOUR(S) _____
(circle one)

THRU _____ (month) (day) (year)

NOTE: If days are not inclusive, complete a separate form for each absence. Only one type of leave per form.

SICK LEAVE	_____ (PCI)	Personal Illness/Child Illness
	_____ (FI)	Family IllnessThe family member is your: _____
	_____ (DA)	Doctor/Dentist Appointment
	_____ (B)	BereavementThe deceased was your: _____
	_____ (M)	Maternity/Medical Leave
	_____ (JI)	On-the-job Injury Must be reported to Bldg/Dept Office Immediately

_____	Special Leave
_____	Personal Leave
_____	Discretionary Leave
_____ (V)	Vacation Leave

OTHER LEAVE	_____ (NDV)	Nonduty Leave
	_____ (AB)	Association Leave BEA
	_____ (ASD)	Association Leave BEA Superintendent Discretion
	_____ (B)	BereavementThe deceased was your: _____
	_____ (EC)	Extra Curricular Time of Departure _____ am/pm Expected Time of Return _____ am/pm Reimbursement of Travel Expenses: Will be Requested _____ Will Not be Requested _____
	_____ (JD)	Jury Duty All jury duty checks must be turned over to the district or salary will be deducted. Subpoena Attach copy of subpoena.
	_____ (MIL)	Military Leave (Attach copy of the orders)
	_____ (O)	Other: _____
	_____ (P)	Professional/Job Related Destination: _____ Time of Departure _____ am/pm Expected Time of Return _____ am/pm Reimbursement of Travel Expenses: Will be Requested _____ Will Not be Requested _____ Others will be traveling with me: YES _____ NO _____ DOCUMENTATION such as agenda, registration form, or brochure indicating what you are attending must be attached for out of district leave.
	_____ (SD)	Salary Deduct

IS A SUBSTITUTE NEEDED? YES _____ NO _____ If less than a full day, indicate the exact time: _____

ENTITY CHARGED FOR EXPENSES: _____

Principal or Supervisor		Director		Human Resources	
Date	Initial	Date	Initial	Date	Initial

BEMIDJI AREA SCHOOLS
NONLICENSED STAFF REQUEST FOR LEAVE

ATTACHMENT O

LEGAL NAME (print) _____ SIGNATURE _____

TODAY'S DATE _____ BUILDING _____ POSITION _____

REASON FOR REQUEST _____

DATE(S) OF ABSENCE: FROM _____ (month) (day) (year) TOTAL HOUR(S) _____
THRU _____ (month) (day) (year)

NOTE: If days are not inclusive, complete a separate form for each absence. Only one type of leave per form.

S I C K L E A V E	_____ (PCI)	Personal Illness/Child Illness
	_____ (FI)	Family IllnessThe family member is your: _____
	_____ (DA)	Doctor/Dentist Appointment
	_____ (B)	BereavementThe deceased was your: _____
	_____ (M)	Maternity/Medical Leave
	_____ (JI)	On-the-job Injury Must be reported to Bldg/Dept Office Immediately
	_____ (FLEX)	Flexible Leave.....Hours Used _____ Hours Left _____

VACATION LEAVE

_____ (V)	Vacation
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O T H E R L E A V E	_____ (NDV)	Nonduty Leave
	_____ (B)	BereavementThe deceased was your: _____
	_____ (EC)	Extra Curricular Time of Departure _____ am/pm Expected Time of Return _____ am/pm Reimbursement of Travel Expenses: Will be Requested _____ Will Not be Requested _____
	_____ (JD)	Jury Duty All jury duty checks must be turned over to the district or salary will be deducted. Subpoena Attach copy of subpoena.
	_____ (MIL)	Military Leave (Attach copy of the orders)
	_____ (O)	Other: _____
	_____ (P)	Professional/Job Related Destination: _____ Time of Departure _____ am/pm Expected Time of Return _____ am/pm Reimbursement of Travel Expenses: Will be Requested _____ Will Not be Requested _____ Others will be traveling with me: YES _____ NO _____ DOCUMENTATION such as agenda, registration form, or brochure indicating what you are attending must be attached for out of district leave.
	_____ (SD)	Salary Deduct Hours Used _____ Hours Left _____

IS A SUBSTITUTE NEEDED? YES _____ NO _____ If less than a full day, indicate the exact time: _____

ENTITY CHARGED FOR EXPENSES: _____

Principal or Supervisor		Director		Human Resources	
Date	Initial	Date	Initial	Date	Initial

PERSONNEL

OTHER ABSENCE

Unless there is specific contract language to the contrary and where it does not seriously disrupt operations or create a vacancy for which the district cannot secure an adequate replacement, an employee may take a maximum of ten (10) days per year for other absence at full salary deduction. These days shall be nonaccumulative. Ten (10) days is the maximum any employee may be away from his/her work station at full salary deduction and be employed by the school district unless there is specific contract language to the contrary in the negotiated agreement. The only exception to this policy is for unusual circumstances that would be approved on a one time basis and only by the authorization of the Superintendent. The employee must give written notice to the Superintendent or designee of his/her intention to take this leave at least three working days prior to the start of the leave.

STUDENT PERSONNEL
MALTREATMENT OF MINORS

It is the intent of Bemidji Area Schools, Independent School District No. 31, to comply with the provisions of M.S. 626.556 as amended, Reporting Maltreatment of Minors.

**STUDENT PERSONNEL
MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE
ADMINISTRATIVE PROCEDURES**

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. “Accidental” means a sudden, not reasonably foreseeable, and unexpected occurrence or event which:
 - 1. is not likely to occur and could not have been prevented by exercise of due care; and
 - 2. if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence of event.
- B. “Child” means one under age 18 and, for purposes of Minn. Stat. Ch. 260C (Child Protection) and Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18).
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- D. “Mandated reporter” means any school personnel who knows or has reason to believe a child is being neglected or physically or sexually abused, or has been neglected or physically or sexually abused within the preceding three years.
- E. “Neglect” means the commission or omission of any of the acts specified below, other than by accidental means:
 - 1. failure by a person responsible for a child’s care to supply a child with necessary food, clothing, shelter, health, medical, or other care required for the child’s physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;
 - 2. failure to protect a child from conditions or actions that seriously endanger the child’s physical or mental health when reasonably able to do so;
 - 3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors such as the child’s age, mental ability, physical condition, length of absence, or

environment, when the child is unable to care for his or her own basic needs or safety or the basic needs or safety of another child in his or her care;

4. failure to ensure that a child is educated in accordance with state law, which does not include a parent's refusal to provide his or her child with sympathomimetic medications;
5. prenatal exposure to a controlled substance used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child's birth, or medical effects or developmental delays during the child's first year of life that medically indicate prenatal exposure to a controlled substance or the presence of a fetal alcohol spectrum disorder;
6. medical neglect as defined by Minn. Stat. § 260C.007, Subd. 4, Clause (5);
7. chronic and severe use of alcohol or a controlled substance by a parent or person responsible for the care of the child that adversely affects the child's basic needs and safety; or
8. emotional harm from a pattern of behavior which contributes to impaired emotional functioning of the child which may be demonstrated by a substantial and observable effect in the child's behavior, emotional response, or cognition that is not within the normal range for the child's age and stage of development, with due regard to the child's culture.

Neglect does not include spiritual means or prayer for treatment or care of disease where the person responsible for the child's care in good faith has selected and depended on those means for treatment or care of disease, except where the lack of medical care may cause serious danger to the child's health.

F. "Nonmaltreatment mistake" means: (1) at the time of the incident, the individual was performing duties identified in the center's child care program plan required under Minn. Rules Part 9503.0045; (2) the individual has not been determined responsible for a similar incident that resulted in a finding of maltreatment for at least seven years; (3) the individual has not been determined to have committed a similar nonmaltreatment mistake under this paragraph for at least four years; (4) any injury to a child resulting from the incident, if treated, is treated only with remedies that are available over the counter, whether ordered by a medical professional or not; and (5) except for the period when the incident occurred, the facility and the individual providing services were both in compliance with all licensing requirements relevant to the incident. This definition only applies to child care centers licensed under Minn. Rules Ch. 9503.

G. "Physical abuse" means any physical injury, mental injury, or threatened injury, inflicted by a person responsible for the child's care other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child's history of injuries or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minn. Stat. § 121A.67 or § 245.825.

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

Actions which are not reasonable and moderate include, but are not limited to, any of the following that are done in anger or without regard to the safety of the child: (1) throwing, kicking, burning, biting, or cutting a child; (2) striking a child with a closed fist; (3) shaking a child under age three; (4) striking or other actions which result in any nonaccidental injury to a child under 18 months of age; (5) unreasonable interference with a child's breathing; (6) threatening a child with a weapon, as defined in Minn. Stat. § 609.02, Subd. 6; (7) striking a child under age one on the face or head; (8) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances which were not prescribed for the child by a practitioner, in

order to control or punish the child, or giving the child other substances that substantially affect the child's behavior, motor coordination, or judgment or that result in sickness or internal injury, or subject the child to medical procedures that would be unnecessary if the child were not exposed to the substances; (9) unreasonable physical confinement or restraint not permitted under Minn. Stat. § 609.379 including, but not limited to, tying, caging, or chaining; or (10) in a school facility or school zone, an act by a person responsible for the child's care that is a violation under Minn. Stat. § 121A.58.

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

IV. REPORTING PROCEDURES

- A. A mandated reporter as defined herein shall immediately report the neglect or physical or sexual abuse, which he or she knows or has reason to believe is happening or has happened within the preceding three years to the local welfare agency, police department, county sheriff, or agency responsible for assisting or investigating maltreatment.
- B. If the immediate report has been made orally, by telephone or otherwise, the oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) to the appropriate police department, the county sheriff, local welfare agency, or agency responsible for assisting or investigating

maltreatment. The written report shall identify the child, any person believed to be responsible for the abuse or neglect of the child if the person is known, the nature and extent of the abuse or neglect and the name and address of the reporter.

- C. Regardless of whether a report is made, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident has occurred and may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.
- D. A mandated reporter who knows or has reason to know of the deprivation of parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.
- E. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated reporter shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.
- F. A person mandated by Minnesota law and this policy to report who fails to report may be subject to criminal penalties and/or discipline, up to and including termination of employment.
- G. Submission of a good faith report under Minnesota law and this policy will not adversely affect the reporter's employment, or the child's access to school.
- H. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, and the reckless making of a false report may result in discipline. The court may also award attorney's fees.

[Note: The Minnesota Department of Education (MDE) is responsible for assessing or investigating allegations of child maltreatment in schools. Although a report may be made to any of the agencies listed in Section IV. A., above, and there is no requirement to file more than one report, if the initial report is not made to MDE, it would be helpful to MDE if schools also report to MDE.]

V. INVESTIGATION

- A. The responsibility for investigating reports of suspected neglect or physical or sexual abuse rests with the appropriate county, state, or local agency or agencies. The agency responsible for assessing or investigating reports of child maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged perpetrator, and any other person with knowledge of the abuse or neglect for the purpose of gathering the facts, assessing safety and risk to the child, and formulating a plan. Under certain conditions, the investigating agency may interview the child at school. The interview may take place outside the presence of a school official. The investigating agency, not the school, is responsible for either notifying or withholding notification of the interview to the parent, guardian or person responsible for the child's care. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded.
- B. When the investigating agency determines that an interview should take place on school property, written notification of intent to interview the child on school property will be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the

interview, and a reference to the statutory authority to conduct an interview on school property as well as with parent consent for the interview, unless the parent is the subject of the investigation.

