



MINNESOTA VIRTUAL SCHOOLS

A program of Minnesota Transitions Charter Schools

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MNVS.org



Parent/Student Handbook

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Minnesota Virtual Schools is an online program offered by Minnesota Transitions Charter School that delivers curriculum via the internet. We provide a comprehensive library of core courses and electives, including foreign language courses.

Mission

Minnesota Virtual Schools provides a personalized online learning experience in which our students prepare to be successful contributors in an evolving global community.

A Public Charter School

Minnesota Virtual Schools is a program offered by Minnesota Transitions Charter School, a state-approved Minnesota public charter school. Students will receive their diploma from Minnesota Transitions Charter School.

Minnesota Virtual Schools courses are aligned with Minnesota State Academic Standards. Students are required to meet state standards as prescribed in the areas of Language Arts, Mathematics, Science, Social Studies, Fine Arts, and Health and Physical Education in order to ensure grade progression and graduation.

Contact Information and Services

MNVS provides Minnesota certified teachers to meet the academic needs of our students. Classroom teachers are available during the traditional school day and by appointment. MNVS teacher contact information is available via the [MNVS Website](#) and on the course homepage within the classroom platform.

School Counselors are available to assist with appropriate class selection and provide academic counseling to assist students with post-secondary placement and career exploration. Student Support Specialists build relationships with students in order to support the student in his or her academic goals, track attendance, and provide interventions when appropriate to encourage student attendance and academic success. Students are expected to maintain regular contact with their Student Support Specialist to ensure successful and timely course completion.

Platform and Course Delivery

All classes are accessible online via the MNVS Classroom at <http://www.mnvirtualhclassroom.org>. After being enrolled, students will receive a welcome email from MNVS containing their username and password which are required to access MNVS courses. During this communication, the student will receive student account log in credentials and the MNVS Student Handbook. Upon logging in for the first time, students complete an orientation course which demonstrates how to access courses, view grades, and communication tools.

Please note that there are different platforms and course delivery for MNVS Elementary students enrolled in K-5 programming. This information is provided during orientation.

Online Resources

Minnesota Virtual High School course resources:

Minnesota Career Information System: <http://mncis.intocareers.org/>

Crisis Connection: <http://www.crisis.org/>

Minnesota Public Libraries MnKnows: <http://www.mnknows.org/>

The MNKnows site also includes:

Electronic Library for Minnesota: <http://www.elm4you.org/>

Ask MN (a free online service for information or research help from a MN librarian):

<http://www.askmn.org/>

eFolioMinnesota: <http://www.efoliominnesota.com/>

GENERAL INFORMATION

Student Enrollment Information and Process

Note: As a result of the U.S. Supreme Court Ruling, school personnel may not deny admission to a student during initial enrollment or any other time on basis of undocumented status; or require parents or students to disclose their immigration status or social security numbers, which may expose undocumented status (458 U.S. 1131 {1982}).

MNVS Enrollment Process*:

- 1.) To be considered for enrollment the student must meet the following:
 - Must hold residency in Minnesota; and
 - Students must be in grades K-12 and under the age of 21; and
- 2.) Enrollment into MNVS is contingent upon the receipt of the completed enrollment packet from the family and all required documents.

Enrollment packet includes:

- Registration Forms
- Emergency Contact Information
- Attendance Agreement
- Permission to release educational records

Required Documents are:

- Proof of residency
- Student birth certificate

Requested Documents include:

- Recent photograph of student
- Transcript or Academic Record
- MCA-II/GRAD Test Scores
- Immunization Records
- Special education records
- Application for Educational Benefits (Free and Reduced Lunch Form)

Upon acceptance and receipt of required documentation by MNVS, the following steps occur:

- 1.) Student receives MNVS welcome email; student completes the Orientation course
- 2.) Official transcripts from an accredited school and/or academic records will be reviewed to determine the courses to which the student will be enrolled.
- 3.) School counselor determines the class schedule and enrolls the student in classes.
- 4.) Student begins their classes.

*** Students and parents are required to inform the Admissions Office if there is a change of mailing address, telephone phone number, or email address. A student's demographic information must be kept current at all times.**

Academic Calendar

When a student is enrolled in a course, the student will have the remainder of the current semester to complete the course unless otherwise stated. If a student is not able to work on the classes for any reason, the student's parent/guardian should email attendance at: MVHSattendance@emailmtcs.org. Illnesses lasting 3 school days or more require a doctor's note. Vacations must be requested *in advance* and require that a student be ahead in classes. MNVS follows the Minnesota Transitions Charter School district calendar. You may access this school year calendar at the [MNVS Website](#). Full-time MNVS students are eligible to take 12 classes (18 credits) for the regular school year; courses for MNVS Elementary follow state requirements for K-5 and will be discussed during orientation.

Repeating Course(s)

If a student does not pass a class with a 60% or higher overall grade, the course will be repeated. Students who fail a course are responsible for working with their school counselor to be re-enrolled in the course. Students and families are responsible for ensuring that all graduation requirements have been met through successful course completion. Both grades will stay on the transcript unless the student was given an “I” (incomplete) for the previous course. An “I” can be awarded to a student if the student was not able to complete the course due to a medical or family emergency, when the student retakes the course then the “I” will be replaced with a passing grade.

Course(s) Changes

In order to change a course students must submit a written request to the school counselor within three weeks of enrollment in the course. A course change is not official until it has been expressly approved by the school counselor. This written request must include the following:

- Student Name
- Reason for request
- The course(s) the student wishes to drop

Once the school counselor has approved the Change of the course(s), parents and students will receive written confirmation of that change. Students must continue to work in all courses until the change has been confirmed. Students wishing to withdraw from ALL of their classes must follow the procedures set forth in the withdrawal policy.

Course Extensions

Course extension requests must be completed and received by the school 7 calendar days prior to the end of an academic term.

