

# MINNESOTA STATE ACADEMY FOR THE BLIND



*Proud Past – Bright Future*

## PARENT/STUDENT HANDBOOK

2011-2012

*(If you need this information in alternative formats, please call 507-384-6700.)*

# TABLE OF CONTENTS

	PAGE
Introduction .....	4
Mission Statements.....	4
Board of the Minnesota State Academies .....	4
Administrative Team .....	5
School Phone Numbers .....	5

## **SECTION I - GENERAL INFORMATION**

Students Rights and Responsibilities .....	6
Directory Information.....	7
Emergency Notification .....	7
Inclement Weather Policy .....	7
School Closings .....	8
Locker Searches, Room Searches and Body Searches .....	8
Pornography .....	8
Releasing Students from the Campus.....	8
Smoking and Tobacco Use .....	8
Telephone.....	9
Transportation.....	9
Visitors to Campus.....	9
Weapons.....	9

## **SECTION II – SCHOOL INFORMATION**

Notification of Rights under FERPA and Minnesota Law .....	10
Attendance/Absence/Tardiness .....	11
Books, Supplies and Fees .....	12
Electronic Devices, Radios and Communication Devices.....	12
Nuisance Articles .....	12
Changing Schools.....	12
Dress Code.....	12
Field Trips .....	13
Food in School.....	13
Grades and Progress Reports.....	13
Homework.....	13
Individual Education Plan (IEP).....	13
Mainstreaming .....	13
School Schedule .....	14

## **SECTION III – CURRICULUM AND SPECIAL PROGRAMS**

Academic-Core and Expanded Core Curriculum.....	15
Specialized Programs .....	15
Minnesota State Assessments .....	16
Graduation Requirements .....	16
Computers/Technology .....	16
Recreation Therapy/After School Activities .....	19

## **SECTION IV - DORMITORIES**

Dormitory Facilities .....	20
Bedrooms .....	20

Laundry Facilities .....	20
Telephones .....	21
Computers .....	21
Televisions .....	21
Other.....	21
Personal Items .....	21
Money .....	22
Medications.....	22
Pets .....	22
Schedule.....	22
Meals .....	23
Off-Campus Permission .....	23
Visitors .....	23
Going to the Homes of Other Students .....	23
Discipline .....	23
Progress Reports .....	24

**SECTION V - HEALTH SERVICES**

General Information .....	25
Services .....	25
Health Records .....	25
Communication with Staff .....	25
Medications.....	25
Contacting Physicians.....	26
Illness .....	26
Medical Emergencies.....	26

**SECTION VI – NUTRITION SERVICES**

General Information.....	27
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**SECTION VII - STUDENT CODE OF CONDUCT**

Tennessee Warning .....	28
Examples of Desired Student Conduct.....	28
Examples of Student Misconduct .....	29
Corrective Measures .....	29
Out of School Suspension.....	30
Use of Peace Officers and Crisis Teams to Remove Students with IEPS from School Grounds .....	30
Bullying Prohibition Policy (MSA Policy #514).....	33
Hazing Prohibition Policy (MSA Policy #515) .....	38
Harassment and Violence Policy (MSA Policy #413).....	42

## **INTRODUCTION**

This handbook is designed to provide you with important information and a general overview of expectations which promote a safe and secure learning environment where each individual respects the rights and property of self and others. Please read the information carefully. If you have any questions, please feel free to contact your IEP Case Manager or any of the school's administrative team. Your compliance with this handbook is important so that each student can have a successful and productive school year!

We have tried to make this handbook "user friendly" with a simple approach so that it is more readable. However, some topics are very complex and may need clarification. This handbook will be reviewed with you in school and in the dormitory. If you need more help understanding its contents, please feel free to ask your IEP case manager for assistance. We welcome your input. If there are items that you feel are not clear or not included here, please address such input to the Office of the Director of Education.

Copies of this handbook will be made available to every student, family, and local education agency on an annual basis.

### **MINNESOTA STATE ACADEMIES MISSION STATEMENT**

"The Minnesota State Academies for the Blind and Deaf are dedicated to the intellectual, communicative, social, emotional, and physical development of students who are deaf, hard of hearing, blind, visually impaired and deaf/blind. Working collaboratively with students, families, schools and communities statewide, our mission is to provide exemplary, disability-specific learning opportunities, technology, and materials enabling students to reach their fullest potential."

### **MINNESOTA STATE ACADEMY FOR THE BLIND MISSION STATEMENT**

"The State of Minnesota, through the State Academy for the Blind and in partnership with families, school districts, legislative bodies, and business and community leaders, is dedicated to the education and life preparation of blind, visually impaired, and deaf/blind learners through the provision of a dedicated educational and residential program that includes Braille, independent travel, assistive technologies and individualized educational services, enabling students to reach their fullest potential."

### **BOARD OF THE MINNESOTA STATE ACADEMIES**

Walt Kramer  
Alex Caddy  
Nadine Jacobson  
Joyce Daugaard  
Joan Breslin-Larson  
Marty Amundson  
Gwendolyn Jackson

## **ADMINISTRATIVE TEAM**

Linda Mitchell, Academies Administrator  
John Davis, Director of Education  
Billie Ward, Special Education Director  
Jan Gora, Residential Director

## **SCHOOL PHONE NUMERS**

Toll Free Number (800) 657-3634

General Information .....	507-384-6700	Rode Hall Office .....	507-384-6757
School Fax .....	507-333-4825	Brandeen Hall Office.....	507-384-6751
Administrator's Office .....	507-384-6601	Kramer Hall Office.....	507-384-6754
Director's Office .....	507-384-6701	Health Clinic.....	507-384-6747
Special Education Director.....	507-384-6704	Health Clinic Fax.....	507-333-4826
Residential Director .....	507-384-6703		

# SECTION I GENERAL INFORMATION

## STUDENT RIGHTS AND RESPONSIBILITIES

**RIGHTS:** As a student at the Academy, you have the right to expect to:

1. Receive a high-quality education based on your individual needs as identified in your IEP.
2. Participate in the development of your own IEP.
3. Develop to your full potential in all areas.
4. Be respected as an individual.
5. Attend school and participate in all related activities in a safe and healthy environment.
6. Respectfully share and discuss your views and opinions.
7. Organize, meet for discussion, and express your thoughts and feelings about issues.
8. Know and ask questions about MSAB procedures.
9. Access your own records at age 18. You also have a right to decide whether your school records are shared with potential employers, colleges, or some others outside MSAB.
10. Expect confidentiality with regard to your school records. Your school files may only be looked at by you, your parents, and staff members who work with you. Information you share with staff will be kept confidential unless it is about a dangerous or illegal situation. If you share information about a dangerous or illegal situation, staff must report that information to appropriate people/agencies to protect you or others.
11. Tell your side of a story and explain what happened in your own words (due process).
12. Experience no discrimination. You will receive equal treatment and opportunities to participate in school and after school activities. You cannot be denied participation because of gender (boy or girl), race, creed, religious belief, sexual orientation, pregnancy, marital or parental status, or mental, physical, emotional, or learning disability.

**RESPONSIBILITIES:** As a student at the Academy, you are expected to:

1. Attend and participate in class on a daily basis.
2. Participate in the development of your own IEP.
3. Respect and obey MSAB rules (see Code of Conduct).
4. Accept the consequences of your actions, behavior and choices.
5. Be respectful of yourself, staff and others. Treat every individual the way you want to be treated.
6. Harassment, whether sexual, verbal, or physical, is not acceptable at the Academy and will be dealt with promptly and sternly. Likewise bullying is not acceptable and will be dealt with promptly and sternly.
7. Respect the views and opinions of other people by allowing others their right to speak, listening until they finish, and not interrupting--even if you don't agree.
8. Respect the rights of other students to get a good education by being on time for all classes, not distracting others in the classroom (by chatting or fooling around), and helping the Academy provide an atmosphere conducive to learning.
8. Resolve conflicts through peer mediation or other appropriate means.
9. Respect and care for MSAB property including books, furniture, lockers, lounges, and equipment.
10. Take care of your own personal property.
11. Study and ask questions when you don't understand.
12. Demonstrate self-discipline and citizenship in class and after-school activities and sports.
13. Complete your homework on time.

## DIRECTORY INFORMATION

The Academy gives notice to students and parents of students that the following directory information will be released without prior parent approval:

1. Student's name
2. Student's address
3. Telephone number
4. E-mail address
5. Date and place of birth
6. Participation in officially recognized activities and sports
7. Weight and height of members of athletic teams
8. Dates of attendance
9. Degrees and awards received
10. Other similar information

Pictures of students or groups of students may also be taken and published in the newspaper, school publications, or other news media. These pictures will also be released without parental permission. If you do not want to have any of the above information released without your approval, please put your request in writing and send it to the following office:

Director of Education  
Minnesota State Academy for the Blind  
400 SE Sixth Avenue  
Faribault, MN 55021-6356

## EMERGENCY NOTIFICATION

In order for the Academy to maintain accurate student records, parents/guardians will be asked to complete emergency contact forms at the beginning of each school year. The information must include the name and address of a friend or relative who can be contacted in case of an emergency. **Any changes that occur during the school year must be reported to the school office.**

## INCLEMENT WEATHER POLICY

As weather conditions vary greatly across the State of Minnesota, school districts transporting students are responsible for making decisions regarding safe travel to and from the Academy. When district transportation for a day student is not provided or the parent determines travel to the Academy is unsafe due to weather conditions, the student is excused from school. Parents are encouraged to contact the local transportation provider as early as possible to obtain up-to-date information.