- C. Except where the alleged perpetrator is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school employees when an interview is conducted on school premises.
- D. Where the alleged perpetrator is believed to be a school official or employee, the school district shall conduct its own investigation independent of MDE and, if involved, the local welfare or law enforcement agency.
- E. Upon request by MDE, the school district shall provide all requested data that are relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The school district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g.

VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE

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

VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE

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

VIII. DISSEMINATION OF POLICY AND TRAINING

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 121A.58 (Corporal Punishment)

Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)
Minn. Stat. § 243.166, Subd. 1b(a)(b) (Registration of Predatory Offenders)
Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)
Minn. Stat. § 260C.007, Subd. 4, Clause (5) (Child in Need of Protection)
Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18)
Minn. Stat. Ch. 260D (Child in Voluntary Foster Care for Treatment)
Minn. Stat. § 609.02, Subd. 6 (Definitions – Dangerous Weapon)
Minn. Stat. § 609.341, Subd. 10 (Definitions – Position of Authority)
Minn. Stat. § 609.341, Subd. 15 (Definitions – Significant Relationship)
Minn. Stat. § 609.379 (Reasonable Force)
Minn. Stat. § 626.556 *et seq.* (Reporting of Maltreatment of Minors)
Minn. Stat. § 626.5561 (Reporting of Prenatal Exposure to Controlled Substances)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

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

GENERAL RULES FOR REPORTING CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE

Numbers to report to:	Beltrami County Human Services (Ask for Child Protection Intake)	333-8316 333-8404/333-8035
	Law Enforcement Center	751-9111

RULES FOR REPORTING

1. If you have contact with or have responsibility for children in your work, you are mandated to report any suspected neglect, physical and/or sexual abuse.
2. You must report suspected neglect or abuse if you have knowledge about the abuse or if you have reasonable cause to believe a child is being neglected or abused.
3. You must report your suspicions personally.
4. You must report immediately. (The law says within 24 hours, however, it is a wise practice to call it in as soon as possible. A report made early in the day allows human services and law enforcement time during the day to do an investigation and provide for the safety of the child that day, if necessary.)
5. Oral reports must be followed up with a written report within 72 hours.
6. DO NOT attempt to investigate on your own.
7. DO NOT contact the child's parents on your own.
8. Reports can be made either to law enforcement or human services.
9. You will be immune from civil liability if you report in good faith.
10. If you fail to report, you may be subjected to criminal prosecution.

Suspected Child Abuse/Neglect Referral Form
Bemidji Area Schools
502 Minnesota Ave NW
Bemidji, MN 56601

Who Reports? Anyone. However, Minnesota Statutes 626.556 as amended – Reporting Maltreatment of Minors makes it mandatory for most people working with children to report suspected neglect, physical and/or sexual abuse of children. Completion of this report with information available to you constitutes a written report as required by Minnesota Law. You are not required to use this form. You are required to report.

How To Report: An oral report should be made immediately – telephone or otherwise.

Beltrami County Human Services – 333-8316 or 333-8404 email: cpintake@co.beltrami.mn.us

Beltrami County Law Enforcement & Police Department – 333-9111 or 751-9111

Hubbard County Human Services – 877-450-1454 or 218-732-2420

Red Lake Nation Human Services – 218-679-2122

Cass Lake Human Services – 335-8270

Clearwater County Human Services – 800-245-6064 or 218-694-6164

The oral report must be followed by a written report within 72 hours. Send written report to the appropriate county or human services agency.

Report/Referral

Person Making Report _____

Date _____

Position _____

School _____

Telephone Number _____

Child Involved

Name of Child (Last-First-Middle) _____

Birth Date _____

Grade _____

Male _____

Female _____

Name of Parent/Adult Responsible for Child _____

Relationship _____

Telephone Number(s) Home: _____

Work: _____

Address _____

Cell: _____

Nature and Description of Incident

(Use back of sheet if necessary)

Other individuals who are aware of this referral: _____

Signature of person making report: _____

Date of oral report: _____ To whom reported: _____

Check here if you wish to receive information from Social Services regarding the disposition of this report. _____

Bemidji Area Schools 2021-2022 School Calendar

ATTACHMENT Q

AUGUST 2021 S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 <i>0 Student/2 Teacher</i>							SEPTEMBER 2021 S M T W T F S 5 6 7 8 1 2 3 4 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 <i>18 Student/19.5 Teacher</i>						
OCTOBER 2021 S M T W T F S 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 <i>18 Student/19 Teacher</i>							NOVEMBER 2021 S M T W T F S 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 <i>18 Student/20 Teacher</i>						
DECEMBER 2021 S M T W T F S 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 <i>16 Student/16 Teacher</i>							JANUARY 2022 S M T W T F S 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 <i>20 Student/20 Teacher</i>						
FEBRUARY 2022 S M T W T F S 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 <i>18 Student/19 Teacher</i>							MARCH 2022 S M T W T F S 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 <i>21 Student/23 Teacher</i>						
APRIL 2022 S M T W T F S 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 <i>20 Student/20 Teacher</i>							MAY 2022 S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 <i>21 Student/21 Teacher</i>						
JUNE 2022 S M T W T F S 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 <i>3 Student/3.5 Teacher</i>													

August 30-September 1.....Teacher Days
September 2.....Teacher Half-Day
September 6.....Labor Day
September 7.....Students' First Day

October 4.....Staff Development
October 21-22.....Education Minnesota
November 11.....Conferences
November 12.....No School
November 25-26.....Thanksgiving

December 23 – January 2.....Winter Break
January 17.....Martin Luther King Jr Day
(or Snow Make-up Day if Needed)

February 18.....Staff Development
February 21.....Presidents' Day
(or Snow Make-up Day if Needed)
March 10.....Conferences
March 11.....No School

April 15.....Spring Break
May 28.....BHS Graduation
May 30.....Memorial Day

June 3.....Students' Last Day
June 6.....Teachers' Last Half-Day

End of 1st Term.....November 10
End of 2nd Term.....January 21
End of 3rd Term.....March 25
End of 4th Term.....June 3

PERSONNEL HARASSMENT AND VIOLENCE

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. It is the policy of Independent School District No. 31 to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, as defined by this policy. (For purposes of this policy, school district personnel includes school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who is found to have violated this policy.

III. DEFINITIONS

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

2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or,
 3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
1. "Disability" means any condition or characteristic that renders a person a disabled person. A disabled person is any person who:
 - a. has a physical, sensory, or mental impairment which materially limits one or more major life activities;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
 2. "Familial status" means the conditions of one or more minors being domiciled with:
 - a. their parent or parents or the minor's legal guardians; or
 - b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
 3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
 4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
 5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
 6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.
 7. "Status with regard to public assistance" means the condition of being a recipient of federal, state or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.
- F. Sexual Harassment; Definition

1. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature when:
 - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or,
 - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or,
 - c. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
2. Sexual harassment may include, but is not limited to:
 - a. unwelcome verbal harassment or abuse;
 - b. unwelcome pressure for sexual activity;
 - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
 - d. Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or education status;
 - e. Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or education status; or,
 - f. Unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

G. Sexual Violence; Definition

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

H. Violence; Definition

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

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct which may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building: The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights office immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights office. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. The School Board hereby designates Jordan Hickman, Director of Human Resources, as the school district human rights officer to receive reports or complaints of harassment and violence prohibited by this policy. If the complaint involves the human rights officer, the complaint shall be filed directly with the superintendent.

- H. The school district shall conspicuously post the name of the human rights officer, including a mailing address and telephone number.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

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

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

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

V. INVESTIGATION

- A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.

- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

VI. SCHOOL DISTRICT ACTION

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

VII. RETALIATION OR REPRISAL

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

VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

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

IX. HARASSMENT OR VIOLENCE AS ABUSE

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

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

X. DISSEMINATION OF POLICY AND TRAINING

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

Legal References:

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

BEMIDJI AREA SCHOOLS
BEMIDJI, MINNESOTA
HARASSMENT AND VIOLENCE REPORT FORM

General Statement of Policy Prohibiting Harassment and Violence

Independent School District No. 31 maintains a firm policy prohibiting all forms of discrimination. Harassment or violence against students or employees or groups of students or employees on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity and expression, or disability is strictly prohibited. All persons are to be treated with respect and dignity. Harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity and expression, or disability by any student, 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) _____

Basis of Alleged Harassment/Violence – circle as appropriate: race \ color \ creed \ religion \ national origin \ sex \ age \ marital status \ familial status \ status with regard to public assistance \ sexual orientation including gender identity and expression \ disability.

Name of person you believe harassed or was violent toward you or another person or group.

If the alleged harassment or violence was toward another person or group, identify that person or group.

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 any witnesses that were present _____

This complaint is filed based on my honest belief that _____ has
harassed or has been violent to me or to another person or group. 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

TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONICS DELIVERY DEVICES POLICY

I. PURPOSE

The purpose of this policy is to maintain 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 the 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 the school district owns, leases, rents, contracts for, or controls and 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.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.
- D. The school district will not solicit or accept any contributions or gifts of money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, tobacco-related devices, or electric delivery devices. The school district will not promote or allow promotion of tobacco products or electronic delivery devices on school property or at school-sponsored events.

III. TOBACCO AND TOBACCO-RELATED DEVICES DEFINED

- A. "Electronic delivery devices" means any product containing or delivering nicotine, lobelia, or any other substance intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of vapor from the product. Electric delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device does not include any product that has been approved or certified 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 marketed and sold for such an approved purpose.
- B. "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.
- C. "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 inhaling of vapors of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.

- D. "Smoking" means inhaling or exhaling, ~~from~~ burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or 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.

IV. EXCEPTIONS

- A. A violation of this policy does not occur when an Indian adult lights tobacco on school district property as part of a traditional American Indian spiritual or cultural ceremony. An Indian is a person who is a member of an Indian tribe as defined under Minnesota law.
- B. A violation of this policy does not occur when an adult 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 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 person 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.

VI. DISSEMINATION OF POLICY

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

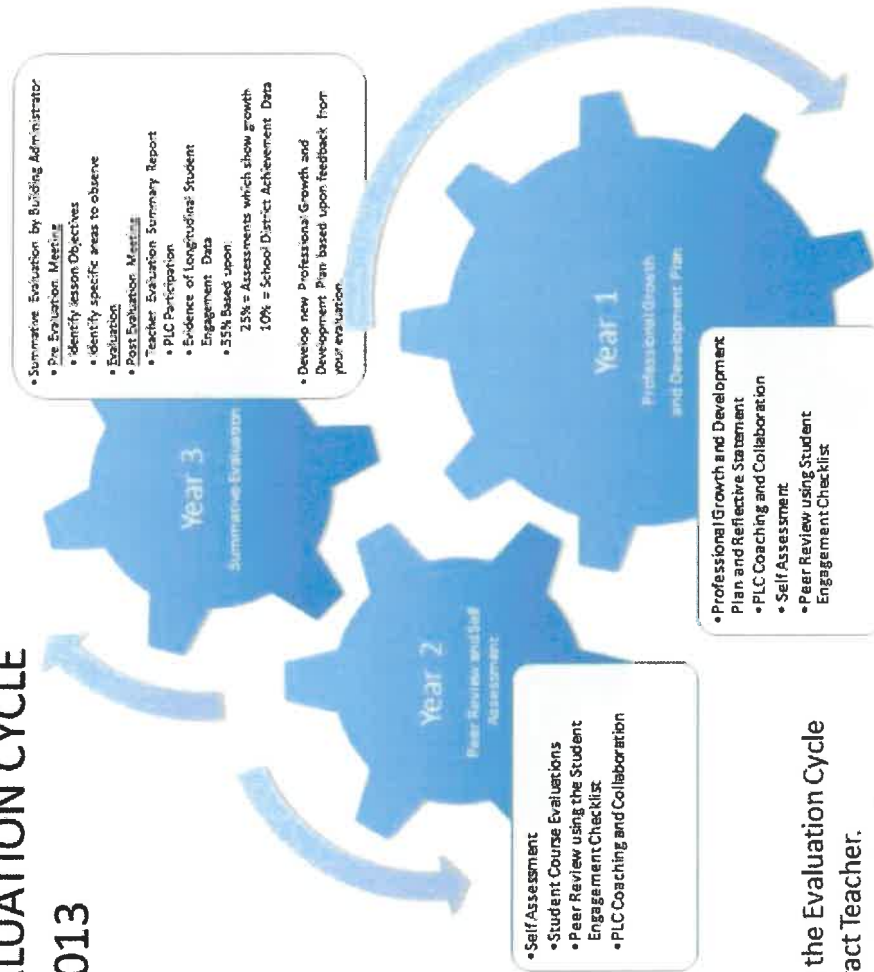
Legal References: Minn. Stat. §§ 144.411-144.417 (Minnesota Clean Indoor Air Act)
 Minn. Stat. § 609.685 (Sale of Tobacco to Children)
 2007 Minn. Laws. Ch. 82 (Freedom to Breathe Act of 2007)