Transfer Credits

Official transcripts are required in order to properly transfer credits to the student. How credits are accepted depends on the course previously taken and the current school district and state graduation requirements.

Transcript Revision Policy

Minnesota Virtual Schools will only revise transcripts if a clear and correctable mistake was made on the current transcript. Any requests for transcript revisions must be submitted to the MNVS registrars and will then be reviewed by the Director and/or Assistant Director for approval. Once approved changes will be reflected in the Student Information platform and a new transcript will be processed.

Graduation Requirements

Upon completion of the enrollment process and each school year, students receive an electronic record of credits earned and current courses. Students may also request this record by contacting school counseling staff through email. This record includes the courses the student has completed and credit earned towards graduation. It is possible that the credit totals may be different than the previous schools attended, as Minnesota Transitions Charter Schools is based on 1.5 credits per semester class, with a total of 64.5 needed for graduation. Students do not lose credits when transferring schools, although credit conversions and graduation requirements do differ between school districts. Students may request a current credit count by contacting their school counselor.

To receive a diploma from Minnesota Virtual High School, each student is required to receive the following credits per category for a total of 64.5 credits in addition to meeting Minnesota state graduation requirements:

- English – 12 credits
- Social Studies – 12 credits
- Math – 9 credits

- Science – 9 credits
- Fine Arts – 3 credits
- PE/Health – 3 credits
- Electives – 16.5 credits

Advanced Placement

We do not offer Advanced Placement courses at this time.

Post-Secondary Enrollment Option (PSEO)

PSEO is a Minnesota state funded program that provides qualifying high school students with the opportunity to earn post-secondary education credits while still completing high school. PSEO is available to MNVS juniors and seniors.

Each college and/or university that offers PSEO sets their own requirements for enrollment into their program.

Common guidelines are as follows:

- Juniors, GPA of 3.0 or higher or class rank 1/3 (66th percentile)
- Seniors, GPA of 2.5 or higher or class rank 1/2 (50th percentile)
- Meet placement testing requirements (often this is the Accuplacer)
- Submit required application materials by deadline

Students are required to notify MNVS of PSEO enrollments. Contact your MNVS school counselor for assistance with PSEO registration.

Online College in the High School (OCHS)

OCHS is a state funded program that provides qualifying high school students with the opportunity to earn post-secondary education credits online while still completing high school. Courses are taught through the Minnesota State Colleges and Universities System (MnSCU).

Students applying to OCHS must (1) have an adequate grade point average and class rank and (2) achieve college level assessment scores. Students must maintain an acceptable GPA to register for future term courses. Special approval is required for students who request to enroll in more than 3 courses per semester. High school principals or superintendents can request enrollment permission for students who do not meet the eligibility requirements; submission of supporting documentation is required.

Adequate Grade Point Average (GPA) and Class Rank: The high school transcript for the student must list a cumulative GPA that is at or above the minimum level.

- *Senior (12th grade):* A student who will participate as a senior must have at least a 3.2 cumulative GPA, and be in the upper one-half of their class or score at or above the 50th percentile on a nationally standardized, norm-referenced test.
- *Junior (11th grade):* A student who will participate as a junior must have at least a 3.2 cumulative GPA, and be in the upper one-third of their class or score at or above the 70th percentile on a nationally standardized, norm-referenced test.

College Level Assessment Scores: The student must complete an Accuplacer or ACT assessment and achieve scores that are at or above the minimum level.

- *Minimum Accuplacer Scores:* Reading Comprehension score of 78.

Note: Students enrolling into a math course or a course with a math prerequisite must attain an Elementary Algebra score of at least 85, OR an Elementary Algebra score of at least 78 and a College Level Mathematics score of at least 50.

- *Minimum ACT Scores:* Reading subscore of 21.
Note: Students enrolling into a math course or a course with a math prerequisite must attain a Math subscore of at least 22.
- *Extenuating Circumstances:* A student may retest once annually. When determining student admission, college administration will consider extraordinary circumstances upon the recommendation of the high school administration.

Returning OCHS Students: All student registrations are contingent on previous semester grades/GPA. Students will be registered when high school rosters are received and grades will be reviewed at the end of term. If a student does not meet the GPA criteria, that student will be removed from the registered OCHS course(s) and the proctor will be notified by the OCHS support center.

School Withdrawal Policy

Transferring:

Students transferring to another academic institution should contact the enrolling school or district to complete the enrollment process.

- As a courtesy, parent(s) or adult students should contact the school to notify MNVS of the change.
- Only after MNVS has received a Notification of Change in Student Enrollment form (NCSE) from the school district that the student will be attending will the student be completely withdrawn from all courses.
- Students must continue to work in their MNVS courses until the withdrawal has been completed and their enrollment at the next school begins.

Formal Withdrawal:

Students aged 17 and older planning to formally withdraw from school should contact MNVS Secondary Director, Bill Glenz, to initiate the process.

- 1.) Contact the MNVS Secondary Director - Bill Glenz.
- 2.) Meet to discuss educational options.
- 3.) Complete formal withdrawal form with appropriate signatures and return the form to Bill Glenz.

Attendance Verification

Students and parents seeking attendance or enrollment verification must fax or email the attendance or enrollment verification request and accompanying forms to the school administration. The student must meet MNVS attendance requirements in order for the school to verify that the student is in attendance.

Child Abuse and Neglect Reporting by School Officials

Minnesota Statute Section 262.556, Subd. 3 requires that “A professional or professional's delegate who is engaged in the practice of the healing arts, social services, hospital administration, psychological or psychiatric treatment, child care, education, correctional supervision, probation and correctional services, or law enforcement [...]” must report physical abuse, sexual abuse and neglect of children. This law stipulates that if school officials “[...] have reason to believe a child is being neglected or physically or sexually abused...(they) shall immediately report the information to the local welfare agency, agency responsible for assessing or investigating the report, police department, or the county sheriff.”