If inclement weather conditions exist in Faribault on a day that students are scheduled to return to the Academy, the Academies Administrator may close the Academy until safe weather conditions return. Announcement of school closing will be made on WCCO radio and TV. A recorded message announcing closure will be left at 507-333-4800. Students who are absent/late because of weather will not be counted as absent or tardy.

If inclement weather conditions are anticipated in the Faribault area, school districts may be contacted by the Academy and encouraged to pick up students early. If inclement weather conditions are anticipated in the home district area, transportation companies will advise the Academy of any changes in schedules. School districts maintain responsibility for notifying parents of alternate bus schedules. If inclement weather conditions exist which prevent school districts and parents from picking up students, arrangements will be made for students to stay

on campus. Once weather conditions improve, students will be expected to go home if possible.

Parents who transport their children to and from the Academy should anticipate weather conditions. Early closing announcements will be made on WCCO-AM and your local radio station (KSHL-AM in Faribault).

## **SCHOOL CLOSINGS**

Sources for weather-related school closing information are as follows: 1) "Call Em All" automated system if parent has signed up for notifications via phone and/or text. 2) Local radio station/TV station and/or their web site, i.e., WWCO-AM, KDHL-AM in Faribault, [www.wcco.com](http://www.wcco.com). For non-weather related closings, MSAB will notify parents and local transportation providers.

## **LOCKER SEARCHES, ROOM SEARCHES, AND BODY SEARCHES**

Pursuant to Minnesota statutes, school lockers, dorm rooms, and other spaces provided by the Academy are the property of the Academy. At no time does the school relinquish its exclusive control of lockers, dorm rooms, or other space provided by the Academy for the convenience of students. Inspection of the interior of lockers, dorm rooms, and other space may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant.

The personal possessions of students within a school locker, dorm room or other space may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's possessions, school authorities will provide notice of the search to those students whose possessions were searched unless disclosure would impede an ongoing investigation by police or school officials. Notification of area searches, including lockers and dorm rooms, is not necessary.

## **PORNOGRAPHY**

The Academy is committed to providing a positive, healthy, and safe learning environment for all of our students. For this reason, magazines, books, videos, pictures, or other materials of a pornographic nature are prohibited.

## **RELEASING STUDENTS FROM CAMPUS**

During the school day, parents must sign their children out in the main office. During non-school hours, parents must sign their children out at the respective dorm.

## **SMOKING AND TOBACCO USE**

The Academy is a "smoke free" campus. Smoking or tobacco use by staff, students, or visitors is strictly prohibited by state law. Possession or use of tobacco products by students while on the grounds of the Academy or engaged in an Academy-sponsored event is prohibited.

## TELEPHONE

Students are not permitted to use telephones during school hours. After school, students may use campus phones for local calls or cell phone. Students may make long distance calls by calling collect or using a personal calling card. Students normally cannot leave class to receive phone calls. Except in emergencies, messages will be taken by the secretary and given to the student at lunch time or after school. Student use or possession of cell phones is prohibited during school hours.

## TRANSPORTATION

If a child relies on bus transportation to and from MSAB, **a parent must contact the local school district to make arrangements before the beginning of school.** If you have any questions or are unsure about transportation issues, the school district will assist you. We also suggest that you contact the bus company to make sure your child's name is on their transportation roster.

When your child's transportation arrangements have been finalized, please call the MSAB office at 507-333-4800 to inform us of those plans. The information will be distributed to various departments throughout the Academies.

## VISITORS TO CAMPUS

The Academy reserves the right to deny any person entrance to Academy buildings or grounds at any time. Visitors must sign in and visitor badges must be worn by all persons having permission to be on campus. Any unknown person without a visitor's badge should be reported to an administrator or other available staff member.

Parents/Guardians are responsible to notify the main office with information on restraining orders or other person(s) who do not have permission to visit their child while at the Academy. All such records will be maintained in both school and dorm offices. The main office shall notify appropriate staff that such information is on file.

**During school hours:** All visitors must report to the main office. The Director's Office will help visitors locate students or schedule classroom visits. Students will not be called out of class without permission from the Director.

**After school hours:** Visitors are to report to the Rode Hall staff office. Persons requesting visits during after school hours must contact the office of the Residential Director to receive such permission.

## WEAPONS

No student shall possess, handle or transmit any objects that can reasonably be considered a weapon on school property or at any school-related activity off-campus. This includes any firearm, explosive (e.g. firecrackers), knives and other dangerous objects or look-a-likes. Any student possessing or using a weapon will be immediately suspended from school, reported to police and an IEP conference held to discuss removal of the student from MSAB.

## **SECTION II SCHOOL INFORMATION**

### **NOTIFICATION OF RIGHTS UNDER FERPA AND MINNESOTA LAW**

The Family Educational Rights and Privacy Act (FERPA) and Minnesota Law afford parents and students over 18 years of age ("eligible students") certain rights with respect to the student's records. They are:

1. The right to inspect and review the student's education records within ten business days of the day the Academy receives a request for access. Parents or eligible students should submit to the Director (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The Director will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that they believe is inaccurate or misleading. Parents or eligible students should write the Director, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the Academy decides not to amend the record as requested by the parent or eligible student, the Academy will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that is permitted without consent.

One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interest. A school official is a person employed by the Academy as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement personnel); a person serving on the Academy's School Board; a person or company with whom the Academy has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or a person assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the Academy discloses education records without consent to officials in other school districts who have a legitimate interest in the student (e.g. student is a resident of the requesting district or student may become a resident of the requesting district).

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Academy to comply with these requirements. The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 600 Independence Avenue, SW, Washington, DC, 20202-4605.

**NOTICE AND CONSENT/OPT-OUT FOR SPECIFIC ACTIVITIES** The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, requires MSAB to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas (“protected information surveys”):

- Political affiliations or beliefs of the student or student’s parent;
- Mental or psychological problems of the student or student’s family;
- Sex behavior or attitudes;
- Illegal, anti-social, self-incriminating, or demeaning behavior;
- Critical appraisals of others with whom respondents have close family relationships;
- Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
- Religious practices, affiliations, or beliefs of the student or parents, or
- Income, other than as required by law to determine program eligibility.

This requirement also applies to the collection, disclosure or use of student information for marketing purposes (“marketing surveys”), and certain physical exams and screenings. The MSAB will provide parents, within a reasonable period of time period to the administration of the surveys and activities, notification of the surveys and activities and be provided an opportunity to opt their child out, as well as an opportunity to review the surveys. Please note that this notice and consent/opt-out transfers from parents to any student who is 18 years old or an emancipated minor under State law.

### **ATTENDANCE/ABSENCE/TARDINESS**

Attendance is vital in order for a student to make progress in school. If a student is absent, it is the parent’s responsibility to contact the school between 7:30-8:30 a.m. on the day of the absence. In addition, the student must bring a written excuse signed by the parent with the date, day(s) absent and the reason for the absence. If you know your child will be absent from school, please let us know ahead of time.

Parents of residential students may provide notification to staff in their child’s dormitory the night before an anticipated absence. Parents must notify the dormitory if their child will not be returning on Sunday night (or designated return day).

Absences are of two types. “Excused absences” allow students to make up and receive credit for missed work. Examples of “excused absences” include:

1. Student illness, medical or dental appointments;
2. Family circumstances such as a death or illness of an immediate family member;
3. Approved college visits; and
4. Weather-related transportation problems.
5. School-sponsored activities or events, e.g. athletic events
6. Court appearances
7. Religious observances

“Unexcused Absences” include:

1. Hunting
2. Shopping
3. Babysitting
4. Family vacations
5. Work
6. Personal business

Students who are tardy for class must get a pass from the Director's Office in order to enter the classroom. Adhering to the dictum, "If you are not in class you cannot be learning", students who are tardy for class will be disciplined. Consequences may be lunch or after-school detention.

### **BOOKS, SUPPLIES, AND FEES**

All textbooks are the property of the Academy and are offered for student use without a fee. Students are responsible for damage or loss. Willful defacing or destruction of textbooks is against the law and students will be required to pay for damaged or lost books. All textbooks are to be returned at the end of the school year or upon transfer to another school.

### **ELECTRONIC DEVICES, RADIOS AND COMMUNICATION DEVICES**

Electronic devices are not allowed in school from 8:00 a.m. to 3:05 p.m. unless under the direct supervision of school staff. In addition, they are not allowed in the dining room during meals unless part of a student's Individual Education Plan (IEP). Noncompliance will be considered insubordination and these items will be confiscated by the administration and returned to house parents and/or parents/legal guardians.

### **NUISANCE ARTICLES**

The use of articles that are nuisances may cause a disruption or a distraction to others or may cause harm to persons or property, such as water guns, radios, boom boxes, etc., is prohibited in school, on school grounds, school vehicles or at school sponsored activities. Confiscation of the article, which may be returned to the student at the end of the school day or to the student's parent, will occur, as the administrator sees fit.

### **CHANGING SCHOOLS**

Students are enrolled at the Academy through the IEP process with their resident (home school) district. If a family relocates into another school district, the parent/guardian must 1) inform MSAB IEP Manager and Main Office. 2) Register their son/daughter in the new school district immediately. 3) Inform the school district of the student's attendance at the Academy and the need for continuing special education services. The Academy will contact the new school district and a meeting will be held to determine if continued placement at MSAB is appropriate.

### **DRESS CODE**

MSAB's education program is designed to promote learning. Anything that disrupts the learning process, whether it is behavior or dress, will not be tolerated. Any student wearing inappropriate attire will be asked to remove it, cover it, or leave the school. Any clothing with crude messages, inappropriate language or pictures promoting tobacco, alcohol or illegal substances are not acceptable for school.