PERSONNEL – TEACHER EVALUATION POLICY

The Bemidji School Board recognizes the critical role a quality teacher evaluation program plays in improving student achievement. Administrative procedures have been developed to provide a teacher evaluation procedure that aims to improve instruction and comply with applicable state statutes. Procedures address the following program components:

1. Probationary teachers will receive three formal evaluations each year until they are placed on continuing contract.
2. Continuing contract teachers will be included in the Teacher Evaluation Cycle which includes Peer Review and Professional Growth and Development Plans in year 1, Peer Review and Self-Assessment in year 2, and Summative Evaluation in year 3.
3. Technical Assistance will be provided for any teacher who fails to meet the evaluation expectations and needs help to improve their teaching performance.

BEMIDJI AREA SCHOOLS TEACHER EVALUATION CYCLE 2013



#This cycle represents the Evaluation Cycle for a Continuing Contract Teacher. Probationary Teachers will receive Three Formal Evaluations each year until they are on a continuing contract.

Bemidji Teacher Evaluation Timeline for Continuing Contract Teachers

Month	Growth Plan	Peer Review	Summative Evaluation
August			
September	Decide your goal based on student data and the school and district goals		Prior to February, set up a formal observation with your principal Write a formal Lesson Plan for the lesson to be evaluated.
October	By October 31, provide your principal with a copy of your goals	Decide your goal based on student data and the school and district goals	
November	Meet with your principal to discuss your goals	Share your goal with your chosen Peer Reviewer	
December		Set a time for your Peer Reviewer to observe your classroom and discuss your chosen goal. Keep notes of each meeting with your Peer at least two times during the year.	
January			
February			
March		Keep a copy of your Peer dates and notes and complete the Peer Review. Include specific data to substantiate your goal results.	
April	Revisit the results of your goal and complete Reflective Statement including specific data to substantiate your results	Let your principal know when the Peer Review is completed. Optional: provide a copy of your Peer Review and notes to your principal	After the observation, set a post conference to discuss the observation and sign the Summative Evaluation
May	Meet with your principal to discuss your goal & results		
June			

BEMIDJI AREA SCHOOLS

ATTACHMENT T

PROFESSIONAL GROWTH AND DEVELOPMENT PLAN & REFLECTIVE STATEMENT

Teacher _____ Start Date _____

Assignment _____

Goal(s):

Based on District/School Goal(s):

--	--

Objectives and Strategies:

Criteria to Measure Achievement of Goal(s)

--	--

Resources Needed:

Professional Development Needed:

--	--

This plan was mutually developed by the teacher and supervisor:

Teacher _____ Date _____

Administrator _____ Date _____

BEMIDJI AREA SCHOOLS

ATTACHMENT T

REVIEW OF PROFESSIONAL GROWTH AND DEVELOPMENT PLAN & REFLECTIVE STATEMENT

Teacher _____ Completion Date _____

Progress toward achievement of goals:

1. How successful have I been in meeting my goal?

2. How has my professional practice improved?

3. How has student learning improved?

4. Other Comments:

Signatures below indicate this review has been read and discussed by the teacher and supervisor:

Teacher _____ Date _____

Administrator _____ Date _____

BEMIDJI AREA SCHOOLS

ATTACHMENT T

Bemidji, Minnesota

TEACHER PEER OBSERVATION

Licensed Staff: _____ Class Observed: _____

Grade: _____ Date: _____ Period/Time: _____ Building: _____

RUBRIC: 1. = Unsatisfactory 2. = Development Needed 3. = Effective 4. = Exemplary*(See MDE Performance Standards of Teacher Practice Rubric)*

DOMAIN 1: PROFESSIONALISM

Indicator A: Reflects on teaching practice	1	2	3	4	N/A	
Comments:						1. Uses self-reflection to improve instruction
						2. Uses feedback to improve instruction
						3. Plans for professional growth

Indicator B: Engages in professional development	1	2	3	4	N/A	
Comments:						1. Participates in professional development
						2. Collaborates with colleagues (is a team player)
						3. Contributes to school and district culture for learning
						4. Is positive and proactive with colleagues and students

Indicator C: Maintains professional responsibilities and communicates with families	1	2	3	4	N/A	
Comments:						1. Adheres to standards of ethical conduct
						2. Maintains accurate records
						3. Completes tasks in an organized and efficient manner
						4. Communicates with families
						5. Understands the cultural and linguistic backgrounds of students, their families and the community
						6. Meets established building and district expectations

Licensed Staff: _____ Class Observed: _____

RUBRIC: 1. = Unsatisfactory 2. = Development Needed 3. = Effective 4. = Exemplary

(See MDE Performance Standards of Teacher Practice Rubric)

DOMAIN 2: ENVIRONMENT

Indicator A: Creates a respectful classroom culture of trust, safety and high expectations Comments:	1	2	3	4	N/A	
						1. Creates a safe learning environment

Indicator B: Establishes and maintains clear expectations for classroom and behavior management Comments:	1	2	3	4	N/A	
						1. Establishes and maintains classroom routines and procedures
						2. Monitors and provides feedback on student behavior

DOMAIN 3: INSTRUCTION

Indicator A: Communicates learning targets and content effectively Comments:	1	2	3	4	N/A	
						1. Communicates learning targets and content

Indicator B: Facilitates activities and discussions that promote high cognitive engagement Comments:	1	2	3	4	N/A	
						1. Uses instructional strategies to engage students
						2. Uses questioning and discussion techniques

Indicator C: Uses varied assessment techniques to advance student learning Comments:	1	2	3	4	N/A	
						1. Promotes student self-assessment

Teacher's Signature

Date

Peer Reviewer Signature

Date

Elementary Class Summary:

My Name: _____ My Teacher's Name: _____

My Current Grade is: K 1 2 3 4 5

Today's Date: _____

Place a check next to the correct answer.

I read on my own at home per week:

_____ Less than 1 hour _____ 2 -4 hours _____ More than 5 hours

How often does your teacher have to correct your behavior?

_____ Never _____ Sometimes _____ Often

How often does your teacher have to correct another student's behavior in your class?

_____ Never _____ Sometimes _____ Often

Read each statement and please circle the face that best matches your answer.

I do not like = 

I sometimes like = 

I like = 

...how the math activities help me learn math.



...how homework helps me understand my subjects.



...where I sit in the classroom.



...when my teacher uses the SmartBoard.



...when my teacher uses stations or small groups.



...when my teacher challenges me in class.



...when we do projects in class.



...when my teacher works with me one-on-one.



Student's comments: _____

BMS Class Evaluation

Name (optional) _____

Class Title _____ Teacher _____ Date _____

Place a check next to the correct answer.

How many minutes per day did you study or do homework for this class?

____ Less than 20 min ____ 20-40 min ____ 40-60 min ____ More than 1 hour

What is your current grade in this class?

____ A ____ B ____ C ____ D

How often did this teacher have to correct your behavior?

____ Never ____ Sometimes ____ Often

Read each statement, and respond using the following scale

1 – Completely Disagree 2 – Disagree Somewhat 3 – Agree Somewhat 4 – Completely Agree

For any statement you circle 1 or 2, please provide additional comments that you feel would help me improve this course or the instruction provided.

Classwork helped me do better in class.	1	2	3	4
The teacher prepared me for the quizzes.	1	2	3	4
The classroom was clean/ neat and promoted learning.	1	2	3	4
The teacher often provided positive comments & motivation.	1	2	3	4
I was able to get extra help from my teacher when needed.	1	2	3	4
A variety of technology was used throughout this class.	1	2	3	4
The teacher was well organized and prepared for teaching each day.	1	2	3	4
The teacher taught class in a way that helped me learn.	1	2	3	4
This was a challenging class that encouraged me to think, work in groups and use what I learned.	1	2	3	4
I completed all assignments for this class.	1	2	3	4
My grades in the class make sense based on my homework, quizzes, tests and attendance.	1	2	3	4

I missed approximately this many days of school this year? _____

As a student, what could you have done to make this class better? _____

One of the best things about this class was _____

One of the worst things about this class was _____

One recommendation I would make for the future of this class would be _____

Course Evaluation, Summative

Course Title _____ Teacher _____ Date _____

Place a check next to the correct answer.

How many hours per week did you devote to studying for this class outside of school?

____ Less than 1 hour ____ 1 – 3 hours ____ 3 -5 hours ____ More than 5 hours

What is your current grade in this class?

____ 90 – 100% ____ 80 – 89% ____ 70 – 79% ____ Less than 70%

How often did this teacher have to correct your behavior?

____ Never ____ Sometimes ____ Often

Read each statement, and respond using the following scale

1 – Completely Disagree 2 – Disagree Somewhat 3 – Agree Somewhat 4 – Completely Agree

For any statement you mark 1 or 2, please provide additional comments that you feel would help me improve this course or the instruction provided.