Student Records (Family Educational Rights & Privacy Act)

Under the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA 34 CAR Part 99), parents of currently enrolled students at MNVS (or as an eligible student of 18 years of age) have the right to:

- a) Inspect and review their student's educational records;
- b) Request the amendment of their student's educational records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
- c) Consent to the disclosure of personally identifiable information contained in their student's educational records, except to the extent that the act and its regulations authorize disclosure without consent;
- d) File with the U.S. Department of Education a complaint under the provisions of the Act concerning alleged failures by the district to comply with the requirements of the act; In accordance with state and federal privacy laws, students who attain the age of 18 may transfer certain rights related to their academic records.

No member of the MNVS staff is authorized to release student information without the written permission of the student's parent or legal guardian. Names, images, and/or class work of MNVS students will not be published in print, video/film, or on our public website without written student and guardian consent.

Special Education Services for Students

Students with disabilities identified as eligible for special education are provided the special instruction and services which are appropriate to their needs. MNVS IEP teams work actively together to ensure that students participating in special education receive a free appropriate public education in their least restrictive environment. The team for an individual student will include: 1) the parent (and/or student if over 18), 2) the student's classroom teacher, 3) appropriate special education staff and support personnel, 4) a school administrator or designee. The team may also include professionals from the community who provide services to the student (e.g. therapists, physicians, county case managers) and/or other school staff (school counselor, Student Support Specialist).

MNVS serves students with Individualized Educational Plans (IEP) and Section 504 Accommodation Plans. Students may be referred to the child study team by parents, classroom teachers, special education staff, outside agency personnel already serving the student, or by the (adult) student. If you suspect that your child has a disability, please contact the MNVS director or your school counselor to request assistance. If you have questions about special education services at MNVS, please contact the special education coordinator.

Procedural Safeguards

The parent or guardian shall be notified in writing of any district decision concerning the identification, evaluation, and placement of a student.

Parents or guardians who disagree with the identification, evaluation or placement of a student with disabilities shall have the right to request a due-process hearing with administration for further review. The request shall state the reasons the hearing is being requested and be sent to the SPED or 504 coordinator.

If a due-process hearing is to be held under the Individuals with Disabilities Education Act (IDEA) concerning issues relevant to the Section 504 proceeding, a hearing officer qualified to conduct IDEA proceedings may consider Section 504 issues at the impartial hearing. The issues under IDEA and Section 504 shall be separately addressed in the hearing decision.

The school district, parent or guardian may seek review of the decision of the Section 504 hearing officer by the Commissioner of Education, or the State Review Officer, as appropriate, and by a federal court of competent jurisdiction.

Procedures to Follow at the Hearing

A Section 504 due-process hearing may be called at the request of the school district or a parent or guardian.

Special Education Records

When a student reaches graduation or age 21, a request to have special education records destroyed can be made. This request can be made by the graduated student (age 18 or older), the non-graduated student, age 21 or older or by a person assigned as guardian to the student.

To request that special education records be destroyed, please write to:

Special Education Director
Minnesota Virtual High School
Minnesota Transitions Charter Schools
2872 – 26th Avenue South
Minneapolis, MN 55406

Nondiscrimination Policy

Minnesota Virtual High School shall not discriminate or deny entrance to any program, or activity on the basis of sex, race, color, handicapping condition, or national origin.

Communication Reminders

- 1.) When in doubt, contact us. Students may chat with teachers using the MNVS chat system or send an email to MNVS teaching staff. All MNVS staff are also available by telephone.
- 2.) MNVS follows the regular school year calendar of Minnesota Transitions Charter Schools. You can find this calendar at the [MNVS Website](#). MNVS courses are accessible by students online 24 hours per day, 7 days a week during the school year.
- 3.) If you would like electronic updates of your child's progress, access the [MNVS Classroom](#) online gradebook. Parents and guardians should discuss regularly the goals and progress of each student. 60% (D-) overall course grade is required to pass courses.
- 4.) If your student will be absent for any reason, parents or guardians are required to notify the school via email at MVHSattendance@emailmtcs.org. Please refer to the MNVS Attendance Policy.

STUDENT RESPONSIBILITIES

Attendance Policy

I. PURPOSE

The purpose of this policy is to define student attendance and to provide structure for the procedures regarding student attendance, truancy, and enrollment. Because of the nature of being an online school, the definition of student attendance is not based on seat time in a physical location but rather on the student logging in to their online platform, working in their classes and making significant progress in their course on a daily basis. This policy also recognizes that student attendance and course completion are a joint responsibility to be shared by the students and their parents or guardians. In accordance with Minnesota state laws concerning student attendance, the policy includes the school's truancy intervention processes.

II. GENERAL STATEMENT OF POLICY

Attendance, defined in Section III as work completion, is required of all students enrolled in the charter school. In accordance with MN state laws (noted at end of document) students who are not in attendance for 15 consecutive school days will be dropped from school enrollment. How attendance is tracked, how the school intervenes when absences are excessive, and to which other agencies the school must report depends upon the age of the particular student in question. See Section IV for these procedures.

The charter school recognizes that the responsibility for student attendance belongs to the students and their parents/guardians in a partnership for overall communication and learning. The different responsibilities are as follows:

- 1.) Students' Responsibilities
 - a. Students must demonstrate daily progress in each course for every school day on the school calendar.
 - b. Students communicate questions, computer problems, and school struggles with the student support specialist or school counselor.
 - c. Students attend all required in-person testing days in required locations. Testing dates and locations are determined by the school and will be made available to students and parents prior to the testing window.
- 2.) Parents/Guardians' Responsibilities
 - a. Parents/guardians ensure that the student is making adequate daily progress.
 - b. Parents/guardians provide the student with access to the necessary tools for student success.
 - c. Parents/guardians inform the school in the event of an excusable student absence.
 - d. Parents/guardians work cooperatively with the school and the student to solve any attendance problems that may arise and take an active role in supporting the student in course completion.
- 3.) The Charter School's Responsibilities
 - a. The charter school will monitor attendance, maintain accurate attendance records, and apply attendance policies uniformly.
 - b. The charter school will provide reports to parents and students concerning progress and inform students and parents/guardians of any attendance issues.
 - c. The charter school will work cooperatively with students and their parents/guardians to resolve any attendance problems that may arise.