Clothing styles and grooming should not be exaggerated, distracting, unhealthy or endangering to self or others. Clothing such as halter tops, tank tops, short shorts, cut-off shirts, overly-tight items, sexually suggestive items, or gang-related items may not be worn to school. No hats or bandanas are to be worn in the classrooms, auditoriums, or the dining room. Exceptions may be made for medical or vision reasons.

Students are encouraged to dress appropriately for the seasons in Minnesota. In cold weather, coats, hats, and gloves are necessary. If students do not have appropriate cold weather clothing, they may not be permitted to leave the building.

## **FIELD TRIPS**

Field trips are a part of the school's curriculum and recreation programs. Parents will be asked to sign one permission for all activities at the beginning of the school year. Parents will not receive permission forms specific to each activity.

## **FOOD IN SCHOOL**

Students may not bring or purchase pop (soda) or snacks during the school day. Food and beverages are not permitted in the classroom. Exceptions (water bottles) may be made for medical reasons.

## **GRADES AND PROGRESS REPORTS**

Grades and Progress Reports are presented at the end of the quarter or trimester. Grades are given for each academic class and are based on the student's progress in the curriculum. Progress reports provide specific information on the individualized objectives from the student's IEP.

Academic grades are given in terms of letter A, B, C, D, and F. Plus and minus grades are permitted, as well as "pass – no credit" where appropriate.

All teachers may give a final examination at the end of the semester. The value of the final examination will be determined by the teacher and the students will be informed early in the course.

## **HOMEWORK**

When teachers assign homework, students are expected to complete the homework assignments neatly, on time, and to the best of their ability. Generally, homework assignments will be checked for completion and comprehension and may be used in determining a course grade.

## **INDIVIDUAL EDUCATION PLANS (IEP)**

An IEP meeting is held at least once each year to review the student's individualized program. The IEP team discusses special education needs and services and develops a new individualized education plan for the coming year. Parents and the home school district are an integral part of the team and are expected to attend the IEP meeting; therefore, the Academy works closely with parents and home school districts in scheduling the IEP meeting. Arrangements can be made to have parents and others participate via phone if it is impractical to attend the meeting in person. An IEP team meeting can be requested by any team member at any time to discuss the student's program by contacting the IEP manager or IEP Coordinator.

## **MAINSTREAMING**

Students at the Academy may choose to mainstream for courses at Faribault Public Schools when appropriate. If students are interested in mainstreaming, they should talk to their parents, IEP case manager, and the Academies Liaison.

Some things to remember about mainstreaming:

1. Mainstream courses are counted as part of student coursework for graduation.

2. Transportation is provided to and from the public schools.
3. Students are expected to follow public school rules while mainstreaming.
4. While riding the bus to/from the public schools, students are required to follow the rules of the bus company. Students may ask the Academies Liaison for a copy of the rules.
5. Students must be on time for the bus. If a student misses the bus, the student must immediately go to the office and request a taxi for transport to the public school. The student will be responsible for the cab fare. If the student does not report to the office, he/she may receive disciplinary consequences.
6. School calendars for the Academy and public schools do not always match. When the public school is in session and the Academy is not, students are strongly advised to attend these classes if at all possible. The Academy will arrange for lodging, meals, and supervision on days when the public school is in session but the Academy is not. Students who live in the Faribault area are expected to attend their mainstream courses on Friday afternoons and days when the Academy is not in session.
7. Students are expected to attend their public school classes regularly. Generally, attending courses is considered more important than attending pep rallies or assemblies at the Academy. Therefore, students will normally be expected to attend the public school even if there is an assembly at MSAB.
8. If students know they are going to miss class because of an Academy field trip or game, they must inform the Academies Liaison and course instructor. It is the student's responsibility to get assignments ahead of time. All missed work must be completed and turned in to the public school teacher.

## **SCHOOL SCHEDULE 2011--2012**

### **Regular Schedule**

8:00-8:30	Prime Time Reading
8:35-9:20	First Period
9:25-10:10	Second Period
10:15-11:00	Third Period
11:05-11:45	Fourth Period
11:30-12:30	Lunch (Multi-Challenged)
11:45-12:25	Lunch (Academic)
12:30-1:15	Fifth Period
1:20-2:05	Sixth Period
2:10-3:05	Seventh Period

### **Early Dismissal Schedule**

8:00-8:30	Prime Time Reading
8:35-9:20	First Period
9:25-10:10	Second Period
10:15-11:00	Third Period
11:05-11:45	Fourth Period
11:30-12:30	Lunch (Multi-Challenged)
11:45-12:25	Lunch (Academic)

## SECTION III CURRICULUM AND SPECIAL PROGRAMS

### Curriculum for Blind and Visually Impaired Students, Including those with Additional Disabilities

#### **Core Curriculum**

- Language Arts
- Math
- Science
- Social Studies
- Physical Education
- Family and Consumer Science
- Computer Literacy
- Vocational Education

#### **Expanded Core Curriculum**

- Independent Living Skills
- Orientation & Mobility
- Social Skills
- Braille
- Recreation and Leisure Skills
- Assistive/Adaptive Technologies
- Visual Efficiency Skills
- Compensatory/Functional Skills

#### **Specialized Programs**

**Early Childhood Program** (ages 3-5): The program is designed to offer vision and motor stimulation to enable the child to interact with his/her environment. The intent is to prevent or decrease developmental delays. It is equally important to develop social interaction through group instruction and reinforce positive self-esteem as well as fostering learning readiness skills.

**Academy Plus Transition Program** (ages 18-21): The Academy Plus Transition Program is designed to increase transition skills and expose blind and visually impaired students to real life learning experiences and enrichment opportunities through community involvement. This program serves as a major transition step before students leave the educational setting and enter the adult world. The Academy Plus program prepares students for independent living, community work, use of community resources, self-directed leisure and recreation activities within their community, and preparation for post-high school training and/or placement in the adult world. The program also provides students with additional academic and compensatory training.

Academic and compensatory skill building will be available on a remedial basis as identified by the referring agency. Assessments will also be available upon request and based upon the individual needs of the student.

**Multi-Challenged Program** (ages birth-21): The Multi-Challenged Program provides instruction that emphasizes daily living skills and personal life management for students who are blind or visually impaired and have additional disabilities. It is designed to expose students to a variety of different subject areas while maintaining a single theme each week of the school year. This gives students opportunities to generalize the learned concepts as well as have them reinforced in multiple settings.

Intertwined with the traditional curriculum are the Minnesota Academic Standards and related services such as Occupational Therapy, Physical Therapy, Orientation and Mobility, Speech and Vocational/ Transitional.

## **MINNESOTA STATE ASSESSMENTS**

The State of Minnesota mandates that all students must meet the standards set forth as well as meet the requirements of No Child Left Behind. Students take state tests in reading, writing, math and science as determined by the state testing schedule.

The Minnesota Comprehensive Assessments (MCAs) are the state tests that help districts measure student progress toward Minnesota's academic standards and meet the requirements of No Child Left Behind. The reading and mathematics tests are used to determine whether schools and districts have made adequate yearly progress ((AYP) toward all students being proficient in 2014. Science is required for No Child Left Behind but is not included in AYP calculations at this time. Reading and mathematics tests are given in grades 3-8, 10 and 11. Science tests are given in grades 5 and 8 and once in high school, depending on when students complete their life sciences curriculum.

The Graduation-Required Assessments for Diploma (GRAD) are the state tests that fulfill Minnesota's high school graduation requirement for students who first entered grade 8 in 2005-06 or later. These tests measure student performance on essential skills in Writing, Reading and Mathematics for success in the 21<sup>st</sup> century. If a student does not satisfy the graduation requirement for an assessment during the first administration, there will be retest opportunities available.

The Minnesota Test of Academic Skills (MTAS) is an Alternate Assessment for students with the most significant cognitive disabilities in reading, mathematics and science. The MTAS measures skills that are linked to the general education curriculum. These skills represent high expectations for students with significant cognitive disabilities but are also significantly less difficult than skills measured on the Minnesota Comprehensive Assessment.

## **GRADUATION REQUIREMENTS**

A state-approved diploma is awarded to students who have completed the Academy's requirements as set forth in the student's IEP.

## **COMPUTERS/TECHNOLOGY**

### **Technology Access**

#### **Student Code of Conduct**

Use of the MSAB Technology, Network & Internet Access (hereinafter referred to as Technology) is a privilege, which may be revoked by the administrators of the network at any time for abusive conduct or conduct which embarrasses, harms, or in any way distracts from the good reputation of MSAB, its administration, faculty, staff, or any organizations, groups, and institutions with which MSAB is affiliated. Such conduct includes, but is not limited to, placing and/or knowingly accessing unlawful or inappropriate information on the network, use of obscene, abusive, or otherwise objectionable language.

MSAB reserves the right to review any material stored in electronic format, and will edit or remove any material which the administration and/or professional staff believes may be unlawful, obscene, abusive, offensive, inappropriate, or objectionable. The staff and/or administration of MSAB will be the sole arbiter of what constitutes obscene, abusive, or objectionable language or conduct.

Policies, rules, and regulations of system usage may be adjusted, revised, or formulated from time to time by the administration of MSAB.

**Responsibilities:** Students using technology equipment and software provided by MSAB shall also accept the responsibility for the preservation and care of that hardware, and/or software.