Class work and homework helped me better understand.	1	2	3	4
Classroom instruction prepared me for quizzes and tests.	1	2	3	4
The classroom environment was orderly and promoted learning.	1	2	3	4
The teacher regularly provided feedback on assignments.	1	2	3	4
I was able to get extra help with assignments when needed.	1	2	3	4
A variety of technology was used throughout this course.	1	2	3	4
The teacher was well organized and prepared for class.	1	2	3	4
The teacher presented the material in a way that helped me learn.	1	2	3	4
This was a challenging class that encouraged me to think and apply what I learned.	1	2	3	4
I studied regularly for this class	1	2	3	4
I completed all assignments for this class.	1	2	3	4
My course grade is reflective of what I know and can do regarding this content.	1	2	3	4

As a student, what could you have done to make this class better? _____

One of the best things about this course was _____

One of the worst things about this course was _____

One recommendation I would make for the future of this course would be _____

**Bemidji Area Schools
Bemidji, Minnesota**

ATTACHMENT T

Teacher Summative Evaluation

Licensed Staff: _____ Class Observed: _____

Grade: _____ Date: _____ Period/Time: _____ Building: _____

Status (check ✓)

Probationary:	Yr 1	Yr 2	Yr 3	Observation Number: _____	<i>Status (check ✓)</i>	Continuing Contract: _____	Growth Plan _____	Peer Review _____	Summative Evaluation _____
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*RUBRIC: 1. = Unsatisfactory 2. = Development Needed 3. = Effective 4. = Exemplary
(See MDE Performance Standards of Teacher Practice Rubric)*

DOMAIN 1: PLANNING

Indicator A: Aligns learning targets with standards and student data inform Comments:	1	2	3	4	N/A	
						Plans units and lessons effectively
						Selects learning targets and activities
						Applies content knowledge and understanding of how students learn
						Uses student data to inform planning

Indicator B: Uses content, resources and student knowledge to design coherent instruction Comments:	1	2	3	4	N/A	
						Designs coherent instruction
						Creates interdisciplinary and extended learning experiences
						Uses available resources and technology
						Designs culturally relevant instructional strategies

Indicator C: Plans for assessment and differentiation Comments:	1	2	3	4	N/A	
						Plans formative and summative assessments
						Plans for differentiation

DOMAIN 2: ENVIRONMENT

Indicator A: Creates a respectful classroom culture of trust, safety and high expectations Comments:	1	2	3	4	N/A	
						Creates a safe learning environment
						Establishes a culture of learning
						Creates a culture of persistence

Indicator B: Establishes and maintains clear expectations for classroom and behavior management Comments:	1	2	3	4	N/A	
						Establishes and maintains classroom routines and procedures
						Monitors and provides feedback on student behavior

Licensed Staff: _____ Class Observed: _____

RUBRIC: 1. = Unsatisfactory 2. = Development Needed 3. = Effective 4. = Exemplary
(See MDE Performance Standards of Teacher Practice Rubric)

DOMAIN 3: INSTRUCTION

Indicator A: Communicates learning targets and content effectively Comments:	1	2	3	4	N/A	
						Uses content knowledge to promote learning
						Communicates learning targets and content

Indicator B: Facilitates activities and discussions that promote high cognitive engagement Comments:	1	2	3	4	N/A	
						Uses instructional strategies to engage students
						Uses questioning and discussion techniques
						Uses appropriate pacing and structure

Indicator C: Uses varied assessment techniques to advance student learning Comments:	1	2	3	4	N/A	
						Uses formative assessments to inform instruction
						Provides feedback to advance learning
						Promotes student self-assessment

DOMAIN 4: PROFESSIONALISM

Indicator A: Reflects on teaching practice Comments:	1	2	3	4	N/A	
						Uses self-reflection to improve instruction
						Uses feedback to improve instruction
						Plans for professional growth

Indicator B: Engages in professional development Comments:	1	2	3	4	N/A	
						Participates in professional development
						Collaborates with colleagues (is a team player)
						Contributes to school and district culture for learning
						Is positive and proactive with colleagues and students

Indicator C: Maintains professional responsibilities and communicates with families Comments:	1	2	3	4	N/A	
						Adheres to standards of ethical conduct
						Maintains accurate records
						Completes tasks in an organized and efficient manner
						Communicates with families
						Understands the cultural and linguistic backgrounds of students, their families and the community
						Meets established building and district expectations

SHORT TERM GOAL (S) & REFLECTION:LICENSED STAFF'S COMMENTS:_____
Teacher's Signature_____
Date_____
Supervisor's Signature_____
Date

Bemidji Area Schools
Teacher Evaluation Summary Report
 Completed at End of Third Year Review Cycle

School Year _____

Teacher _____ Supervisor _____

Grade/Subject _____ Building _____

Growth Plan Completion Date _____

Peer Reviewer(s) _____

Summative Evaluation Completion Date _____

Participated in Coaching, Collaboration, or Professional Learning Community?	Yes	☐	No	☐
Evidence of Longitudinal Student Engagement Data?	Yes	☐	No	☐
Evidence of Student Achievement Growth and/or Value Added Data (25%)?	Yes	☐	No	☐
Evidence of District/School Student Achievement Growth Data (10%)?	Yes	☐	No	☐
Teacher chose to present a portfolio.	Yes	☐	No	☐

Summary: _____

Supervisor's Signature: _____ Date: _____

My signature below acknowledges receipt of this performance review:

Teacher's Signature: _____ Date: _____

FOR PROBATIONARY TEACHERS ONLY (COMPLETED BY SUPERVISOR)

Year of Probation (check): 1. First ☐ 2. Second ☐ 3. Last ☐

NOTE: END OF THE YEAR EVALUATION FOR A TEACHER IN THE LAST YEAR OF PROBATION IS MARCH 25.

- | | |
|--------------------------|--|
| ☐ | 1. I am recommending the teacher be terminated. |
| ☐ | 2. I am recommending the teacher be terminated next year if significant improvement is not made. |
| ☐ | 3. The teacher will be evaluated more frequently to determine improvement. |
| ☐ | 4. Teacher is making satisfactory progress at this time. |
| ☐ | 5. I am recommending that the teacher be continuing contract. |

This recommendation is made because the teacher is: (If you checked 1, 2, 3, the supervisor must comment below)

STUDENT PERSONNEL
MISCELLANEOUS – SCHOOL DISCIPLINE POLICY

I. STATEMENT OF POLICY

It is the responsibility of the School Board, administrators and staff to safeguard the health and safety of each student. The School Board and district administrators will support district personnel who, in dealing with students on disciplinary matters, act in accordance with state statute, State Board of Education regulations and this policy.

Further, it is the position of the school district that a fair and equitable district-wide school discipline policy will contribute to the quality of a student's educational experience. Without discipline in the schools, learning cannot occur. Therefore, this district-wide school discipline policy has been adopted.

The Rules of Conduct listed below under Section 1 will be uniformly enforced with consistent consequences in all district buildings and programs. The Rules of Conduct listed under Section 2 will be uniformly enforced, but the consequences may vary according to the age of the student.

II. RULES OF CONDUCT

Section 1. Disciplinary action may be taken against students for any behavior which is disruptive of good order or violates the rights of others. The following acts are unacceptable behavior subject to disciplinary action in the school district.

A. Dangerous, Harmful and Nuisance Substances and Articles

1. Alcohol: Students are prohibited from using, possessing or being under the influence of alcoholic beverages at school, at school-sponsored activities or on school grounds.
2. Drugs: Students are prohibited from using, possessing, distributing or being under the influence of illegal drugs or narcotics at school, school-sponsored activities or on school grounds.
3. Use or Possession of Tobacco: Tobacco use or possession by students is prohibited at school, at school-sponsored activities and on school grounds.
4. Harmful or Nuisance Articles: The possession or use of articles that are nuisances, illegal or that may cause harm to persons or property is prohibited at school and school-sponsored activities.
5. Weapons: Anyone bringing a weapon on school grounds shall be subject to disciplinary action. The use of a weapon to provide a threat to anyone shall be punishable to the fullest extent of school board policy and the law.

B. Physical Assault: Physical assault is an act which intentionally inflicts or attempts to inflict bodily harm upon another.

C. Verbal Assaults: Verbal assaults are abusive, threatening, profane or obscene language either oral or written by a student toward a staff member of another student including conduct which degrades people because of their race, religion, ethnic background, gender or physical or mental disability.

D. Threats: Threats to normal school operations or school activities, including but not limited to, the reporting of dangerous or hazardous situations that do not exist are unacceptable behavior.

Section 2.

A. Truancy and Unauthorized Absences

1. As required by current statutes, regulations of the Department of Education and the School Board of this district, students shall be in attendance each day that school is in session. The authority to decide whether an absence is

excused or unexcused rests with the building principal. Students returning to school following an absence will be expected to complete all missed assignments within a reasonable period of time.

2. Truancy, for purposes of this policy, is the absenting of one's self from school or class without the approval of the school. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission.
3. If a student develops a pattern of tardiness to school or class, disciplinary action will be taken.
4. The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minn. Stat. § 124D.03) or Enrollment in Nonresident District (Minn. Stat. § 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minn. Stat. Ch. 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of seventeen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

III. DISCIPLINARY ACTION

- A. Disciplinary action may include, but is not limited to:
 1. Meeting with teacher, counselor or principal;
 2. Detention;
 3. Loss of school privileges;
 4. Parental conference with school staff;
 5. Modified school programs;
 6. Removal from class;
 7. Suspension;
 8. Exclusion; and
 9. Expulsion.
- B. Copies of this policy, together with "The Pupil Fair Dismissal Act" shall be published in the student handbook and distributed to all students during the first month of the school year. Nothing in this policy is intended to conflict with "The Pupil Fair Dismissal Act."
- C. Parents shall be notified in writing of violation of the rules of conduct and resulting disciplinary actions by first class mail, except as provided otherwise by "The Pupil Fair Dismissal Act." Students shall be notified of violations of the rules of conduct and resulting disciplinary actions verbally as provided otherwise by "The Pupil Fair Dismissal Act."
- D. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the pupil to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.

IV. AUTHORIZED USE OF FORCE

- A. Reasonable force may be used without consent when the following circumstances exist or there is reason to believe they exist. A school employee, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.
 1. When used by a public officer or one assisting him under his direction:
 - a. in effecting a lawful arrest;

- b. in the execution of legal process;
 - c. in enforcing an order of the court;
 - d. in executing any other duty imposed upon him by law, or
- 2. When used by a person, not a public officer, in arresting another in the cases and in the manner provided by law and delivering him to an officer competent to receive him into custody.
- 3. When used by any person in resisting or aiding another to resist offense against the person.
- 4. When used by another person in lawful possession of real or personal property, or by another assisting him, in resisting a trespass upon or other lawful interference with such property.
- 5. When used by any person to prevent the escape or to retake following the escape of a person lawfully held on a charge or conviction of a crime.
- 6. When used by a parent, guardian, teacher or other lawful custodian of a child or student, in the exercise of lawful authority, to restrain or correct such child or student.
- 7. When used by a common carrier in expelling a passenger who refuses to obey a lawful requirement for the conduct of passengers and reasonable care is exercised with regard to his personal safety.
- 8. When used to restrain a mentally ill or mentally defective person from injuring himself or another when used by one with authority to do so to compel compliance with reasonable requirement for his control, conduct or treatment.
- 9. When used by a public or private institution providing custody or treatment against one lawfully committed to it to compel compliance with reasonable requirements for his control, conduct or treatment.

V. EARLY INTERVENTIONS

Definitions:

- A. Any procedure determined appropriate for encouraging early involvement of parents or guardians in attempts to improve a student's behavior. Or any procedures determined appropriate for encouraging early detection of behavioral problems.
- B. If early signs of inappropriate behavior appears, the school will use any of the following methods to encourage parental involvement:
 - 1. Talking with the student about the problem.
 - 2. A phone call to parents.
 - 3. Arrangement of parental conference.
 - 4. Written correspondence to the parent, including:
 - a. short narrative of the problem;
 - b. referral containing description of behavior and consequences;
 - c. suspension notice according to "The Pupil Fair Dismissal Act."
- C. School staff are encouraged to deal with all inappropriate behavior even in its earliest stages. Early detection through close observation and immediate and fair consequences are very effective.

IV. SPECIAL EDUCATION

- A. Any student suspected of having a behavioral disability condition should be referred to the Building Child Study Team and elementary/secondary Child Find Facilitator when:
 - 1. Disciplinary action is being considered against the student; or

2. Consideration is being given to removing the student from school.

B. Exception: Any student with a disability exhibiting unacceptable behavior at a level which is threatening to self or others shall immediately be dealt with according to the policy statements for all students. It is not necessary to first refer the student to the Building Child Study Team and/or Child Find Facilitator. In such cases, primary consideration must be given to the safety of students and others.

C. A child with a disability is subject to the same expectations and the Code of Conduct as other students. All due process procedures regarding students with disabilities must be followed.