III. DEFINITIONS

Absence – The failure of a student to attend school virtually via one of the charter school's course delivery systems and/or the failure to complete coursework. Whether an absence is excused or unexcused (as defined below), students are required to make up all work and continue toward successful completion of coursework in order to receive credit in accordance with the policy which governs the granting of credits. Students can avoid having absences (whether excused or unexcused) tracked by logging in daily and by making progress in their assigned coursework. When students anticipate future excused absences, they should work ahead in the weeks prior to the future excused absence in order to stay on track. When students encounter an unforeseen absence, they will need to make up that work time within three school days of each absence, following an excused or unexcused absence.

Attendance – Attendance is not based on a student's physical attendance in any one location at any given time, with the exception of required in-person testing. Attendance at MN Virtual Schools is based on logging in daily and making progress in their courses.

- **HIGH SCHOOL STUDENTS (grades 9-12):** To be in attendance students must make progress by

completing or submitting AT LEAST ONE assignment/quiz/test (something that is graded) for at least one course EACH SCHOOL DAY.

- **MIDDLE SCHOOL STUDENTS (grades 6-8):** To be in attendance students must make progress by completing or submitting AT LEAST TWO assignments/quizzes/tests (things that are graded) EACH SCHOOL DAY.
- **MIDDLE SCHOOL STUDENTS (grades 6-8)** are required to virtually attend the weekly direct instruction with their core area teachers. There will be specific days and times for each course.
- **ELEMENTARY SCHOOL STUDENTS (grades K-5):** To be in attendance students must make progress by completing or submitting AT LEAST TWO assignments/quizzes/tests (things that are graded) EACH SCHOOL DAY.
- **ELEMENTARY SCHOOL STUDENTS (grades K-5)** are required to virtually attend the weekly direct instruction with their core area teachers. There will be specific days and times for each course.
- **ALL STUDENTS:**
 - Meeting minimum attendance requirements, however, does not mean a student is making adequate progress. Only submitting one assignment every day is not a sufficient amount of work to pass courses by the end of the term.
 - STUDENTS SHOULD REGULARLY BE COMPLETING ABOUT 3-5 ASSIGNMENTS/QUIZZES/TESTS (ITEMS THAT ARE GRADED) IN THE SUM TOTAL OF THEIR CLASSES EACH SCHOOL DAY. We highly recommend using the course schedules provided and actively WORKING FOR 6 HOURS EVERY SCHOOL DAY to support adequate progress.
 - All assignments are submitted through Moodle, the classroom platform.
 - Blank or incomplete assignments are not counted towards attendance.
 - Reading course material or touching base with a teacher or case manager is not sufficient for attendance.
 - The expectation is that if a student can only complete the minimum of one assignment on a given day, they will be doing more work over the course of the rest of the week to maintain adequate progress.
 - Regarding students who experience anxiety: they must still meet minimum attendance requirements every day. Teachers, support specialists, school counselors, and the school social worker are all available during the regular school day to help a student. The first step is communication. Staff members can give guidance to calming strategies and help make a plan of action for that day.

Excused absence – An acceptable absence as determined by the school. The burden of proof for a student being excused from school is placed on the parent/guardian of the student. Determination of the excused nature of the absence is left to principal discretion. *Please note:* students may access and attend school virtually from their home 24 hours a day seven days a week. Excused absences should be few, far between, and due to extreme circumstances. The very nature of an online school allows students to maintain attendance while circumstances would ordinarily prevent them from attending school. ***Students who maintain their adequate work completion percentages on a weekly basis will not be required to provide documentation except in the case of a pre-approved absence (family vacation, etc.).***

The following reasons are examples which are recognized by the school as legitimate:

- a) Parent/doctor verified illness: an absence verified by a parent/guardian or doctor, in writing within **three days of the absence**. The excuse must specify the health condition and why it prevents attendance at the online school. Should the illness prevent them from attending school virtually from their home, a doctor's note is required to verify the severity of the illness and the length of time anticipated that the student would not be able to work online.
- b) Family emergencies: an absence resulting from a serious illness, injury or death of an immediate family member.
- c) School directed activities: absences for field trips, athletic trips, music trips or other school activities planned by the school.
- d) Prearranged family vacations: an exceptional circumstance which requires families to take a vacation during the school year. A pre-approved absence must be submitted by email from the legal guardian/parent to the school administration **14 days in advance** and be approved by the school prior

to the absence in order for the absence to be excused. Work should be completed *in advance* of the absence in preparation for the absence.

- e) Suspension: as defined by the charter school board of directors.
- f) Court appearances: an absence by a student who has been court ordered to appear and the absence has been previously arranged by the parent/guardian with the school. Proof of court order and of actual appearance is required to verify this type of absence.
- g) Computer problems: an absence by a student whose computer access is not working. This problem must be resolved within 24 hours. **A maximum of 1 day can be excused for this reason; please refer to the student contract signed at enrollment concerning alternate forms of computer access for students.**
- h) Exceptional circumstances: any other circumstances where permission may be granted at the discretion of the school principal, which is coordinated by the student with the principal, in advance or as the occasion arises. Examples would be childbirth, hospitalization, detention center, etc.

Note: In almost all cases, online work and adequate progress toward course completion is expected.