- **Instruction:** Only those students who have received proper and adequate instructions shall be authorized to use any hardware or software.
- **Viruses:** It is the responsibility of the student to take reasonable care to keep programs of a viral nature off any school equipment. The student will be held accountable for any deliberate attempts to install or spread virus programs.
- **Security:** It is the responsibility of the student to comply with all security measures implemented on technology equipment. Students must always log on to the network with their own username and password. Students shall not install, move, or remove any hardware or software except at the explicit direction of staff. Altering, moving, renaming, hiding, or deleting system or application files is prohibited.
- **Copyright:** Copyright laws will be strictly adhered to when using all technology equipment. All violations of copyright laws (i.e. copying programs without written permission from the copyright holder) will be addressed through the Academy discipline procedure. Shareware software may only be used in accordance with the author's licensing provisions.
- **Libelous Action:** Each student will refrain from using any libelous language that may result in prosecution and/or legal action. Libel refers to defaming a person's character, behavior or past with untrue or unfounded statements.

**Printer/Embosser Use Guidelines:** Each student will be provided with the necessary access to printers and Braille embossers in order to produce quality documents. Students using a printer or embosser shall adhere to the following guidelines:

- Each student has the responsibility to monitor their printed and Brailled documents and should encourage responsible printing by others.
- Documents for non-instructional use may be printed/embossed only with prior staff permission.
- It is a student's responsibility to obtain permission from the classroom teacher, media center staff, or houseparent to print in color.
- Students shall not print pornographic material or material otherwise deemed inappropriate for school use from being printed on any Academy printer or embosser.

**Scanner Use Guidelines:** Students using a scanner shall also accept the responsibility for the preservation and care of the scanner. Only those students with prior instruction shall be authorized to use a scanner. Students using a scanner shall adhere to the following guidelines:

- Students shall not scan pornographic material or material otherwise deemed inappropriate for school use.
- Students are advised to be aware of the school's policy on plagiarism.

**Network/Internet/E-mail Services Usage Guidelines:** Students using network/internet/e-mail services shall also accept the responsibility for all material received under his/her account. Only those students with approved instruction shall be authorized to use network services. Students using the network, internet or e-mail shall adhere to the following guidelines:

- Students have the responsibility to monitor all material received via the internet under his/her use.
- Students shall not furnish any confidential information or school telephone numbers over the internet.
- Students shall not download copyrighted software of any kind from the internet. Shareware or Freeware software may be downloaded only with prior permission of the Technology Coordinator or Residential Director, and must be used in compliance with the author's license provisions. Students will not upload any materials to any internet source without first obtaining written permission from the Technology Coordinator, Director and/or Residential Director.
- Students shall not download pornographic material, inappropriate text or graphics files, or files dangerous to the integrity of the network via the internet.
- Students may not subscribe to any newsgroup or discussion list without prior written approval of the Technology Coordinator, Director, and/or Residential Director.
- Students are responsible for all e-mail received under their account. Students have the responsibility to report all violations of privacy.

**Disciplinary Action:** Enforcement is first the responsibility of the classroom teacher or houseparent. The administration will review all cases referred to them for disciplinary action in accordance with MSAB's Discipline Procedure (3001). Disciplinary action may include, but is not limited to:

- The student may be advised to seek assistance in learning the proper procedure before he/she is allowed to use technology equipment in the school.
- The student may be required to make full financial restitution.
- The student may be restricted from using printing facilities.
- The student may be restricted from using scanning facilities.
- The student may be restricted from access to the Network/Internet/E-mail services.
- The student may be restricted from using any or all technology.
- The student may be suspended.
- The student/parent/guardian has the right to appeal any disciplinary action taken.

Parents and students are required to sign a computer use contract at the beginning of each school year. Students without signed contracts will not have access to campus computers. Chat lines, e-mail and other non-curricular use of computers during class hours and in the Education Center are banned. Inappropriate use of a computer is not permitted. Students should refer to the computer use contract for specific information. Students will lose computer

use privileges and parents will be informed of violations in accord with the computer contract. The contract applies to all computer use at MSAB.

## **RECREATION THERAPY AND AFTER SCHOOL ACTIVITIES**

Recreation and leisure skills development is one of the expanded core curriculum areas for blind and visually impaired students. As such, students receive direct instruction and purposeful learning opportunities in order to develop skills necessary to incorporate this into adult life. The program facilitates the development, maintenance, and expression of an appropriate leisure lifestyle. This is based on the needs, interests, and abilities of the student.

The Academy provides a range of after school activities and programming which exposes students to a variety of leisure activities, both as spectators and as participants, which can be grouped into the following categories:

1. **On Unit Activities:** These occur daily during students' free time and are led by residential staff under the direction and assistance of the Recreation Therapist.
2. **Recreation Therapy Groups:** Students are grouped by similar ability, interest or needs. The group focuses on the acquisition of skills, knowledge, and attitudes to facilitate an independent lifestyle. Function abilities are emphasized. Groups are centered on a specific topic, activity or goal area, i.e. cooking, arts and crafts, fitness group, gardening, etc. These groups are scheduled and under the supervision of the Recreation Therapist but may be staffed by residential staff.
3. **Off Campus Activities:** Activities are scheduled in the local community as well as the Twin Cities and surrounding areas. Students participate not only for entertainment but to work on goals such as planning and preparing for activities, money management, social/interaction skills, problem solving, etc. Students/parents are responsible for any fees, admissions, or costs related to these activities.
4. **Special Events:** Throughout the year, there are performers, programs, and special groups that come in to work with students. Students may also request to attend events that are not part of the recreation calendar and will receive planning assistance and oversight by the Recreation Therapist and supervision from residential staff as needed. Again, costs are the students'/parents' responsibility.
5. **One-on-one time** is scheduled with every student monthly to address special interests and personal needs/goals of that student in the area of leisure skills development.

Use of cell phones, iPods, etc., is not permitted during recreational activities.

Any questions regarding after school programming can be directed to the Recreation Therapist or the Residential Director.

## SECTION IV DORMITORIES

The Residential Life Area at the Academy for the Blind is an important component of the overall education and development of each child. Providing a supportive, home-like atmosphere, as well as a place to learn and grow, is the overall goal(s) of the program. Rules and guidelines provide a structure in which these can happen. Following are some general guidelines and information:

**Dormitory Facilities:** The dormitories provide each student with a room, bed, desk with chair, closet, dresser, and/or ample drawer space. Students are to bring their own bedding including towels, washcloths, laundry soap, and personal hygiene items. A list of suggested and required items is sent home each fall or may be obtained by request from the Main Office.

**Bedrooms:** Students will be assigned to specific units and rooms. If students/parents have a preference for a roommate, such requests will be considered along with other factors such as age, interests, and supervision needs. In all cases, residential staff will approve final room assignments.

Students are encouraged to incorporate personal effects into the décor of their dormitory rooms. It is our thought that the dormitory rooms become a “home away from home” for the student. We strongly encourage the use of items such as pictures, stuffed animals and the like. It is expected that students use good taste in selecting appropriate posters, banners and other room furnishings. The residence hall staff will make final judgments on the appropriateness of decorations/furnishings.

Students’ rooms, though the property and responsibility of the Academy, are their personal space while enrolled in school. Students’ rights to privacy and security must be respected. Rooms may have to be shared with another student. Students are expected to knock before entering another student’s room and not enter without permission, which includes times when the room is unoccupied. Dormitory staff are also expected to knock on students’ room and bathroom doors before entering.

Members of the opposite gender (parents, students, visitors) are NOT permitted in the bedroom areas or the hallway leading to the bedroom areas except between 7:00-8:00p.m. on return days and on going-home days. All other times, please check in with residential staff prior to entering that area.

Students are expected to keep bedrooms neat and clean, assisting with cleaning and organizational tasks to the best of their ability. Clothes are to be picked up and on hangers, in dressers, or in laundry baskets. Beds are to be made each day. Vacuuming is done on a weekly or as needed basis. Residential staff will teach and assist with the development of skills and the completion of these tasks.

Food and beverages are not permitted in dormitory rooms. Snack foods are available as part of the residential program. Students may bring such items from home. These items must be labeled with the student’s name and placed in the kitchenette storage areas.

**Laundry Facilities:** Each dormitory has laundry machines that are available for student use. Students are encouraged to develop skills in completing laundry tasks. If student laundry is being done at the Academy, students are responsible to provide the necessary laundry products. Laundry tasks must be completed by 10:00 p.m.

**Telephones:** Students have access to telephones on a first come, first serve basis. A student phone line is available in each dormitory for student use. Parents are asked to use this number when calling their son/daughter. A separate line is also available for communications with staff. Long distance calls may be made by students by use of a calling card or dialing collect. A limit of 10 minutes per call is suggested to allow opportunity for all students to make and receive calls. Dormitory staff will assist and set/enforce guidelines as necessary. Students are permitted to have cell phones in the dormitory. Dormitory staff will communicate with parents to discuss guidelines regarding their child's cell phone use. Dormitory staff may set/enforce limits on cell phone use when it is causing a disruption for other students.

**Computers:** All dormitories have computers and printers for student use. Students can access the internet, personal e-mail, and complete homework assignments on these computers. Students who wish to use computers (in the dorm or school) must review the technology **Code of Conduct** and then, in conjunction with their parents/guardians, complete the **Technology Use Agreement**. Residential staff will monitor computer use and will report any violations of the Technology Use Agreement to the Technology Committee for review and consequences. Dormitory staff may set/enforce schedules for dormitory computer use. No food or drinks are allowed in the dormitory computer room.

**Televisions:** The dormitories are equipped with televisions, cable TV services and VCR's/DVD players for use by students. Hookup for such equipment is not available in individual bedrooms. Only G and PG rated videos are permitted to be viewed by all students. PG13 rated videos will be considered for older students at the discretion of the dormitory staff. R rated videos are not permitted for viewing at the Academy regardless of age.