1. When a child with a disability is expelled, excluded, or suspended for more than five (5) consecutive days, or suspended for ten (10) cumulative days in the same year, an IEP team/manifestation determination must occur as follows:
 - a. The IEP team meeting must occur as soon as possible but no more than ten (10) days after the sixth consecutive day of suspension/expulsion or the tenth cumulative day of suspension has elapsed.
 - b. Relevant members of the child's IEP team, including at least one of the child's teachers, shall meet.
 - c. The IEP team must review:
 1. All relevant information in the student's file, including the student's IEP.
 2. Any teacher observations.
 3. Any relevant information provided by the parents.
 - d. The IEP team must determine:
 1. If the conduct in question was caused by, or had a direct and substantial relationship, to the student's disability.
 2. If the conduct in question was the direct result of the school's failure to implement the IEP.
 - e. The IEP team may:
 1. Determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although services may be provided in another setting, and to progress towards meeting the goals in the child's IEP;
 2. Review any assessment and determine the needs for further assessment; and
 3. Review the IEP plan and amend goals and objectives or develop an alternative IEP plan.

VII. THE FOLLOWING SBR'S ARE FOR REFERENCE AND REINFORCE THE DISTRICT-WIDE DISCIPLINE POLICY

- A. SBR 500-10-2
- B. SBR 600-40-2
- C. SBR 700-40-1
- D. SBR 700-40-4

VIII. REVIEW OF POLICY

- A. The principal and the licensed employees in a school building shall confer at least annually to review the discipline policy and to assess whether the policy has been enforced.

TRANSPORTATION - STUDENT TRANSPORTATION SAFETY POLICY

I. PURPOSE

The purpose of this policy is to provide safe transportation for students and to educate students on safety issues and the responsibilities of school bus ridership.

II. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING

A. School Bus Safety Week

The district may declare a district school bus safety week. The National School Bus Safety Week is the third full week in October.

B. Student Training

1. The school district shall provide students enrolled in grades kindergarten through 10 with age-appropriate school bus safety training of the following concepts:
 - a. Transportation by school bus is a privilege, not a right;
 - b. District policies for school bus safety and student conduct and school bus safety;
 - c. Appropriate conduct while on the school bus;
 - d. The danger zone around the school bus;
 - e. Procedures for safely boarding and leaving a school bus;
 - f. Procedures for safe vehicle lane crossing; and
 - g. School bus evacuation and other emergency procedures.
2. All students will complete school bus safety training within the time limits prescribed by law. Students enrolled after the initial training will receive student safety training as prescribed by law.
3. The school district, charter schools, and nonpublic schools with students transported by school bus at public expense must provide students enrolled in grades K through 3 school bus safety training twice during the school year.
4. The school district, charter schools, and nonpublic schools with students transported by school bus at public expense must conduct a school bus evacuation drill at least once during the school year.
5. The school district will make reasonable accommodations in training for students known to speak English as a second language and students with disabilities.
6. The school district may provide kindergarten students with school bus safety training before the first day of school.
7. The school district shall adopt and make available for public review a curriculum for transportation safety education.
8. Charter schools and nonpublic students transported by the school district will receive school bus safety training by their schools. The charter schools and nonpublic schools may use the school district's school transportation safety education curriculum. Upon request by the school district superintendent, the charter schools and nonpublic schools must certify to the school district's school transportation safety manager that all students enrolled in grades K through 10 have received the appropriate training.

III. ELIGIBLE RIDERS

- A. Independent School District No. 31 School Board shall set School Attendance Boundaries. Boundaries may be changed as needed to respond to imbalances in school enrollments, new housing developments, etc. Transportation will be provided to and from established bus stops and the school according to the following guidelines:
 - 1. Kindergarten through twelfth grade students who live beyond one mile from school.
 - 2. The Coordinator of Transportation for safety, hazardous or other reasons may approve transportation for students who live at lesser distances or across school attendance boundaries. (Appendix A)
 - 3. In order to control load counts, students will not be transported on the regular routes for personal reasons such as work, after-school lessons, business locations, etc.
 - 4. In order to control load counts, students will be transported from one pick-up address to one drop-off address.

IV. OTHER GENERAL RULES

- A. As a general rule, transportation will not be used to balance class sizes between buildings.
- B. Buses shall be required to travel on improved public roads only. An improved, public road, for this purpose, shall be one that is owned and is being maintained by either the township, county or state.
- C. Buses shall not go off the main route to pick up students, unless the distance is one-half mile or more from the patron's property line and it is an improved public road as defined in the above paragraph.
- D. Buses shall not drive on private driveways unless specifically authorized to do so by the Coordinator of Transportation.
- E. Staff members desiring transportation for students will prepare a requisition for school transportation. This includes between building shuttles, modified schedules, field trips, co-curricular activities, etc. The requisition will be forwarded through the appropriate administrative channels sufficiently early to insure arrival in the office of the Coordinator of Transportation at least 5 days prior to the time the transportation is needed.
- F. Students living within the borders of ISD No. 31 attending non-public and charter schools will be provided transportation services as required by law.
- G. Based on safety considerations, the Transportation Safety Director may designate school bus stops where students are not required to cross the street or highway, without activating the pre-warning flashing amber signals, flashing red signals and stop-signal arm, such designated stops shall be listed in Appendix B of this policy.
- H. The Coordinator of Transportation, working with the other district administrators, shall be responsible for scheduling all bus transportation including the determination of routes, bus stops, rules and regulations and all other matters relative to the transportation program.

V. STUDENT CONDUCT ON BUSES AND CONSEQUENCES FOR MISBEHAVIOR

- A. Riding the school bus is a privilege, not a right. The school district's general student behavior rules are in effect for all students on the school buses, including nonpublic and charter school students.
- B. Consequences for school bus/bus stop misconduct will be imposed by the school district under adopted administrative discipline procedures. In addition, all school bus/bus stop misconduct will be reported to the school district's transportation student conduct and security specialist. Serious misconduct may be reported to local law enforcement.

1. School Bus and Bus Stop Rules

If these rules are broken, the school district's discipline procedures are to be followed. In most circumstances, consequences are progressive and may include suspension of bus privileges. It is the school bus driver's responsibility to report unacceptable behavior to the school district's Transportation Office/School Office.

2. Rules at the Bus Stop

- a. Get to your bus stop 5 minutes before your scheduled pick up time. The school bus driver will not wait for late students.
- b. Respect the property of others while waiting at your bus stop.
- c. Keep your arms, legs, and belongings to yourself.
- d. Use appropriate language.
- e. Stay away from the street, road, or highway when waiting for the bus.
- f. Wait until the bus stops before approaching the bus.
- g. After getting off the bus, move away from the bus.
- h. 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.
- i. No fighting, harassment, intimidation, or horseplay.
- j. No use of alcohol, tobacco, or drugs.

3. Rules on the Bus

- a. Cooperate with the driver.
- b. Stay in your seat with your feet on the floor.
- c. Talk quietly and use appropriate language.
- d. Keep all parts of your body and objects inside the bus.
- e. Keep your whole body, objects and negative comments to yourself.
- f. No fighting, harassment, intimidation, or horseplay.
- g. Do not throw any object.
- h. No eating, drinking, or use of alcohol, tobacco, or drugs.
- i. Keep all harmful objects off the bus (alcohol, drugs, tobacco, weapons and toys, etc.).
- j. Do not damage the school bus or equipment.
- k. Electronic devices may be used without sound or with the use of headphones/earbuds.
- l. The driver has the authority to assign seating on the bus.
- m. Keep the bus clean.

4. Items Not Allowed on School Buses

- a. Animals or insects (unless necessary to assist a person with a disability, i.e., service animal).
- b. Hazardous Materials
- c. School projects such as hammers or fishing spears.
- d. Non Roll-up Sleds
- e. Skis*
- f. Golf Clubs*
- g. Baseball Bats*
- h. Rakes*
- i. Balloons
- j. External Speakers
- k. Perfumes
- l. Vaping mechanisms, lighters and all other items not permitted on school grounds.

*Items may be transported in approved as a school district sport or activity.

5. Consequences

- a. Consequences for school bus/bus stop misconduct will apply to all regular and late routes. Decisions regarding a student's ability to ride the bus in connection with co- curricular and extracurricular events (for example, field trips or competitions) will be in the sole discretion of the school district. Parents or guardians will be notified of any suspension of bus privileges.

(1) Elementary

1st Offense – written warning

2nd Offense – 3 school day suspension from riding the bus

3rd Offense – 5 school day suspension from riding the bus

4th Offense – 10 school day suspension from riding the bus/meeting with parent

Further Offenses – individually considered. Students may be suspended for longer periods of time, including the remainder of the school year.

(2) Middle/High School

1st Offense – written warning

2nd Offense – 5 school day suspension from riding the bus

3rd Offense – 10 school day suspension from riding the bus

4th Offense – 20 school day suspension from riding the bus/meeting with parent

5th Offense – suspended from riding the bus for the remainder of the school year.

(3) Other Discipline

Based on the severity of a student's conduct, more serious consequences may be imposed at any time. Depending on the nature of the offense, consequences such as suspension or expulsion from school also may result from school bus/bus stop misconduct.

(4) Records

Records of school bus/bus stop misconduct will be forwarded to the individual school building and will be retained in the same manner as other student discipline records. Reports of student misbehavior on a school bus or in a bus loading or unloading area that are reasonably believed to cause an immediate and substantial danger to the student or surrounding persons or property shall be provided by the school district to local law enforcement and the Department of Public Safety in accordance with state and federal law.

(5) Vandalism/Bus Damage

Students damaging school buses will be responsible for the damages. Failure to pay such damages (or make arrangements to pay) within 2 weeks may result in the loss of bus privileges until damages are paid.

(6) Notice

School bus and bus stop rules and consequences for violations of these rules will be reviewed with students annually and copies of these rules will be made available to students. School bus rules are to be posted on each school bus.

(7) Criminal Conduct

In cases involving criminal conduct (for example, assault, weapons, drug possession, or vandalism), the appropriate school district personnel and local law enforcement officials will be informed.

VI. PARENT AND GUARDIAN INVOLVEMENT

A. Parent and Guardian Notification

The school district school bus and bus stop rules will be provided to each family. Parents and guardians are asked to review the rules with their children.

B. Parents/Guardians Responsibilities for Transportation Safety

Parents/Guardians are responsible to:

1. Become familiar with school district rules, policies, regulations, and the principles of school bus safety, and thoroughly review them with their children.
2. Support safe riding and walking practices, and recognize that students are responsible for their actions.
3. Communicate safety concerns to their school administrators.
4. Monitor bus stops, if possible.
5. Have their children to the bus stop 5 minutes before the bus arrives.
6. Have their children properly dressed for the weather.
7. Have a plan in case the bus is late.
8. Recognize their responsibility for the actions of their children.
9. Assisting students in understanding safety guidelines and encouraging them to comply.
10. When appropriate, assisting students in safely crossing local streets before boarding and after leaving the bus.
11. Communicate, in writing to the District School Nurse, any medical condition their student has that may need attention on the school bus (i.e., seizures, bee stings, heart condition).
12. Notification must be received by the District Registration Office regarding contact information changes such as telephone and address changes.

VII. GENERAL OPERATING RULES AND PROCEDURES

A. General Operating Rules

1. School buses shall be operated in accordance with state traffic and school bus safety laws and the procedures contained in the Minnesota Department of Public Safety Model School Bus Driver Training Manual.
2. Only students assigned to the school bus by the school district shall be transported. The number of students or other authorized passengers transported in a school bus shall not be more than the legal capacity for the bus. No person shall be allowed to stand when the bus is in motion.
3. The parent/guardian may designate, pursuant to school district policy, a day care facility, respite care facility, the residence of a relative, or the residence of a person chosen by the parent or guardian as the address of the student for transportation purposes. The address must be in the attendance area of the assigned school and meet all other eligibility requirements.