Unexcused absence - Absences for reasons that are not recognized by the school authorities as legitimate. Unexcused absences are tracked for truancy and enrollment purposes. After any unexcused absence occurs, students are expected to return to successful completion of coursework in order to avoid truancy consequences and/or losing their enrollment in the charter school. The following are examples of unacceptable reasons for absence:

- a) Car trouble
- b) Overslept; alarm did not work
- c) Shopping
- d) Required to perform duties at home (i.e. babysitting, cleaning, or caring for a relative) that interfere with student's ability to complete schoolwork
- e) Family vacation (not pre-approved); Visiting
- f) Work
- g) No email or call from the parent/guardian verifying the absence
- h) Computer issues of more than one 24 hour period
- i) Personal (no reason given)
- j) Truancy, as defined in this document
- k) Other absences as determined on a case by case basis
- l) Missing required state testing

Extended absences – An absence of more than five consecutive school days. Students who accrue more than **five** consecutive absences must provide documentation for the absences to be considered excused absences. Students who are unable to provide this documentation are subject to attendance and truancy policies. Students who accrue **ten** consecutive absences will be warned that they are jeopardizing their enrollment in the charter school. Students who accrue **fifteen** consecutive unexcused absences will be dropped from the enrollment of the charter school, and, thereafter, would need to complete the enrollment application in order to be admitted back into school. No credit is earned in the time the student is not enrolled.

A student absent for an extended period of time due to illness is eligible for a leave of absence. Parents should contact the principal to make these arrangements. If a student has suffered an extended long term illness and required work has not been completed, the student may request an extension by completing the extension request form seven days prior to the end of the term. The principal has the authority to grant or to deny the extension based on individual student circumstances. The online school's curriculum is available 24 hours a day/seven days a week from any computer.

Truancy – Truancy does not apply to students 18 years old or older. Students under the age of 18 are truant if they do not generate attendance every day of school, which is defined by students logging into their courses and making progress daily.

IV. PROCEDURES

- A. In order to make the online system work alongside traditional school attendance policies, a conversion from continuous daily progress over to days absent must occur. Attendance calculations are made each day for all students. This is done by tracking students' daily logged time into their courses and determining the sum of successful work completion for all classes to determine the increase for each student.
1. Students are expected to spend an average of approximately 60 minutes per day, per class in order to meet the school's expectation for attendance and avoid truancy.
 2. Students are also expected to make adequate progress in their classes daily to stay on pace to complete their courses by the end of the term.
- B. Enrollment at MN schools requires attendance. By law, students who accrue 15 consecutive unexcused absences are dropped from the charter school enrollment. This policy applies **to all students** regardless of the age of the student. For students who are **18 years of age and older**, truancy does not apply; however, attendance is still monitored in order to comply with the Minnesota Statute concerning enrollment in the charter school.
1. When a student has accrued **five days of consecutive unexcused absences**, the charter school sends notification, via U.S. Mail to the student and parents/guardians regarding the absences along with the warning that continued absence totaling 15 consecutive school days will result in loss of enrollment in the charter school.
 2. When a student has accrued **ten days of consecutive unexcused absences**, the charter school sends notification, via U.S. Mail to the student and parents/guardians regarding the absences along with the warning that continued absence totaling 15 consecutive school days will result in their loss of enrollment in the charter school.
 3. When a student has accrued **15 days of consecutive unexcused absences**, the charter school drops the students from enrollment and sends notification, via U.S. Mail, to the student and parents/guardians of that fact.
- C. For students who are under **18 years of age**, enrollment laws as well as truancy laws apply. The charter school must comply with the truancy procedures of each individual county in which students reside. For truancy, absences are totaled; the absences do not need to be consecutive school days for truancy to be in effect. In addition, the school tracks consecutive absences in order to comply with the Minnesota statutes concerning enrollment.
1. When a student has accrued **three total days of unexcused absences**, the school sends the student and parents/guardians with a warning letter concerning the absences, compulsory education laws, and the fact that the student is considered a continuing truant.
 2. Depending on the policies and procedures of a student's county of residence, the student will be referred to the county for early intervention when appropriate for the specific county.
 3. When a student has accrued **seven cumulative days of unexcused absences**, the student is considered a habitual truant. The school notifies the student and parents/guardians that the school has filed a truancy offense report with the student's county of residence. The school cooperates with the county from this point forward, and a school official attends court should the need arise.

4. When a student has accrued **ten days of consecutive unexcused absences**, the school sends notification via U.S. Mail to student/parent of student absences along with the warning that continued absence totaling 15 consecutive school days will result in the student's loss of enrollment in the charter school. In addition, the school will notify the student's county worker of the student's jeopardized enrollment.
5. When a student has accrued **fifteen days of consecutive unexcused absences**, the school is required by Minnesota statute to drop the student from enrollment and sends notification via U.S. Mail to student/parent of that fact. In addition, the school will notify the student's county of the student's change in enrollment status.

V. DISSEMINATION OF POLICY

Copies of this policy are available to all students and parents. Should the policy be changed in the middle of a school year, students and parents will be notified in a timely manner.

Student Conduct and Discipline

Student behavior should be based on the respect of others. Students who choose to violate the rules and policies set forth by MNVS will be subject to disciplinary action. The below list includes, but is not limited to, the areas of misconduct to be considered grounds for disciplinary action:

- 1.) Profanity
- 2.) Truancy
- 3.) Failure to complete course work
- 4.) Defiance of authority
- 5.) Violation of district and/or MNVS existing policies

Suspension

Disciplinary actions consist of suspension from the program and courses as determined by district and MNVS administration. Any inappropriate behavior in the instant help chat feature may result in suspension from instant help chat. Students will still be allowed to access their course(s).

State Mandated Testing

All students enrolled full-time in MNVS are required to participate in the Minnesota Comprehensive Assessment series - state mandated graduation tests and annual achievement assessments; and the Career & College Readiness assessment series. Minnesota Testing facilities are located throughout Minnesota. Parents/students are responsible for the transportation to and from testing facilities annually, and when necessary for students required to participate in assessment retakes for the GRAD components of the assessments. Failure to participate in these tests will result in a delay of receiving a diploma, and unexcused absences.