**Other:** Facilities must be shared among all students residing in a particular dorm. Time and use limits will be used as needed to provide for fair access by all. Students are encouraged to use equipment with consideration of the needs, rights and feelings of others. Residential staff will assist in negotiating use and will set limits as needed.

The staff office area is off limits to students unless they have appropriate permission of dormitory staff.

Windows are to remain closed as the building is designed to be climate controlled throughout the year.

The classroom section of the building is off limits during after school/evening hours unless approved by education staff or if there is a scheduled, supervised activity. Students must remember to bring homework, jackets and all needed belongings from the classroom area after school. Residential staff cannot open locked classrooms.

**Personal Items:** All personal items must be kept clean and in storage areas in the student's room. All items should be labeled. Students are responsible for their own belongings and should be able to care for and keep track of their personal items. A list of required items and clothing suggestions is available.

Radios and tape or CD players are permitted and must be played at a reasonable level of sound. Residential staff will assist in establishing what is reasonable. All audio equipment must be turned down to a quiet level by 10:00 p.m. Students may lose privileges of using audio equipment if not compliant with these guidelines.

All electrical appliances or equipment to be used in student rooms must be checked by residential and/or maintenance staff. Items must be in good working condition (i.e., no frayed chords, etc.).

Bikes, skateboards and roller blades are permitted. A contract for bicycle use must be reviewed with and signed by the student and parent when bringing a bicycle to the Academy. Bicycle storage other than in student rooms is not available. The Academy has some bicycles available for student use. Helmets must be worn. Students using skateboards and roller blades must follow standard safety practices and must travel with consideration of people and vehicle traffic. Helmets and pads are required.

**Money:** Students may handle their own money or money may be kept under the supervision of dormitory staff and the student accounts office. Each family should determine their child's ability to manage money and spending guidelines and discuss these with residential staff. Money that becomes lost or stolen is the responsibility of the student/parent for those choosing not to take advantage of the Academies student account services.

**Medications:** All student medications are kept and dispensed from the MSAB Health Clinic. Students are not allowed to keep medications in their room. Any exceptions will be determined and approved by the Health Care Coordinator. (See Health Services, Section V.)

**Pets:** Animals are not permitted in the residence halls with the exception of service animals.

**Schedule:** Wake-up times will vary depending on the student, their needs and schedule. Students begin breakfast by 7:25 a.m. Students are required to report to the dining room during mealtimes except when ill or when excused by school or residential staff.

The dormitory is locked during the school day. Students must obtain a pass from their instructor, the nurse, the principal, or the residential director to return to the dorm during the school day.

A recreation program under the direction of a certified recreation therapist is available during after school/evening hours. Students may be scheduled into groups targeting specific needs and goals. These groups meet on a regularly scheduled basis. Other on and off campus leisure time offerings are also available on a sign-up basis. Students who are absent from school due to illness may not attend the optional recreation activities for that evening.

Residential staff are available throughout the afternoon and evening to assist students with homework. Completion of school work is a priority. Staff provide guidance in time management so that school work as well as other program demands are met.

Students are permitted in the lounge areas of any of the three dormitories with residential staff permission. When visiting outside of their dormitory, students are expected to be fully clothed (no sleepwear). All students must be back in their own dormitory by 9:30 p.m. Students may receive permission to remain out later and can obtain such permission through a request to dormitory staff. The doors to bedrooms or lounges need to remain open when two or more students are visiting together in the room.

Loud playing of music, loud talking or other activities involving loud noise should be discontinued at 10:00 p.m. to be respectful of those who have already retired for the evening. Showers, laundry and other such activities should also be complete by 10:00 unless other arrangements have been made with dormitory staff.

As with wakeup times, bedtimes are determined on an individual basis in conjunction with parents and with the feedback of dormitory and education staff. Adjustment of bedtimes can be made as needed. Guidelines for bedtimes are as follows:

Under 12	8:00-9:00 p.m.
12 years to 14 years old	9:00-9:30 p.m.
15 years old and older	9:30-10:00 p.m.

Post-high school students and students in the Semi-Independent Living (SIL) area have some discretion as to bedtimes as long as students make reasonable choices and their program needs are being met satisfactorily.

**Meals:** Students are required to attend all meals unless ill or otherwise excused. Dormitory staff provides supervision and guidance for appropriate behavior, etiquette and skill development. Meal times are posted in the dormitories.

**Off-Campus Permission:** Students are allowed to leave campus only with those persons with prior written authorization from parents/guardians. This information is maintained in the school's main office and in dormitory offices. Changes can be made throughout the year as needed. Students will not be released from school unless proper permissions are in place. The individual accompanying the student off campus must complete the sign-out form outside the dormitory or in the main office prior to leaving and upon return.

Requests for independent, off-campus travel permission can be made by students by contacting the Orientation and Mobility instructors. A list with students approved for off-campus travel will be maintained and updated by O & M instructors and filed in each dormitory office. Students who have been granted off-campus travel permission must check with dormitory staff before leaving campus. Staff will verify travel permission and will provide final approval (or denial) for all requests. Students who have received approval to travel independently off campus are expected to return to the dormitory by 9:30 p.m. unless given permission by dormitory staff for a later arrival time.

Students leaving the dormitory (whether to an on or off campus location) are expected to notify dormitory staff regarding their departure and destination.

**Visitors:** Advanced notification and approval by the Residential Director for visits is requested/preferred. Lead workers will determine appropriateness of visits and any limitations in the absence of the Residential Director. Upon arrival, visitors are required to check in at one of the dormitory offices where they will be issued a visitor's badge.

Students will be allowed personal visitors based on parent/guardian permission and in accordance with any court order or legal mandate (a copy of which must be maintained in the student's file in the main office).

**Going To The Homes Of Other Students:** Students are required to produce written permission (e-mail will suffice; residential director or designee will verify e-mails) before being allowed to go off campus with or visit the home of another student. The permission must be written, signed and dated by the student's parent/guardian. The permission must be delivered to the appropriate staff no later than 2 days prior to the date of the requested visit.

**Discipline:** Residential staff are responsible for ensuring that a safe environment exists for each student in the dormitory. Staff will provide support and encouragement so that students can be successful in meeting challenges and follow through with rules and expectations. Staff will use limit setting and consequences to encourage compliance with rules. Parents will be called and students may be sent home for the following (in compliance with IDEA and Academy Procedures):

- Threat or attempted suicide
- Consumption of illegal chemicals (including alcohol or smoking materials)

- Willful destruction of property
- Stealing
- Inappropriate sexual conduct
- Fighting or other physical aggression or outbursts
- Habitual breaking of school and/or dormitory rules
- Use of inappropriate language
- Disrespectful behavior toward staff or students

**Progress Reports:** Parents will receive, in conjunction with academic report cards, a report from the dormitory which will provide information on skill development, behavior, and needs in the residential life area. Reports are reviewed with students.

Living in the residence hall community is an experience that can enhance personal growth and discovery. It requires cooperation and patience with people and tolerance for new situations. The residential hall staff strives to help students make the most of this experience.

## SECTION V HEALTH SERVICES

### Health Services

The Minnesota State Academy for the Blind provides an on-site health clinic. The health clinic is located across the hall from the dormitories. The clinic is staffed by Licensed Practical Nurses and Registered Nurses. There is a Licensed School Health Nurse who works between the Academy for the Blind and the Academy for the Deaf campuses. The health clinic is staffed Sunday from 6:00 pm to 9:00 pm, Monday through Thursday from 6:30 am to 9:00 pm, and Friday from 6:30 am to 2:30 pm. (Hours may vary slightly based on need.)

**Health Clinic Services:** Nursing staff provide health education, medication administration and treatments, evaluation of ill or injured students, immunization compliance, health screening, maintenance of health records, case management, and other school based nursing functions.

**Health Records:** Nurses are responsible for keeping each student's health record up to date. Every student must have **all** the required documentation on file in the health clinic. This includes forms completed by licensed medical professionals (i.e. physical, medication authorization, eye reports etc.) and forms that are completed by a parent or guardian.

A current physical must be on file. If a student is on medication, he/she needs to have a physical every year. A physical is required every three years, if a student is not on any medication. Students in grades 7–12, who participate in high school league sports, are required to have a sports physical every three years. The form that is to be used is the Minnesota High School League Sports Physical form.

An eye report is required upon admission and every 3 years thereafter (or per recommendation of medical provider as indicated on the eye report).

**Communication with Health Clinic Staff:** Parents and students are encouraged to contact the clinic staff regarding any health concerns. If a student is returning to school following an illness or surgery, please stop at the clinic or contact us by phone to let us know the student's condition. **Any student who has surgery or a serious illness must have a physician's note and written authorization to return to school.**

**Medications:** All medications including over-the-counter medication must be kept in the health clinic. Medications are not allowed in school or in the dormitories except in special circumstances as authorized by the health clinic staff. **A written doctor's order is required for all medications** (excluding those on the Academies over-the-counter medication form). In addition, doctor's orders are required when a medication is discontinued or the dose is changed. The doctor's order must include the date, name of medication, dose, route, times to be given, and a physician's signature. Medication orders are good for one year. ***All medications must be in the original pharmacy labeled container.***

The health clinic supplies some over-the-counter medications as listed on the over-the-counter standing medication form. These may be administered as needed only if the parent or guardian has signed the Standing Medication Orders form. All medications supplied by the Academies are given per standing health clinic orders which have been reviewed and signed by a local physician.