4. Bus drivers must minimize, to the extent practical, the idling of school bus engines and exposure of children to diesel exhaust fumes.
5. To the extent practical, the school district will designate school bus loading/unloading zones at a sufficient distance from school air-intake systems to avoid diesel fumes from being drawn into the systems.
6. A driver may not operate a district vehicle while communicating over, or otherwise operating, a cellular phone, whether hand-held or hands-free, when the vehicle is in motion or a part of traffic.
7. All routes shall be on file with the school district Coordinator of Transportation.
8. Drivers are to enforce the provisions of the school bus and bus stop rules as appropriate. Students may be released from the bus at only two points, the designated bus stop or at school, except in case of an emergency or as otherwise authorized.
9. On leaving the vehicle when students are in the bus, the driver shall stop the bus, remove the ignition key, set the brakes and otherwise render the bus immobile.
10. Students who misbehave severely may be returned to the school immediately and reported to the building principal or other designated individual.
11. Safety evacuation drills for the student-passengers shall be conducted at least once a year.
12. There shall be no students in the bus while the fuel tank is being filled.
13. Buses shall not be run backwards on the school grounds or any other point if it can be avoided. If it is necessary to run a bus backwards on school grounds, the driver shall have another responsible person act as a guard/flag-person in back of the bus to keep other persons out of the path and to issue warnings to the driver of approaching traffic.
14. When arriving or leaving the school grounds, the driver must not follow closer than 50 feet from the vehicle directly in front of the bus or closer than 500 feet when traveling on the highway.
15. No school bus shall pull any trailer when students are being transported on regular route to or from school.
16. In case of an accident or breakdown of the bus, the driver shall contact the dispatcher using the two-way radio. If no radio contact is available, the driver shall not leave the bus but shall send two responsible students to the nearest house to summon help.
17. The district may adopt such additional operating rules as are deemed necessary to meet local conditions and needs, provided they do not conflict with state laws and regulations.

VII. DRIVER RESPONSIBILITIES AND DUTIES

- A. Report to work on time, rested and prepared to drive defensively, in an alcohol/drug-free condition.
- B. Perform a daily pre-trip inspection of their vehicle and report any deficiencies to the Transportation Office or maintenance shop.
- C. Perform daily routes as prepared by the Transportation Office and not make any changes without prior approval
- D. Never exceed the vehicle's rated passenger capacity.
- E. Drive defensively and faithfully obey all traffic laws.

- F. Check the passenger compartment of the vehicle after each run for sleeping or hiding children, lost items and vandalism.
- G. Avoid physical contact with passengers at all times unless to prevent injury or harm to themselves or others.
- H. Discharge passengers only at designated stops unless given prior approval from the Transportation Office.
- I. Never dismiss any student when there is doubt about the student's bus stop or personal safety after they exit the bus.
- J. Follow the student discipline procedure established by the School Board and to work with the office on all problems relating to safe transportation of students.
- K. Address all students, parents and school staff with respect and avoid the use of profanity at all times.
- L. Refrain from using tobacco on or near the bus at all times and to remain with the bus during loading and unloading.
- M. Make sure the bus is properly fueled and clean at all times.
- N. No person shall operate a district-owned vehicle while using a cellular telephone whether hand held or hands free while the vehicle is in motion or a part of traffic.
- O. The driver has the authority to assign seating on the bus.

IX. DRIVER RESPONSIBILITIES AND DUTIES ON CO-CURRICULAR TRIPS

While assigned to a co-curricular activity trip, all previously stated duties and responsibilities apply with the addition of the following:

- A. To report to the Transportation Office for a pre-trip inspection at least 15 minutes before your scheduled departure time.
- B. To be at the disposal of the coach/facilitator of the trip. Following their directions unless they are contrary to state laws, school policy or creates an unsafe environment for the passengers or vehicle.
- C. If the activity does not require the bus or driver to stay with the group, drop them at the specified site and return to the site at the time requested by the coach/facilitator.
- D. To communicate intentions to the coach/facilitator prior to leaving any site (for fuel, meals, etc.). On overnight trips, make sure to communicate to the coach/facilitator your lodging arrangements and how you can be reached.
- E. To be ultimately responsible for the safety of the passengers and the condition of the vehicle. Be aware not all coaches/facilitators help control passengers on the trip.
- F. To post-trip, fuel, clean and close windows on the bus after each trip. If one or more of these operations cannot be performed, report it to the Transportation supervisor.
- G. Check the passenger compartment of the vehicle after each run for sleeping or hiding children, lost items and vandalism.

X. SCHOOL BUS DRIVER TRAINING

A. Training

- 1. All new school bus drivers shall be provided with pre-service training, including in-vehicle (actual driving) instruction, before transporting students and shall meet the competency testing specified in the Minnesota Department of Public Safety Model School Bus Driver Training Manual. All school bus drivers shall receive in-service training annually. For purposes of this section, "annually" means at least once every 380 days from the initial or previous evaluation and at least once every 380 days from the initial or previous license verification.

The school district shall retain on file an annual individual school bus driver "evaluation certification" form for each school district driver as contained in the Model School Bus Driver Training Manual.

2. All drivers operating a type III vehicle will be provided annual training in accordance with state and federal law.

B. Operating Procedures for District Vehicle Use

1. Only authorized persons will be allowed to drive district vehicles.
2. Drivers must be at least 18 years of age, possess a valid Minnesota driver's license and must have full legal name, date of birth and driver's license number on file with the Transportation Office. Driver records of all drivers on file will be checked at least once per year.
3. All drivers must be aware of and follow all laws and rules for the transportation of students.
4. Vehicles will be issued on a first come, first serve basis. Requests should be submitted to the Transportation Department at least five (5) days in advance of the day of use. Approved written requests will take precedence over phone calls. Requests should be submitted on the approved forms.
5. A mileage report will be completed by the driver for each trip taken. This report, along with the key, credit card and charge slip must be returned to the Transportation Office when the trip is completed. When the Transportation Office is closed, a lock box is provided at the entrance of the office for the return of the above materials.
6. Unless other arrangements have been made, all vehicles must be returned immediately upon completion of the trip. Noncompliance may result in denial of future requests.
7. The driver is responsible for returning the vehicles with the interior in clean condition. If it is not returned in clean condition, a cleaning charge will be levied against the travel account of the department using the vehicle. In the case of an extremely dirty condition, future request may be denied.
8. A bus driver may not operate a district vehicle while communicating over, or otherwise operating, a cellular phone for personal reasons, whether hand-held or hands-free, when the vehicle is in motion or a part of traffic.

XI. TYPE III VEHICLES

Operating Procedures for Type III Vehicle

- A. Students may be transported in type III vehicles in any situation allowed by state law or rule.
- B. The number of passengers must never exceed the rated capacity of the type III vehicle.
- C. Only authorized persons will be allowed to drive district vehicles.
- D. Driving records of all employees transporting students must meet the state qualifications for type III drivers.
- E. All drivers must be aware of and follow all laws and rules for the transportation of students.
- F. Vehicles will be issued on a first come, first serve basis. Requests should be submitted to the Transportation Department at least five (5) days in advance of the day of use. Approved written requests will take precedence over phone calls. Requests should be submitted on the approved form.
- G. A mileage report will be completed by the driver for each trip taken. This report, along with the key, credit card and charge slip must be returned to the Transportation Office when the trip is completed. When the Transportation Office is closed, a lock box is provided at the east entrance of the office for return of the above materials.
- H. Unless other arrangements have been made, all vehicles must be returned immediately upon completion of the trip. Noncompliance may result in denial of future requests.
- I. The driver is responsible for returning the vehicles with the interior in clean condition. If it is not returned in clean condition, a cleaning charge will be levied against the travel account of the department using the vehicle. In the case of an extremely dirty condition, future requests may be denied.

- J. A driver may not operate a district vehicle while communicating over, or otherwise operating, a cellular phone, whether hand-held or hands-free, when the vehicle is in motion or a part of traffic.

XII. SCHOOL DISTRICT EMERGENCY PROCEDURES

- A. If possible school bus drivers or their supervisors shall call “911” or the local emergency phone number in the event of a serious emergency.
- B. School bus drivers shall meet the emergency training requirements contained in Unit III “Crash & Emergency Preparedness” of the Minnesota Department of Public Safety Model School Bus Driver Training Manual. This includes procedures in the event of a crash (accident).
- C. School bus drivers and bus assistants for special education students requiring special transportation service because of their handicapping condition shall be trained in basic first aid procedures, shall within 1 month after the effective date of assignment participate in a program of inservice training on the proper methods for dealing with the specific needs and problems of students with disabilities, assist students with disabilities on and off the bus when necessary for their safe ingress and egress from the bus; and ensure that protective safety devices are in use and fastened properly.
- D. Emergency Health Information shall be maintained on the school bus for students requiring special transportation service because of their handicapping condition. The information shall state:

1. the student’s name and address;
2. the nature of the student’s disability;
3. emergency health care information; and
4. the names and telephone numbers of the student’s physician, parents, guardians, or custodians, and some person other than the student’s parents or custodians who can be contacted in case of an emergency.

a. Fire

In the event of a fire, the first priority is to evacuate the bus. Drivers will make certain passengers are safe before attempting to put out the fire.

b. Injuries/Medical Emergencies

Drivers will be familiar with first aid procedures. Drivers should first contact the dispatcher to call 911 in the case of serious injuries. Drivers should administer proper first aid in accordance with their training and level of ability. In the event an injured passenger is taken to the hospital, record the student’s names and the name of the hospital where the student is sent.

c. Tornado

If there is likelihood that the tornado will hit a vehicle, and there is no escape route available or no time to drive to a safe location, the driver should evacuate the bus, taking the first aid kit. The driver will take the students to the basement of a nearby building, to the nearest depression or ditch up wind (towards the storm, away from power lines) of the bus far enough away from the bus so that the bus will not roll over on them. The driver will instruct them to cover their heads with their arms. If the students are wearing coats or jackets, these can be used to provide additional protection for their heads and bodies. Drivers should take only the first aid kit from the bus.

d. Evacuation

Drivers should evacuate buses only when there is a danger of fire, collision or other potential hazard. Drivers should inform passengers that there is an emergency, and in very calm and precise terms, tell them exactly what they are to do. When safely possible, drivers will keep all evacuees a minimum of 100 feet from the bus. They should be loaded back onto the bus only when the driver has determined it is safe to do so.

e. Accident

In case of an accident, the driver should immediately assess students for injuries and begin any emergency first aid procedures if necessary. The driver must also notify the school district and law enforcement of any school bus accidents immediately.

Upon providing emergency care and notifying the district, the driver shall:

1. In cooperation with police officer and/or ambulance service, assist with the care of students.
2. See that all injured students receive proper first aid.
3. Determine facts pertaining to accident.
4. Call Transportation/District Office to give list of names and circumstances so they can begin calling parents.
5. Discuss the accident only with the police and school district officials.
6. Record all students' names.
7. Do not leave the scene of an accident until released by the driver's supervisor.