Detailed schedules for the MCA testing window will be updated as they are made available by the MDE. Please note that specific locations and dates for all assessments are communicated via email to families. Parents and students are responsible for identifying and attending the appropriate location for MCA and Career & College Readiness assessments from the schedule provided by MNVS.

TESTING REQUIREMENTS

MCA:

- Grade 3: Mathematics & Reading
- Grade 4: Mathematics & Reading

Grade 5: Mathematics, Reading & Science
Grade 6: Mathematics, Reading & Science
Grade 7: Mathematics & Reading
Grade 8: Mathematics, Reading & Science
Grade 10: Reading
Grade 11: Mathematics
Grade 11: ACT with Writing

Graduating students may also take college and career preparatory exams (i.e. ACT, Accuplacer, ASVAB) as approved by MNVS to meet graduation requirements pursuant to Minnesota State Statute 120B.30. Any questions regarding GRAD retakes or preparatory exams including eligibility and scheduling should be directed to the MNVS school administration.

Further assessment information can be found on the [Minnesota Department of Education website](https://www.mn.gov/education).

SUPPLEMENTAL (PART-TIME) ONLINE LEARNING ENROLLMENTS

Students enrolled full-time in a local school district may elect to enroll in online courses equal to a maximum of 50% of their enrollments through an approved online learning provider. School districts and charter schools may not prohibit a student from applying to enroll part-time in online learning. In order to apply, students under 18 must have the written consent of his/her parent or guardian and submit a completed Online Learning Supplemental Notice of Student Registration form accompanied by the MNVS part-time enrollment packet.

Part-time Enrollment Attendance

Successful students in the supplemental online learning program at Minnesota Virtual Schools spend a minimum of one hour each school day online working on each of their courses, making at minimum 1% progress in each course each school day. Although flexibility exists in the online program, students are expected to make adequate progress each week in order to ensure successful completion and full-credit earning. Failure to participate in this course weekly may jeopardize your enrollment in this course.

Progress Reporting

The Supplemental Program coordinator will submit progress reports to the local school contact person upon completion of the student's academic term. The student and family may access regular progress reports in the online learning platform through the student gradebook anytime.

Final Grades and Submissions

Semester and final grades are submitted to the school counselor within 10 days of the end of the term. Successfully completed MNVS courses carry 1.5 semester credits; credit conversions and graduation requirements do differ between school districts. Contact your school counselor for your local district's graduation requirements and credit conversion.

ACADEMIC GUIDELINES

Progress Monitoring

Students and parents may check student progress by logging into the MNVS Classroom and viewing the student gradebook. The Grades link is on the home page for each course in which the student is enrolled. Questions about student progress should be directed to the teacher of a specific course.

Listed information includes: Student Name, Course Name, Course Grade, Assignment Grade, and Percentage Complete.

Course Grade: The course grade accounts for the quantity and quality of work that the student has completed thus far in the course. *The Course Grade is the grade that determines the student's final grade at the end of the grading period.*

Assignment Grade: The assignment grade is the quality of the assignments that have been submitted and graded.

Percent Complete: The percent complete is the percentage of the assignments completed in the course thus far.

To access detailed information for each course click on the “Grades” link; this will expand the screen to the user view and show all graded and upcoming assessments. Click on an individual assignment to view details and teacher feedback.

Grade Calculation Guide

Grade Percentage (range)	Grade
93-100%	A
90-92.9%	A-
87-89.9%	B+
83-86.9%	B
80-82.9%	B-
77-79.9%	C+
73-76.9%	C
70-72.9%	C-
67-69.9%	D+
63-66.9%	D
60-62.9%	D-
0-59.9%	F

Reset Procedure

The following is the recommended procedure for allowing assessment resets.

Homework Assignments and Course Assessments

Homework assignments, essays, unit quizzes, midterm exams, and final exams may be reset upon student discussion with the course teacher when course assignments and previous course assessments (quizzes) are at a passing level. This includes essay assignments and unit tests in accordance with the plagiarism policy (if applicable).

Academic Integrity

MNVS expects a full commitment to academic integrity from each of our students. By enrolling in MNVS your commitment to academic integrity as a student at MNVS will be recorded. Should your teacher suspect that cheating or plagiarism has taken place, you may be required to verify your work which can include additional demonstration of mastery such as additional course work, verbal demonstration of comprehension, and proctored exams in school at the MNVS offices.

- Your work on each assignment will be completely your own.
- Your collaboration with another classmate on any assignment will be pre-approved by your instructor.
- You will not practice cheating or plagiarism in any form.
- You will not allow others to copy your work.
- You will not misuse content from the Internet.

Plagiarism

What is it and why does it matter?

Plagiarism is using other people's words, phrases, or ideas without giving them credit. Even if you put someone else's ideas into your own words, you must still give them credit. Plagiarism can also take the form of copying the organization and/or sentence structure of another source. Plagiarism is intellectual theft and is unethical. Many colleges and universities expel students who have been found guilty of plagiarizing.

When do I need to document sources used in an assignment?

Here are general guidelines that will help you determine if you need to document any sources used in an assignment. If you have any questions about whether you should document a source, ask your teacher before you turn in the assignment.

You need to document your sources in the following situations:

- When you use or refer to someone else's words or ideas from a magazine, book, newspaper, song, TV program, movie, Web site, computer program, or any other format.
- When you copy the exact words from a source.
- When you paraphrase or summarize someone else's words or ideas.
- When you copy or reprint any diagrams, charts, illustrations, or pictures.

You do NOT need to document sources in these situations:

- When you write from your own experiences, observations, or insights.
- When you write about your own conclusions about a subject or event.
- When you are using "common knowledge" that can be found in several sources. An example of common knowledge is: "George Washington was the first president of the United States." This is a fact that is found in several sources.

How do I document sources in my assignment?