**Contacting Physicians:** It is the responsibility of the parent/guardian to contact the doctor if a student is ill or needs medical attention. Due to data privacy laws, we must have a signed release from a parent to be able to contact a student's health care provider. An exception to this would be in the event of an emergency and a student needs to be seen immediately.

**Illness:** A student should not be in the dormitory or school if he/she has a contagious illness, fever greater than 101 degrees, injury that greatly limits his/her ability to perform normal cares, vomiting, diarrhea, or any illness or injury that makes it difficult to stay in class. If a student becomes ill at school with any of the above, parents will be asked to come and take their child home. A student who is ill on the weekend should not return to MSAB until the illness has resolved.

**Medical Emergencies:** The medical emergency system of the area in which the emergency occurs will be used to provide care. District One Hospital is just one block from MSAB and would be the hospital of choice for emergencies that happen at school. All students are required to have current health insurance information on file in the health clinic. Parents/guardians will be notified as soon as possible in the event of an emergency.

## SECTION VI Nutrition Services

The Academy for the Blind strives to create a healthy learning environment for all students. Our academy instituted a wellness policy in 2006 which guides many of the food related activities. Our policy was implemented to improve the overall health and well-being of our students and staff and safeguard our students from food borne illnesses.

Our academies participate in the National School Lunch Program which provides some funding for our meals. School lunches must meet the applicable recommendations of the Dietary Guidelines for Americans, which recommends that no more than 30% of an individual's calories come from fat, and less than 10% from saturated fat. Regulations also establish a standard for school lunches to provide one-third of the Recommended Dietary Allowances of protein, Vitamin A, Vitamin C, iron, calcium, and calories.

The cafeteria is open for breakfast, lunch and supper. All students are required to attend scheduled meal times while they are on campus, unless there are special exceptions as directed by a student's IEP or other school related activities.

Parent/guardians, who wish to send food or beverages with his /her child for a special occasion to be shared with other students, are encouraged to consider the nutrient and calorie value of the food. Items to be avoided are called 'foods with minimal nutritional value' and include: cakes, candies, cookies, sodas, and other high calorie, high sugar, high fat foods and beverages. We have many students on special diets and it is desirable that all students can enjoy special treats. ***Any food or drink brought from home for student consumption must be purchased ready to eat and be wrapped in the original package.***

Birthdays are celebrated monthly in the lunch room. Each student who has a birthday in a particular month is acknowledged on one special day that month. Birthday cake is served as the dessert for that day.

Students may not bring or purchase pop (soda) or snacks during the school day. Food and beverages are not permitted in the classroom except by special permission of the director, nutrition services director, or health services director, (e.g. holiday celebration). Water bottles are permitted in the classroom for students who can manage them responsibly, or for students with medical needs.

Food and beverages are discouraged in dormitory rooms. Snack foods provided by the dietary department are available as part of the residential program. Students who bring items from home must have the items labeled with the student's name and placed in the kitchenette storage areas. Dormitory staff may approve for a student to have certain food items in their room, for individuals determined to be able to handle this responsibility.

Parents should consider what their child is bringing to the dormitory for their own consumption. Parents and students are encouraged to choose items that promote health and are consistent with our wellness policy guidelines.

## **SECTION VII STUDENT CODE OF CONDUCT**

MSAB strives to develop independent behavior management skills in each student through collaborative educational experiences which establish reasonable expectations and consequences so that students can attain success in a safe learning environment. MSAB staff review behavioral expectations with students frequently. The Student Code of Conduct is designed to inform students of expected behaviors and procedures at MSAB. Students whose behavior violates expectations will receive appropriate consequences designed to help them learn.

### **TENNESSEN WARNING**

Students may be questioned by administration about incidents that may have severe legal and/or educational consequences. Student will have a due process right provided to them as per Minnesota statute.

The Minnesota Government Data Practices Act requires school districts and other political subdivisions, when asking a person to supply private or confidential information about the individual, to inform the person of:

1. The purpose and intended use of the requested data within the school district;
2. Whether the individual may refuse or is legally required to supply the requested data;
3. Any known consequences arising from supplying or refusing to supply private data; and
4. The identity of other persons or entities authorized by a state or federal law to receive the data.

Minnesota Statute 13.04 Subd.2.

Right of Appeal:

If a student feels that his/her rights have been violated, he/she should first bring the matter to the attention of the principal, unless the alleged violation involves this person. If the principal is involved or an appeal of a principal's decisions is desired, the case may be brought to the Superintendent, and a further appeal may be made to the Board of Education at their next regular meeting.

A student may appeal his/her case in court without going through the administrative process outlined above, but the court may require the student to first exhaust those channels with the local system. The local Board of Education also has the right to appeal.

### **EXAMPLES OF DESIRED STUDENT CONDUCT**

- Dressing in a way that promotes a good learning environment
- Using appropriate language
- Reporting to assigned areas on time, including classes
- Securing a pass before leaving school grounds
- Behaving appropriately while on the buses, dining room, and hallways.
- Respecting yourself, your peers and staff members
- Acting as a positive role model to younger students.

## EXAMPLES OF STUDENT MISCONDUCT

- Inappropriate use of computers or use of walkman-type or video gaming equipment during school hours.
- Drinking pop or chewing gum in school, gym or dining hall.
- Inappropriate dress
- Swearing
- Leaving school grounds without pass or permission.
- Failure to report to assigned area
- Violation of activity bus or local school bus rule
- Cheating on assignment or test
- Disrespect towards another student or a staff member.
- Harassment (Sexual, Verbal, Physical, Racial)
- Threatening/intimidating students or staff
- Truancy/Excessive Tardiness
- Possession and/or use of tobacco products
- Fighting
- Vandalism
- Theft/Possession of stolen property
- Use, possession, or distribution of alcohol and/or illegal drugs (including “look-alike” drugs)
- Trespassing (including refusal to leave)
- False Fire Alarms / Use of smoke bombs or explosives
- Physical attacks (on student or staff)
- Extortion
- Possession or use of weapon
- Sexual Assault / Inappropriate Sexual Behavior
- Major infractions that result in harm or threat of harm to self or others’ property or person, or that are illegal, will be dealt with severely and referred to the police.

## CORRECTIVE MEASURES

**Student/Staff Conference:** Student and staff meet to discuss student’s behavior, causes, alternative behaviors and behavioral expectations.

**Removal from Area:** Students who cannot behave appropriately may need to be removed from an area to regain self-control.

**Parent Notification:** Parents will be notified when students have ongoing difficulty complying with MSAB’s behavioral expectations.

**IEP Staffing/Conference:** If the student’s behavior appears related to a disability or is becoming more serious, an IEP staffing or conference will be held to discuss options to assist the student and address needs.

**In-School Monitoring:** A student needing daily monitoring to improve behavior may be placed on in-school monitoring for a time period determined by the Principal. Parents will be notified. The student will meet with the Principal daily to discuss the monitoring form and behavioral expectations.

**In-School/In-Dorm Suspension:** When necessary, a student may be removed from the regularly scheduled educational/dormitory activities and placed under supervision of staff for the entire day or a portion of the day. Parents will be notified.

**Out-Of-School Suspension:** Students whose behavior is severe and/or unsafe may be suspended from school for up to two weeks as determined at the administrative conference. Upon the student's return to school, a Re-admission/IEP Conference will be held.

*USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS WITH IEPs FROM SCHOOL GROUNDS [Note: School districts are required by statute to have a policy addressing these issues.]*

- I. **PURPOSE** The purpose of this policy is to describe the appropriate use of peace officers and crisis teams to remove, if necessary, a student with an individualized education program (IEP) from the grounds of the Minnesota State Academies.
- II. **GENERAL STATEMENT OF POLICY** The Minnesota State Academies is committed to promoting learning environments that are safe for all members of the school community. We further believe that students are the first priority and that they should be reasonably protected from physical or emotional harm at all school locations and during all school activities. All students, including those with IEPs, are subject to the terms of the Minnesota State Academies' discipline policy. Building level administrators have the leadership responsibility to maintain a safe, secure, and orderly educational environment within which learning can occur. Corrective action to discipline a student and/or modify a student's behavior will be taken by staff when a student's behavior violates the Minnesota State Academies' discipline policy. If a student with an IEP engages in conduct which, in the judgment of school personnel, endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, that student may be removed from school grounds in accordance with this policy.
- III. **DEFINITIONS:** For purposes of this policy, the following terms have the meaning given them in this section:
  - A. "Student with an IEP" or "the student" means a student who is eligible to receive special education and related services pursuant to the terms of an IEP or an individual interagency intervention plan (IIIP).
  - B. "Peace officer" means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the Board of Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest. The term "peace officer" includes a person who serves as a sheriff, a deputy sheriff, a police officer, or a state patrol trooper.
  - C. "Police liaison officer" is a peace officer who, pursuant to an agreement between the Minnesota State Academies and a political subdivision or law enforcement agency, is assigned to a school building for all or a portion of the school day to provide law enforcement assistance and support to the building administration and to promote school safety, security, and positive relationships with students.
  - D. "Crisis team" means a group of persons, which may include teachers and non-teaching school personnel, selected by the building administrator in each school building who have received crisis intervention training and are responsible for becoming actively involved with resolving crises. The building administrator or designee shall serve as the leader of the crisis team.
  - E. The phrase "remove the student from school grounds" is the act of securing the person of a student with an IEP and escorting that student from the school building or school activity at which the student with an IEP is located.

- F. “Emergency” means a situation in which immediate intervention is necessary to protect a student or other individual from physical injury, emotional abuse due to verbal and/or nonverbal gestures, or to prevent severe property damage.
- G. All other terms and phrases used in this policy shall be defined in accordance with applicable state and federal law or ordinary and customary usage.