Before leaving for the day, the driver shall fill out an accident report. All bus accidents will be reported to the Department of Public Safety.

f. Cold Weather Stop

If a driver is stuck or stalled in cold weather, the driver should call for assistance and wait for help. The driver should avoid relying on the engine to provide heat for the driver and passengers as long as possible. If it is necessary to run the engine to provide heat, the driver will make sure the exhaust pipe is clear of snow, open windows for ventilation and check passengers frequently for headaches or drowsiness.

g. Dangerous Weapons

If a driver observes or learns that a passenger may have a dangerous weapon on the bus, he or she should remain calm and call for assistance using a predetermined code. The driver should give the location of the bus to the dispatcher, continue the route and wait for assistance. The driver should not inform the passenger suspected of having a weapon that he or she knows of the weapon.

h. Lights

In an emergency stop, the driver should turn on the four-way hazard warning lights, and running or clearance lights.

i. Getting Assistance

Use the two-way radio communications system to get assistance. Drivers should report the location and number of the bus, the nature of the problem and the status of the passengers. If the driver cannot use a radio to contact the dispatcher, ask a passerby or other motorist to do so from the nearest telephone. The driver should write out the number and locations of the school bus, the nature of the emergency and the status of the passengers.

XII. SCHOOL DISTRICT VEHICLE MAINTENANCE STANDARDS

- A. All school vehicles shall be maintained in safe operating conditions through a systematic preventive maintenance and inspection program adopted or approved by the school district.
- B. All school vehicles shall be state inspected in accordance with legal requirements.
- C. A copy of the current daily pre-trip inspection report must be carried in the bus. Daily pre-trip inspections shall be maintained on file in accordance with the school district's record retention schedule. Prompt reports of defects to be immediately corrected will be submitted.
- D. Daily post-trip inspections shall be performed to check for any children or lost items remaining on the bus and for vandalism.

XIII. SCHOOL TRANSPORTATION SAFETY DIRECTOR

The school board has designated an individual to serve as the school district's school transportation safety director. The school transportation safety director shall have day-to-day responsibility for student transportation safety, including transportation of nonpublic school children when provided by the school district. The school transportation safety director will assure that this policy is periodically reviewed to ensure that it conforms to law. The transportation safety director also shall annually verify or ensure that the private contractor utilized by the school has verified the validity of the driver's license of each employee who regularly transports students for the school district in a type A, B, C, or D school bus, type III vehicle, or MFSAB with the National Driver Register or the Department of Public Safety. Upon request of the school district superintendent or the superintendent of the school district where nonpublic students are transported, the school transportation safety director shall also certify to the superintendent that the students have received school bus safety training in accordance with state law. The name, address and telephone number of the school transportation safety director are on file in the school district office. Any questions regarding student transportation or this policy may be addressed to the school transportation safety director.

XIV. STUDENT TRANSPORTATION SAFETY COMMITTEE

The school board may establish a student transportation safety committee. The chair of the student transportation safety committee is the school district's school transportation safety director. The school board shall appoint the other members of the student transportation safety committee. Membership may include parents, school bus drivers, representatives of school bus companies, local law enforcement officials, other school district staff, and representatives from other units of local government.

XV. LAW ENFORCEMENT INVOLVEMENT AND ACCIDENT INCIDENT REPORT

All incidents of suspected criminal misconduct by students or employees will be reported to the appropriate law enforcement agency. ISD No. 31 recognizes the following law enforcement agencies as principals within our traveled routes: Bemidji Police Department, Beltrami County Sheriff, Hubbard County Sheriff and Red Lake Police Department. In addition, reports will be made to the Department of Public Safety as prescribed by law.

All vehicular accidents involving vehicles whose primary use is for the transportation of students will be reported to the Department of Public Safety in the manner prescribed by law. The Transportation Office will keep complete records of all accidents and investigations.

Legal References:

Minn. Stat. § 122A.18, Subd. 8 (Board to Issue Licenses)
 Minn. Stat. § 123B.03 (Background Check)
 Minn. Stat. § 123B.42 (Textbooks; Individual Instructor or Cooperative Learning Material; Standard Tests)
 Minn. Stat. § 123B.88 (Independent School Districts; Transportation)
 Minn. Stat. § 123B.885 (Diesel School Buses; Operation of Engine; Parking)
 Minn. Stat. § 123B.90 (School Bus Safety Training)
 Minn. Stat. § 123B.91 (School District Bus Safety Responsibilities)
 Minn. Stat. § 144.057 (Background Studies on Licensees and Other Personnel)
 Minn. Stat. Ch. 169 (Traffic Regulations)
 Minn. Stat. § 169.011, Subds. 15, 16, and 71 (Definitions)
 Minn. Stat. § 169.02 (Scope)
 Minn. Stat. § 169.443 (Safety of School Children; Bus Driver's Duties)
 Minn. Stat. § 169.446, Subd. 2 (Driver Training Programs)
 Minn. Stat. § 169.451 (Inspecting School and Head Start Buses; Rules; Misdemeanor)
 Minn. Stat. § 169.454 (Type III Vehicle Standards)
 Minn. Stat. § 169.4582 (Reportable Offense on School Buses)
 Minn. Stat. §§ 169A.25-169A.27 (Driving While Impaired)
 Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)
 Minn. Stat. §§ 169A.50-169A.53 (Implied Consent Law)
 Minn. Stat. § 171.02, Subds. 2, 2a, and 2b (Licenses; Types, Endorsements, Restrictions)
 Minn. Stat. § 171.168 (Notification of Conviction for Violation by a Commercial Driver)
 Minn. Stat. § 171.169 (Notification of Suspension of License of Commercial Driver)
 Minn. Stat. § 171.321 (Qualifications of School Bus Driver)
 Minn. Stat. § 171.3215, Subd. 1(c) (Canceling Bus Endorsement for Certain Offenses)
 Minn. Stat. § 181.951 (Authorized Drug and Alcohol Testing)
 Minn. Stat. Ch. 245C (Human Services Background Studies)
 Minn. Stat. § 609.02 (Definitions)
 Minn. Rules Parts 7470.1000-7470.1700 (School Bus Inspection)
 49 C.F.R. § 383.31 (Notification of Convictions for Driver Violations)
 49 C.F.R. § 383.33 (Notification of Driver's License Suspensions)
 49 C.F.R. § 383.5 (Transportation Definitions)

Cross References:

MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)
 MSBA/MASA Model Policy 506 (Student Discipline)
 MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
 MSBA/MASA Model Policy 707 (Transportation of Public Students)
 MSBA/MASA Model Policy 708 (Transportation of Nonpublic Students)
 MSBA/MASA Model Policy 710 (Extracurricular Transportation)

APPENDIX A

Hazardous Roadways

All students, who live less than 1 mile from the school they are assigned, and face extraordinary traffic hazards on their walk route to school, are eligible for bus service.

Students attending Horace May Elementary School, Northern Elementary School, Solway Elementary School, Gene Dillon Elementary School, Bemidji Middle School, Bemidji High School, will receive transportation services due to high volume of traffic and/or multi-lane roadways.

The following streets in Bemidji for students living less than 1 mile from school, are deemed to be hazardous due to high volume of traffic and/or multi-lane roadways:

Minnesota Hwy 197 (Bemidji Ave N/Paul Bunyan Dr. NW)

1st Street E

5th Street N

Lake Ave NE

Lake Ave SE

APPENDIX B

Authorized Turn Lane/Shoulder Usage

In accordance with Minnesota Statute 169.443 and Minnesota Rule 7470.1000, the following locations are designated by the Transportation Safety Director as school bus stops where students are not required to cross the street or highway, without activating the pre-warning flashing amber signals, flashing red signals and stop-signal arm. The Transportation Safety Director may, at their discretion, establish emergency/temporary bus stops using the criteria above.

1725 WASHINGTON AVE S
1929 WASHINGTON AVE S
2029/2031 WASHINGTON AVE S
2510 BEMIDJI AVE N
2615 WASHINGTON AVE S
2815 DIVISION ST W
2831 DIVISION ST W
51079 US 71
51123 US 71
902 WASHINGTON AVE S
9776 HWY 2 NW
9921 HWY 2 NW
CENTURY APARTMENTS/1011 WASHINGTON AVE S
HOCK HVN NW
HWY 2 NW@BRIGHTSTAR RD NW
HWY 2 NW@HART LN NW
HWY 2 NW@SWISS LN NW
HWY 71 NE@DANIELLE LN NE
PAUL BUNYAN DR S@GEMMEL AVE SW
SOUTHVIEW TERRACE/1018 WASHINGTON AVE S
US 2 NW@71ST AVE NW
WASHINGTON AVE S@PINE GROVE ST SW
US 71 @ SOUTH BAY CT
28386 US 2
28472 US 2
8141 US 2 WEST
6809 BEMIDJI AVE N
US 71 @ 500th ST

TRANSPORTATION – STAFF TRAVEL ADMINISTRATIVE PROCEDURES

I. CLAIMS FOR REIMBURSEMENT

- A. Staff members are eligible to receive reimbursement for travel expenses and mileage for work related expenses that would be deductible as a business expense as defined by the Internal Revenue Code.

Travel vouchers must be properly completed and include all information requested and be signed by the claimant. Any uncompleted vouchers will be returned to employee for completion. Travel vouchers must be submitted to the business office prior to receiving payment.

- B. The following guidelines will apply to personnel making claims for travel expenses and mileage.

1. Reimbursement for travel within the district must not exceed round trip mileage from building or facility where assigned duty station for the day is located to site being visited. See Attachment A for mileage amounts.
2. In making claims for out of district travel, if mileage exceeds Attachment B mileage between Bemidji and community being visited, reimbursement claim will include an explanation or mileage will be reduced.
3. Travel expense deduction for meals and lodging isn't allowed unless the trip takes the taxpayer away from home overnight or at least long enough to require rest or sleep. The individual need not be away from his tax home for an entire 24-hour day or throughout the hours from dusk to dawn if his relief from duty is long enough to get necessary sleep. Layover sufficient only for a short rest and to get a meal isn't "overnight". (This is per the Internal Revenue Service.) Meal costs included as part of registration fees and business purpose meals as defined by the Internal Revenue Service will be reimbursable. We will consider travel to and from the Minneapolis/St. Paul area in the same day as requiring rest or sleep for meal reimbursement purposes.
4. Air transportation and hotel or motel and parking receipts must be attached to reimbursement claim forms if claimant is to receive reimbursement.
5. Lodging Reimbursement: The actual cost of lodging will be reimbursed. When more than one person is traveling to a conference, at least two people are to share a room. An individual room for each person is not reimbursable (except of course, when men and women travel together). Staff are responsible for making their own reservations. Due to scarce resources all staff are encouraged to acquire the best available room rates.
6. Reimbursement for breakfast may not be claimed for the day staff members leave the district regardless of the time of departure. Dinner reimbursement may not be claimed unless the time of return, excluding the time spent dining, is after 7:00 p.m.
7. Unless the circumstance is exceptional, reimbursement for meals will be subject to the following limitations:

Meal Reimbursement:

\$7.00 Breakfast

\$8.00 Lunch

\$14.00 Dinner

An explanation of exceptional circumstances should be included with the reimbursement claim form if claimant is to receive reimbursement above amount set in guidelines. Reasonableness will be the guidelines in allowing reimbursement for meals whose cost exceeds limitations or that are consumed following the close of the meeting.

8. When requesting reimbursement a copy of the registration form and an approved copy of the leave request must be attached to the travel voucher.

9. Individuals shall not include expenses for other personnel in making claims for travel expenses and mileage. (As one example each person must claim their own meal cost even if paid by one person.)
10. The amount claimed for reimbursement may not exceed that which is actually spent.
11. In general, no more than two teachers from a school or department will be allowed to attend a State or National meeting at the same time unless they have received permission from the Superintendent prior to making travel arrangements.
12. The School District does not reimburse staff members for expenses to accept awards unless it is part of an in-service meeting where attendance has been approved in advance by the Superintendent or designee. In general, staff should get prior approval on all travel so expenses are approved prior to attending an event.
13. In all matters of travel reimbursement the Superintendent retains the authority to make adjustments in reimbursements and his actions are not considered precedent setting.