If you have any questions about documenting sources in an assignment, ask your teacher before you turn in the assignment. Also, here are links to information about MLA documentation style, which is the format that many MNVS teachers prefer:

<http://owl.english.purdue.edu/owl/resource/747/01/>

<http://www.wisc.edu/writing/Handbook/DocMLA.html>

http://campusgw.library.cornell.edu/newhelp/res_strategy/citing/mla.html

Consequences for Plagiarizing at Minnesota Virtual Schools

If a student plagiarizes an assignment in whole or in part, (s)he may retake the assignment for 50% credit. Notation of the plagiarism will be documented in the student's MNVS permanent record. If the student should plagiarize another assignment in any subsequent class or subsequent term, (s)he may receive a zero for the assignment with no chance of retaking it. An additional offense may result in a failing grade for the course. The school district will be notified regarding each occurrence of plagiarism and appropriate disciplinary action will be taken. ***When in doubt, ask your teacher!***

TECHNOLOGY AWARENESS

Along with global access comes availability of materials that may not be considered appropriate in the classroom. However, on a global network it is impossible to control all the materials. Ultimately, **staff and students** are responsible for compliance with the established standards when using media and informational resources.

MNVS Internet Use Policy

Staff and Students are responsible for good behavior on school computer networks just as they are in a classroom. Communications on the network are often public in nature. General school rules for behavior and communications apply. Internet access is *required* for all MNVS students. MNVS assumes no responsibility for any phone charges, line costs or usage fees for connectivity to the Internet.

Access is provided for **staff and students** to communicate and conduct research with others in relation to school activities in compliance with 1998, SB230, an Act relating to technology use, KAR 701.5:120 and the Children's Internet Protection Act (CIPA) signed into law on December 21, 2000. Access to network services is given to staff and students who agree to act in a considerate and responsible manner. Access is a privilege, not a right. Therefore, based upon the acceptable use guidelines outlined in this document, the directors will deem what is appropriate: email uses, internet resources, and use of school/district resources. Their decisions are final. The director will instruct the systems engineer to deny, revoke, or suspend specific student user accounts, and reconfigure proxy-server and filtering settings. Further disciplinary actions will fall within the discretion of the directors.

The user is expected to abide by the following network and communication rules:

- Do not use the network in such a way that would disrupt the use of the network by other users.
- Do not exchange passwords or access other network accounts. The user is responsible for the security of his/her own password.
- Do not attempt unauthorized access, including so-called "Hacking" and other unlawful activities onto network or computer system configurations or bypass security programs to change settings or access. Violations of this rule will be considered vandalism.
- "Cyber Bullying" will not be tolerated.
- Do not use it for commercial activities by for-profit organizations, product promotions, political lobbying, or illegal activities.
- Do not use public property for personal gain (this is considered a felony and is subject to prosecution).
- Do not violate copyright policies on software sharing or authorship of electronic information
- Do not access, download, transmit, send or attach documents containing inappropriate matter on the internet and World Wide Web harmful to minors (pornographic, obscene, or sexually explicit, threatening, harassing materials).
- Do not access, copy or transmit another's messages without permission.
- *The school is not responsible for loss or damage to a file due to unauthorized access or usage.*

Violation of any of the rules and responsibilities will result in a loss of access and may result in other disciplinary or legal actions.

Security Information

All the data you provide to us is protected to ensure both the privacy and security of your data. MNVS uses state-of-the art technology to keep your personal information as secure as possible to ensure that no one will be able to tamper with, intercept, or access your data. Remember to keep your account information private and secure.

Netiquette

Netiquette is etiquette, or appropriate behavior and manners on the internet. When using the Internet, there are widely accepted rules and behaviors to follow. At times being online can feel "pretend" because you cannot see the person

you are communicating with. It is important to make a positive impression, and to maintain that behavior as an online student.

How you interact and behave online is seen by both instructors and students. Students must remember they are dealing with “real” people online and they should use the same manners they would use in a traditional school setting. It is also important to note that once students log in to their school accounts, all communication via chat and email are recorded.

Below are some general netiquette guidelines to follow:

- **Remember the person on the other end of the computer.**

Students are responsible for good behavior while logged into the MNVS online learning platform, just as they are in a traditional school building. Always use a computer in a way that shows consideration and respect. It is illegal to use obscene, profane, threatening, or disrespectful language.

Do not threaten or disrespect an instructor or administrator. These actions not only violate the MNVS’s policy, but may violate penal laws in the United States. (f.s. 847.001 Obscene Literature; Profanity).

- **Think before you send or submit.**

It is illegal to create harmful computer viruses. This violates the privacy of others. Never transmit or publish any information or content that you think will be harmful. This violates school policy and also violates penal laws in the United States. (f.s. 815 Computer-Related Crimes). Never publish any information, software, or content that violates the rights of others.

- **Be respectful.**

Never view files that were not intended for your use.

Post discussion board threads that are a reflection of your understanding of the topic at hand in a respectful and intellectual manner.

Write in complete sentences with proper grammar. Remember that writing in all CAPS reflects a yelling tone and is both disrespectful and inappropriate in online communication. Instead, use *italics* when you are making a particularly important point.

- **The internet is not private.**

While MNVS works to ensure data privacy, email must not always be considered private. Never say anything via email that you wouldn't mind seeing on the school bulletin board or in the local newspaper.

The information that you put on the internet, whether in school or outside of school (e.g. social networking), exists forever.

- **Many websites and pages are copyrighted.**

Do not violate the terms and conditions of any web site you access.

Always cite the works of others that you use in discussions, conversations, and the course work you submit.

- **Do not** give out personal information to non-MNVS staff. For example, you should not share the following outside of school: Your full name, home phone number, home address, email

TECHNICAL REQUIREMENTS

Minnesota Virtual Schools online Classroom provides a rich, interactive experience for students. It is recommended that before you get started you should have the minimum hardware and software requirements.