#### IV. REMOVAL OF STUDENTS WITH IEPs FROM SCHOOL GROUNDS

- A. Removal By Crisis Team If the behavior of a student with an IEP escalates to the point where the student’s behavior endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building’s crisis team may be summoned. The crisis team may attempt to de-escalate the student’s behavior by means including, but not limited to, those described in the student’s IEP and/or behavior intervention plan. When such measures fail, or when the crisis team determines that the student’s behavior continues to endanger or may endanger the health, safety, or property of the student, other students, staff members, or school property, the crisis team may remove the student from school grounds. If the student’s behavior cannot be safely managed, school personnel may immediately request assistance from the police liaison officer or a peace officer.
- B. Removal By Police Liaison Officer or Peace Officer If a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building’s crisis team, building administrator, or the building administrator’s designee, may request that the police liaison officer or a peace officer remove the student from school grounds.

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

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

- C. Reasonable Force Permitted In removing a student with an IEP from school grounds, a school principal, other crisis team members, or the police liaison officer or other agents of the Minnesota State Academies, whether or not members of a crisis team, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

In removing a student with an IEP from school grounds, police liaison officers and Minnesota State Academies personnel are further prohibited from engaging in the following conduct:

1. Requiring the student to assume and maintain a specified physical position, activity, or posture that induces physical pain as an aversive procedure;
  2. Presenting intense sounds, lights, or other sensory stimuli as an aversive stimulus;
  3. Using noxious smell, taste, substance, or spray as an aversive stimulus;
  4. Denying or restricting the student's access to equipment and devices such as hearing aids and communication boards that facilitate the student's functioning except temporarily when the student is perceived to be destroying or damaging equipment or devices;
  5. Using faradic skin shock;
  6. Restricting, totally or partially, the student's auditory or visual sense, except that study carrels may be used as an academic intervention;
  7. Withholding regularly scheduled meals or water; and/or
  8. Denying the student access to toilet facilities.
- D. Parental Notification The building administrator or designee shall make reasonable efforts to notify the student's parent or guardian of the student's removal from school grounds as soon as possible following the removal.
- E. Continued Removals; Review of IEP Continued and repeated use of the removal process described herein must be reviewed in the development of the individual student's IEP or IIIP.
- F. Effect of Policy in an Emergency; Use of Conditional Procedures A student with an IEP may be removed in accordance with this policy regardless of whether the student's conduct would create an emergency.

If the Minnesota State Academies seeks to remove a student with an IEP from school grounds under this policy due to behaviors that constitute an emergency and the student's IEP, IIIP, or behavior intervention plan authorizes the use of one or more conditional procedures, the crisis team may employ those conditional procedures, in addition to any reasonable force that may be necessary, to facilitate the student's removal from school grounds. If the crisis team initiates use of conditional procedures in an emergency, the student's IEP team shall meet as soon as possible, but no later than five (5) school days after emergency procedures have commenced.

**Legal References:**

20 U.S.C. § 1415(k)(9) (Individuals with Disabilities Education Act (IDEA))  
 34 C.F.R. § 300.529 (IDEA Regulation Regarding Involvement of Law Enforcement)  
 20 U.S.C. 1232g *et seq.* (Family Educational Rights and Privacy (FERPA))  
 Minn. Stat. § 13.01, *et seq.* (Minnesota Government Data Practices Act)  
 Minn. Stat. §§ 121A.40-121A.56 (Minnesota Pupil Fair Dismissal Act)  
 Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)  
 Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)  
 Minn. Stat. § 121A.67 (Aversive and Deprivation Procedures)  
 Minn. Stat. § 609.06 (Authorized Use of Force)  
 Minn. Stat. § 609.379 (Permitted Actions)  
 Minn. Rule 3525.0200, Subp. 2c (Definition of "Emergency")  
 Minn. Rule 3525.2900, Subp. 5 (The IEP and Regulated Interventions)

**Cross References:**

MSBA/MASA Model Policy 506 (Student Discipline)  
 MSBA/MASA Model Policy 507 (Corporal Punishment)  
 MSBA/MASA Model Policy 525 (Violence Prevention)  
 MSBA/MASA Model Policy 806 (Crisis Management Policy)

*Harassment*

In accordance with federal and state laws, MSAB implements specific policies and procedures regarding the prohibition of harassment, formal or informal, verbal or written, based on race, color, sex, national origin, sexual orientation, religion, or disability. All complaints, formal or informal, verbal or written, will be promptly and fully investigated. MSAB will take appropriate action promptly to protect individuals from further harassment. If it is determined that unlawful harassment has occurred, appropriate discipline for student(s) found to violate the policy will be implemented. Measures will be taken to prevent future harassment.

Parents/guardians are encouraged to talk with their child(ren) and familiarize them with the topic of harassment. Harassment policy and procedures will be reviewed with all staff members and students (as appropriate) at the beginning of each school year and periodically during the school year. (See Appendix for complete policy)

**BULLYING PROHIBITION POLICY (MSA Policy 514)**

**I. PURPOSE**

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with students' ability to learn and teachers' ability to educate students in a safe environment. The Minnesota State Academies 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 at the Academies and the rights and welfare of its students and is within the control of the Minnesota State Academies in its normal operations, it is the Academies' intent to prevent bullying and to take action to investigate, respond, remediate, and discipline those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the Minnesota State Academies in its goal of preventing and responding to acts of bullying, intimidation, violence, and other similar 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 Academies property or at school-related functions. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying that interferes with or obstructs the mission or operations of the Minnesota State Academies or the safety or welfare of the student, other students, or employees.
- B. No teacher, administrator, volunteer, contractor, or other employee of the Minnesota State Academies shall permit, condone, or tolerate bullying.

- C. Apparent permission or consent by a student being bullied does not lessen the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- E. False accusations or reports of bullying against another student are prohibited.
- F. A person who engages in an act of bullying, reprisal, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline for that act in accordance with Minnesota State Academies' policies and procedures. The Academies may take into account the following factors:
  - 1. The developmental and maturity levels of the parties involved;
  - 2. The levels of harm, surrounding circumstances, and nature of the behavior;
  - 3. Past incidences or past or continuing patterns of behavior;
  - 4. The relationship between the parties involved; and
  - 5. The context in which the alleged incidents occurred.

Consequences for students who commit prohibited acts of bullying may range from positive behavioral interventions up to and including suspension and/or expulsion. Consequences for employees who permit, condone, or tolerate bullying or engage in an act of reprisal or intentional false reporting of bullying may result in disciplinary action up to and including termination or discharge. Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from Minnesota State Academies property and events and/or termination of services and/or contracts.

- G. The Minnesota State Academies will act to investigate all complaints of bullying and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the Academies 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 any written or verbal expression, physical act or gesture, or pattern thereof, by a student that is intended to cause or is perceived as causing distress to a student or a group of students and which substantially interferes with another student's or students' educational benefits, opportunities, or performance. Bullying includes, but is not

limited to, conduct by a student against another student or a group of students that a reasonable person under the circumstances knows or should know has the effect of:

1. harming a student or a group of students;
  2. damaging a student's or a group of students' property;
  3. placing a student or a group of students in reasonable fear of harm to person or property;
  4. creating a hostile educational environment for a student or a group of students; or
  5. intimidating a student or a group of students.
- B. "Immediately" means as soon as possible but in no event longer than 24 hours.
- C. "On Minnesota State Academies property or at school-related functions" means all campus buildings, school grounds, and Academies property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for Academies 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 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 Academies do not represent that it will provide supervision or assume liability at these locations and events.

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

- A. Any person who believes he or she has been the victim of bullying or any person with knowledge or belief of conduct that may constitute bullying shall report the alleged acts immediately to an appropriate Academies official designated by this policy. A person may report bullying anonymously, but action may not be taken against an alleged perpetrator based solely on an anonymous report.
- B. The Minnesota State Academies encourages the reporting party or complainant to use the report form available from the principal or supervisor of each building, but oral reports shall be considered complaints as well.
- C. The building principal, the principal's designee, or the building supervisor (hereinafter building report taker) is the person responsible for receiving reports of bullying at the building level. Any person may report bullying directly to the Minnesota State Academies human rights officer, Academies director or Academies administrator. If the complaint involves

the building report taker, the complaint shall be made or filed directly with the Academies Administrator or the school district human rights officer by the reporting party or complainant.

- 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 receives a report of, observes, or has other knowledge or belief of conduct that may constitute bullying shall inform the building report taker immediately. Academies personnel who fail to inform the building report taker of conduct that may constitute bullying in a timely manner may be subject to disciplinary action.
- E. Reports of bullying are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- F. Submission of a good faith complaint or report of bullying will not affect the complainant's or reporter's future employment, grades, or work assignments, or educational or work environment.
- G. The Minnesota State Academies 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 Academies' obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

## **V. MINNESOTA STATE ACADEMIES ACTION**

- A. Upon receipt of a complaint or report of bullying, the Minnesota State Academies shall undertake or authorize an investigation by Academies officials or a third party designated by the Academies.
- B. The Minnesota State Academies may take immediate steps, at its discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of bullying, consistent with applicable law.
- C. Upon completion of the investigation, the Minnesota State Academies 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. Minnesota State Academies 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; Minnesota State Academies policies; and regulations.

- D. The Minnesota State Academies 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 Academies. School officials will notify the parent(s) or guardian(s) of students involved in a bullying incident and the remedial action taken, to the extent permitted by law, based on a confirmed report.

## **VI. REPRISAL**

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

## **VII. TRAINING AND EDUCATION**

- A. The Minnesota State Academies annually will provide information and any applicable training to staff regarding this policy.
- B. The Minnesota State Academies annually will provide education and information to students regarding bullying, including information regarding this policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying.
- C. The administration of the Minnesota State Academies 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.