II. TRAVEL REQUESTS

- A. All travel outside the district must be preapproved. All travel outside the state must be preapproved by the Superintendent or designee.
- B. Due to insurance requirements a leave request must be submitted through administrative channels for all out-of-district travel.

III. USE OF SCHOOL TRANSPORTATION

Rental vehicles are available for school district travel through the transportation department. If a private car is used, the reimbursement rate would be the current rate used by the Internal Revenue Service per mile.

NOTE: Staff traveling to the same location must travel together in either the school car, rental vehicle or private car to be eligible for reimbursement. The district will not pay mileage for each person to take their private car to the same location.

IV. TRAVEL WITHIN THE DISTRICT ON DUTY ASSIGNMENTS

- A. When the assignment of a staff member requires day to day travel within the district they will be reimbursed at the current rate of the Internal Revenue Service. That rate will be posted in the business office of the District.
- B. Staff members traveling within the district will record mileage on district forms that may be secured from the building principal. These forms will serve as the basis of reimbursement and shall be forwarded to the business office through administrative channels once each month. See Attachment A for mileage amounts.
- C. Mileage forms must be submitted each month and list mileage from the 1st day of each month to the last day of the month. Forms must be submitted within seven (7) days of the following month. (i.e., January 1 to 31 is due by February 7)
- D. Specialists will not be paid mileage back home or back to their home school at the end of the teaching day.

BEMIDJI PUBLIC SCHOOLS
BETWEEN SCHOOLS MILEAGE CHART

	High School	Middle School	Gene Dillon	Horace May	JW Smith	Lincoln	Northern	Solway	Paul Bunyan	District Office
High School	--	2.4	1.0	5.2	2.9	4.5	6.9	12.0	3.5	1.9
Middle School	2.4	--	2.6	7.8	1.8	5.3	6.4	11.1	2.0	2.4
Gene Dillon	1.0	2.6	--	5.2	3.5	5.4	7.5	12.8	4.4	2.7
Horace May	5.2	7.8	5.2	--	5.2	4.4	9.9	16.3	7.6	4.2
JW Smith	2.9	1.8	3.5	5.2	--	3.7	4.8	11.9	3.0	1.0
Lincoln	4.5	5.3	5.4	4.4	3.7	--	8.8	16.5	7.1	2.5
Northern	6.9	6.4	7.5	9.9	4.8	8.8	--	14.3	5.3	5.7
Solway	12.0	11.1	12.8	16.3	11.9	16.5	14.3	--	9.5	13.5
Paul Bunyan	3.5	2.0	4.4	7.6	3.0	7.1	5.3	9.5	--	4.2
District Office	1.9	2.4	2.7	4.2	1.0	2.5	5.7	13.5	4.2	--

ATTACHMENT X

ATTACHMENT B

DESTINATION	ONE WAY MILEAGE FROM BEMIDJI		DESTINATION	ONE WAY MILEAGE FROM BEMIDJI
ALBERT LEA	309		MARSHALL	251
ALEXANDRIA	133		MILLE LACS	133
APPLE VALLEY	240		MINNEAPOLIS	214
AUSTIN	311		MONTEVIDEO	213
BAUDETTE	102		MOORHEAD	134
BLOOMINGTON	233		MORA	180
BRAINERD	97		MORRIS	178
BREEZY POINT	75		NEW ULM	241
BROOKS	63		NORTHFIELD	254
BURNSVILLE	240		NOYES	176
CLOQUET	139		OWATONNA	277
CROOKSTON	88		PIPESTONE	295
DETROIT LAKES	92		RED WING	267
DULUTH	150		REDBY	34
EAST GRAND FORKS	113		ROCHESTER	297
ELY	173		ROSEVILLE	227
ERSKINE	53		SAUK RAPIDS	148
FAIRMONT	292		SHAKOPEE	224
FARGO	140		SHOREVIEW	212
FARIBAULT	262		ST. CLOUD	150
FERGUS FALLS	136		ST. JOSEPH	156
FOSSTON	42		ST. PAUL	221
GRAND FORKS	118		ST. PETER	258
GRAND PORTAGE	301		STAPLES	100
GRAND RAPIDS	69		STILLWATER	231
HIBBING	104		THIEF RIVER FALLS	91
HUTCHINSON	201		VIRGINIA	130
INTERNATIONAL FALLS	112		WALKER	33
LA CRESCENT	356		WASECA	279
LITCHFIELD	191		WILLMAR	188
LITTLE FALLS	117		WINDOM	283
LUVERNE	320		WINNIPEG	230
MAHNOMEN	73		WINONA	331
MANKATO	266		WORTHINGTON	314

1. If destination is not shown on this chart, please list actual mileage traveled based on your odometer reading.
2. If additional mileage is traveled in excess of the amount on the chart, please explain.

SCHOOL WEAPONS POLICY

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. "Weapon"

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

- B. "School Location" includes any school building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the school district.

- C. "Possession" means having a weapon on one's person or in an area subject to one's control in a school location.

IV. EXCEPTIONS

- A. A student who finds a weapon on the way to school or in a school location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the principal's office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the principal's office, a student shall not be considered to possess a weapon if he or she immediately turns the weapon over to an administrator, teacher or head coach or immediately notifies an administrator, teacher or head coach of the weapon's location.
- B. It shall not be a violation of this policy if a nonstudent (or student where specified) falls within one of the following categories:
1. active licensed peace officers,
 2. military personnel, or students participating in military training, who are on duty performing official duties;
 3. persons authorized to carry a pistol under Minn. Stat., Section 624.714, while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle;

4. persons who keep or store in a motor vehicle pistols in accordance with Minn. Stat., Sections 624.714 or 624.715, or other firearms in accordance with Section 97B.045;
 - a. Section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Section 624.715 defines an exception to the pistol permit requirements for “antique firearms which are carried or possessed as curiosities or for their historical significance or value.”
 - b. Section 97B.045 generally provides that a firearm may not be transported in a motor vehicle unless it is (1) unloaded and in a gun case without any portion of the firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in compliance with Sections 624.714 and 624.715.
5. firearm safety or marksmanship courses or activities for students or nonstudents conducted on school property;
6. possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;
7. a gun or knife show held on school property;
8. possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center; or
9. persons who are on unimproved property owned or leased by a child care center, school or school district unless the person knows that a student is currently present on the land for a school-related activity.

C. Policy Application to Instructional Equipment/Tools

While the school district does not allow the possession, use or distribution of weapons by students or nonstudents, such a position is not meant to interfere with instruction or the use of appropriate equipment and tools by students or nonstudents. Such equipment and tools, when properly possessed, used and stored, shall not be considered in violation of the rule against the possession, use or distribution of weapons. However, when authorized instructional and work equipment and tools are used in a potentially dangerous or threatening manner, such possession and use will be treated as the possession and use of a weapon.

D. Firearms in School Parking Lots and Parking Facilities

A school district may not prohibit the lawful carry or possession of firearms in a school parking lot or parking facility. For purposes of this policy, the “lawful” carry or possession of a firearm in a school parking lot or parking facility is specifically limited to nonstudent permit-holders authorized under Minn. Stat., Section 624.714, to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle. Any possession or carry of a firearm beyond the immediate vicinity of a permit-holder’s vehicle shall constitute a violation of this policy.

V. CONSEQUENCES FOR STUDENT WEAPON POSSESSION/USE/ DISTRIBUTION

- A. The school district does not allow the possession, use or distribution of weapons by students. Consequently, the minimum consequence for students possessing, using or distributing weapons shall include:
 1. immediate out-of-school suspension;
 2. confiscation of the weapon;
 3. immediate notification of police;
 4. parent or guardian notification; and
 5. recommendation to the superintendent of dismissal for a period of time not to exceed one year.
- B. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The school board may modify this requirement on a case-by-case basis.

C. Administrative Discretion

While the school district does not allow the possession, use or distribution of weapons by students, the superintendent may use discretion in determining whether, under the circumstances, a course of action other than the minimum consequences specified above is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.

VI. CONSEQUENCES FOR WEAPON POSSESSION/USE/DISTRIBUTION BY NONSTUDENTS

A. Employees

1. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, or discharge as deemed appropriate by the school board.
2. Sanctions against employees, including nonrenewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.
3. When an employee violates the weapons policy, law enforcement may be notified, as appropriate.

B. Other Nonstudents

1. Any member of the public who violates this policy shall be informed of the policy and asked to leave the school location. Depending on the circumstances, the person may be barred from future entry to school locations. In addition, if the person is a student in another school district, that school district may be contacted concerning the policy violation.
2. If appropriate, law enforcement will be notified of the policy violation by the member of the public and may be asked to provide an escort to remove the member of the public from the school location.

Legal References:

Minn. Stat. § 97B.045 (Transportation of Firearms)
 Minn. Stat. § 121A.05 (Referral to Police)
 Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
 Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)
 Minn. Stat. § 609.02, Subd. 6 (Definition of Dangerous Weapon)
 Minn. Stat. § 609.605 (Trespass)
 Minn. Stat. § 609.66 (Dangerous Weapons)
 Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)
 Minn. Stat. § 624.715 (Exemptions; Antiques and Ornaments)
 18 U.S.C. § 921 (Definition of Firearm)
In re C.R.M. 611 N.W.2d 802 (Minn. 2000)

A Message to All Employees

The city of Bemidji and surrounding area is beautiful and pristine. This beauty comes from our people as well as the environment. We are a culturally diverse community and therefore, reflect this diversity in our school district. We believe this presents us with some unique opportunities.

We all know the school is supposed to be the showplace of a society. We are supposed to model the very best of our democratic society. In keeping with this goal, our district is a “free zone” with respect to any form of harassment or discrimination. This means that we are asking all who work here to learn as much as they can about the cultures of other people and be tolerant and civil to all people.

A free zone implies that although we cannot control the behavior of our students or staff outside the school we can make rules about how they behave while on school properties. In keeping with this free zone idea we have two very strong policies making it a violation to either sexually harass another or discriminate on the basis of race, age, gender or disability. A violation of these policies will most certainly result in a disciplinary response.

We hope that all of our employees are motivated to be civil to other people because it is the right thing to do and not out of fear of violating a school district policy.

We don't ask any of our employees to be perfect. We know that is impossible. All of us must deal with our bias and prejudices on a daily basis. Once we admit that they exist we can deal with them.

If you work in the school district I would like to ask that you take advantage of the opportunities that we have to learn about other people and cultures.

No matter what position you hold in the school district, I want to remind you that young people are our business. These young people have developing attitudes with respect to diversity. We cannot control what is done at home or the community to promote the proper attitudes with respect to diversity. We can make an impact at school. As an employee of the school district, I would encourage you to do whatever is in your power to make sure our students are inculcated with the proper attitudes about this very important subject. Best wishes as you do your part as an employee of the school district to positively interact with all of your colleagues as well as the students we serve.

From the Office of Human Resources
Bemidji Area Schools
502 Minnesota Ave NW
Bemidji, MN 56601
(218) 333-3100 ext. 31113

EMPLOYEE HANDBOOK ACKNOWLEDGMENT FORM

As an employee of Bemidji Area Schools, I acknowledge that I have received the employee handbook dated September 2021, and I understand that it is my responsibility to read the contents and comply with the policies contained in this handbook.

I understand that this handbook is not intended as a contract and that the policies and procedures outlined in the handbook are subject to change by action of the school board and/or the administration of the district. If changes in policies and/or procedures occur during the school year, I understand that my immediate supervisor will apprise me of said changes.

Employee's Printed Name _____

Employee's Signature _____

Date _____