## **VIII. NOTICE**

The Minnesota State Academies will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.

**Legal References:** Minn. Stat. § 121A.03 (Sexual, Religious and Racial Harassment and Violence)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.69 (Hazing Policy)

**Cross References:** MASA/MSBA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MASA/MSBA Model Policy 413 (Harassment and Violence)  
MASA/MSBA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)

MASA/MSBA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)  
MASA/MSBA Model Policy 423 (Employee-Student Relationships)  
MASA/MSBA Model Policy 501 (School Weapons Policy)  
MASA/MSBA Model Policy 506 (Student Discipline)  
MASA/MSBA Model Policy 507 (Corporal Punishment)  
MASA/MSBA Model Policy 515 (Protection and Privacy of Pupil Records)  
MASA/MSBA Model Policy 521 (Student Disability Nondiscrimination)  
MASA/MSBA Model Policy 522 (Student Sex Nondiscrimination)  
MASA/MSBA Model Policy 525 (Violence Prevention)  
MASA/MSBA Model Policy 526 (Hazing Prohibition)  
MASA/MSBA Model Policy 529 (Staff Notification of Violent Behavior by Students)  
MASA/MSBA Model Policy 709 (Student Transportation Safety Policy)  
MASA/MSBA Model Policy 711 (Videotaping on School Buses)  
MASA/MSBA Model Policy 712 (Video Surveillance Other Than on Buses)

**HAZING PROHIBITION POLICY (MSA Policy #515)**

**I. PURPOSE**

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

**II. GENERAL STATEMENT OF POLICY**

- A. No student, teacher, administrator, volunteer, contractor or other employee of the Minnesota State Academies shall plan, direct, encourage, aid or engage in hazing.
- B. No teacher, administrator, volunteer, contractor or other employee of the Minnesota State Academies shall permit, condone or tolerate hazing.
- C. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
- D. This policy applies to behavior that occurs on or off school property and during and after school hours.
- E. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.
- F. The Minnesota State Academies 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 Minnesota State Academies 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 student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
  3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
  4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
  5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of Minnesota State Academies policies or regulations.
- B. "Student organization" means a group, club or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

### **IV. REPORTING PROCEDURES**

- A. Any person who believes he or she has been the victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate Minnesota State Academies official designated by this policy.
- B. The building principal or supervisor, the principal's designee, or the building supervisor (hereinafter building report taker) is the person responsible for receiving reports of hazing at the building level. Any person may report hazing directly to the Minnesota State Academies human rights officer, Academies director, or Academies administrator. If the complaint involves the

building report taker, the complaint shall be made or filed directly with the Academies Administrator or the human rights officer by the reporting party or complainant.

- C. Teachers, administrators, volunteers, contractors and other employees of the Minnesota State Academies shall be particularly alert to possible situations, circumstances or events which might include hazing. Any such person who receives a report of, observes, or has other knowledge or belief of conduct which may constitute hazing shall inform the building report taker or supervisor immediately. Academies personnel who fail to inform the building report taker of conduct that may constitute hazing in a timely manner may be subject to disciplinary action.
- D. Submission of a good faith complaint or report of hazing will not affect the complainant or reporters future employment, grades or work assignments.
- E. Reports of hazing are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The Minnesota State Academies 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 Minnesota State Academies' legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

#### **V. MINNESOTA STATE ACADEMIES ACTION**

- A. Upon receipt of a complaint or report of hazing, the Minnesota State Academies shall undertake or authorize an investigation by Minnesota State Academies officials or a third party designated by the Minnesota State Academies.
- B. The Minnesota State Academies may take immediate steps, at its discretion, to protect the complainant, reporter, students, or others pending completion of an investigation of hazing.
- C. Upon completion of the investigation, the Minnesota State Academies will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline prohibited behavior. Minnesota State Academies 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, Minnesota State Academies policies and regulations.
- D. The Minnesota State Academies 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 Minnesota State Academies. Academies officials will notify the parent(s) or guardian(s) of students involved in a hazing incident

and the remedial action taken, to the extent permitted by law, based on a confirmed report.

## **VI. REPRISAL**

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

## **VII. DISSEMINATION OF POLICY**

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

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

Cross References:

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

MSBA/MASA Model Policy 413 (Harassment and Violence)

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)

MSBA/MASA Model Policy 525 (Violence Prevention [Applicable to Students and Staff])

## **HARASSMENT AND VIOLENCE (MSA Policy #413)**

### **I. PURPOSE**

The purpose of this policy is to maintain 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, or disability.

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

- A. The policy of the Minnesota State Academies 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, or disability.
- B. A violation of this policy occurs when any pupil, teacher, administrator or other Academies personnel to harass a pupil, teacher, administrator or other Academies personnel or group of pupils, teachers, administrators, or other school 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, or disability as defined by this policy. (For purposes of this policy, Academies personnel include board members, employees, agents, volunteers, contractors or persons subject to the supervision and control of the Minnesota State Academies.)
- C. A violation of this policy occurs when any pupil, teacher, administrator or other school personnel of the Minnesota State Academies inflicts, threatens to inflict, or attempts to inflict violence upon any pupil, teacher, administrator or other Academies personnel or group of pupils, teachers, administrators, or other school 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, or disability.
- D. The Minnesota State Academies 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, or disability, and to discipline or take appropriate action against any pupil, teacher, administrator or other school 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, 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. "Age" means the person is over the age of 25 years.
  2. "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.
  3. "Familial status" means the condition of one or more minors being domiciled with:
    - a. their parent or parents or the minor's legal guardian; or
    - b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
  4. "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.
  5. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.

6. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
7. "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.
8. "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. 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 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 pupil(s) by teachers, administrators or other school personnel to avoid physical harm to persons or property;

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

F. Sexual Violence; Definition

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

G. 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, or disability.

**IV. REPORTING PROCEDURES**

- A. Any person who believes he or she has been the 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, or disability by a pupil, teacher, administrator or other

Academies personnel of the Minnesota State Academies, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a pupil, teacher, administrator or other Academies personnel or group of pupils, teachers, administrators, or other school personnel should report the alleged acts immediately to an appropriate Minnesota State Academies official designated by this policy. The Minnesota State Academies encourages the reporting party or complainant to use the report form available from the MSAB Director, the MSAD Director or from the Minnesota State Academies Administrator's office, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting harassment or violence directly to the Academies human rights officer or to the Academies Administrator.

- B. On Each Campus. The Director, the principal's designee, or the building supervisor (hereinafter building report taker) is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at MSAB and MSAD. Any adult Academies personnel who receive a report of harassment or violence prohibited by this policy shall inform the report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the Academies Administrator or the Minnesota State Academies human rights officer by the reporting party or complainant. Academies personnel who fail to inform the building report taker of a report of harassment or violence in a timely manner may be subject to disciplinary action.
- C. Upon receipt of a report, the building report taker must notify the Academies human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- D. For the Agency. The Minnesota State Academies board hereby designates Martina Hagen as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the Academies Administrator.
- E. The Minnesota State Academies shall conspicuously post the name of the human rights officer, including mailing address and telephone number.
- F. 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 or work assignments.
- G. Use of formal reporting forms is not mandatory.

- H. 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. The Minnesota State Academies 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 Minnesota State Academies' legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

## **V. INVESTIGATION**

- A. By authority of the Minnesota State Academies, the human rights officer, upon receipt of a report or complaint alleging harassment or violence, prohibited by this policy, shall immediately undertake or authorize an investigation. The investigation may be conducted Academies officials or by a third party designated by the Minnesota State Academies.
- 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 Minnesota State Academies 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 Minnesota State Academies may take immediate steps, at its discretion, to protect the complainant, pupils, teachers, administrators or other Academies personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.
- E. The investigation will be completed as soon as practicable. The Minnesota State Academies human rights officer shall make a written report to the Academies Administrator upon completion of the investigation. If the complaint involves the Academies Administrator, the report may be filed directly with the MSA 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 the investigation, the Minnesota State Academies will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. Minnesota State Academies action taken for

violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law and MSA policies.

- B. The result of the Minnesota State Academies investigation of each complaint filed under these procedures will be reported in writing to the complainant by the Minnesota State Academies in accordance with state and federal law regarding data or records privacy.

## **VII. REPRISAL**

The Minnesota State Academies will discipline or take appropriate action against any pupil, teacher, administrator or other Academies personnel who retaliates against any person who makes a good faith report of alleged harassment or violence prohibited by this policy 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 or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment, or intentional disparate treatment.

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

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

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

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minn. Stat. § 626.556 may be applicable.
- B. Nothing in this policy will prohibit the Minnesota State Academies 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 MSA building in areas accessible to pupils and staff members.
- B. This policy shall be given to each Academies employee and independent contractor at the time of entering into the person's employment contract.
- C. This policy shall appear in the student handbook.
- D. The Minnesota State Academies will develop a method of discussing this policy with students and employees.

- E. The Minnesota State Academies 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, and resourcefulness.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

**Legal References:** Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious and Racial Harassment and Violence 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)  
*Puller v. Indep. Sch. Dist. No. 701, 528 N. W. 2d 273 (Minn. Ct. App. 1998)*

**Cross References:** MSBA/MASA Model Policy 102 (Equal Educational Opportunity)  
 MSBA/MASA Model Policy 401 (Equal Employment Opportunity)  
 MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)  
 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 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 506 (Student Discipline)  
 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 528 (Student Parental, Family, and Marital Status Nondiscrimination)