1. High-speed Internet connection (DSL or Cable recommended); 128Kbps per simultaneous workstation
2. Operating System
 - a. Windows XP Home or Professional (SP3) or newer **or** Mac OS 10.6 X and greater
 - b. Chrome OS
 - c. 1 GHz processor or faster
3. 1 GB RAM

4. 1024 X 768 resolution (1280x1024 recommended)
5. 16-bit audio adapter and speakers or headphones
6. Internet Browsers
 - a. Internet Explorer 8.0 or greater **or**
 - b. Safari 5.0.x (Mac OS 10.6.X only); Safari 5.1.x (MAC OS 10.6.X, 10.7.X only); Safari 6.x **or**
 - c. Firefox 19 and above **or**
 - d. Google Chrome 25 and above
7. Required Plug-ins:
 - a. Internet Explorer web browsers must have ActiveX controls and JavaScript enabled
 - b. Popup blockers must be disabled or configured property in order to run courseware successfully
 - c. Enable cookies in order to run courseware properly
 - d. Adobe Flash Player 13.1 or higher
 - e. Adobe Shockwave Player version 12.1 or higher
 - f. Adobe Acrobat Reader 7.0 or higher
 - g. Sun Java
8. Possible Required System Modifications:
 - a. Disabling of security firewall
 - b. Creating pass-through to *.mnvirtualhclassroom.org for all filter and proxy servers
 - i. Port 80: Standard HTTP port for web page access
 - ii. Port 443: Must be open for HTTPS for an SSL connection (Secure Sockets Layer)
 - c. Disabling of pop-up blockers or adding the above domain to the allow list
9. Compatible Software
 - a. Software Suite – offline lessons will utilize the following file types: .doc, .xls, and .ppt
 - i. Several software suites are available for Windows, Macintosh OS, and ChromeBooks, including:
 1. iWord (Macintosh)
 2. Microsoft Office (Windows or Macintosh)
 3. Open Office (Windows or Macintosh)
 4. Google Docs (ChromeBooks)
 - b. Video files will be available in the following formats: .mov, .mpg, .mpeg
 - c. Mobile ready courses require an iPad 2 or greater, running iOS 6.0+

Note: The MNVS online classroom does not utilize local hard-disk storage, so you are free to access the system on any number of different computers including school or home.

*Please be aware that you may require the services of a network administrator who can configure firewall rules, install software, and address other technical issues. As enhancements to the platform are incorporated, updated technical requirements will be made available to all MNVS participants.

Click here to access the [System Requirements Checker](#).

Enrollment Information for LAP/ELL students

Entrance Criteria

Incoming students who have a home language other than English are given the WAPT English proficiency placement test to determine eligibility for entrance into EL services. If a student enters with an ACCESS score from another district, this score is used instead to determine eligibility. The chart below details the criteria for entrance into EL services based on these scores. If the results of this placement test assign an English proficiency level that meets the entrance criteria, that level will be used to recommend students to a

school with an EL program and determine the appropriate level of service. School staff will also evaluate data such as evidence of past participation in EL programs, MCA/MAP assessment data, and Classroom performance to determine level of service.

Grade Level	Entrance Criteria
Kindergarten and Grade 1	W-APT or ACCESS Composite score <i>below 5.9</i>
Grades 2-12	W-APT or ACCESS Composite score <i>below 5.9</i>

<https://i.imgur.com/BjvMBW8.jpg>

Elementary (K-5) Program Information

The MNVS K-5 program will add a voluntary feature for enrolling families to allow for the establishment of a micro-school model; the micro-school setting is supported in part by resources from the school. Physical attendance at a micro-school site is not required and students can be fully functional in the program without choosing to participate in this option.

What is a microschool?

Families and/or community members may choose to establish a physical location to host our online students during their learning day. Due to the online nature of the program, families can generally establish a learning location wherever they wish, as long as it exists in the physical boundaries of the State of Minnesota and is a safe location for the childrens’ learning. To establish a micro-school setting, the location of the learning must meet the criteria of the program, which has these essential components:

- There must be a minimum of 6 students enrolled in the MNVS K-5 program who are going to utilize this location as their primary location for school on a daily basis.
- There must be a (MNVS trained) responsible adult (known as the “Learning Partner”) on-site daily to facilitate the learning of the students being served.
- The location must be approved by the school as an appropriate, accessible learning site. MNVS Elementary will work with micro-school applicants to verify reasonable measures are in place to ensure the site is going to work for facilitating student learning.

Resources provided for an approved micro-school setting:

In addition to the resources provided to all MNVS K-5 students, if families choose to establish a micro-school site, the school will provide the following resources to ensure a safe and supporting learning environment:

- The school will contract with the responsible on-site Learning Partner for initial and ongoing training, background checks, and a monthly stipend to compensate them for their time in facilitating the learning for the students on site. The rate of compensation for the Learning Partner would be \$140/school day, with the possibility of additional training sessions that would be compensated at \$20/hour.

Instructional Resources and Links

Direct Instruction Curriculum

<https://www.strongmind.com/>

- Core subjects (reading, writing & math)
- Specialists (art, keyboarding, coding, social studies & science)

Individualized Instruction

<https://www.curriculumassociates.com/programs/i-ready-learning>

- Reading & math
 - Individualized, personal learning activities based on where students are at on standards and strands

IXL, Lexia, Dreambox, and Dreambox Reading Park are also utilized regularly for additional instruction and practice.

Special Education, Title I & Multilingual Learners

We have a comprehensive Special Education team who will work closely with students and families who receive special education services, such as IEP's or 504 plans.

Also, we have ESL teachers who will support multilingual students, if they qualify for additional language services and assistance throughout the school day.

Beyond that, we have Title I services that will provide students with extra, small-group instruction for math and reading to ensure they are meeting grade level standards.

- Utilize Sonday System 1 & 2
 - Small group
 - Interventions
 - Reading Instruction

K-5 Principal Welcome Letter

Welcome to MNVS Elementary!

We are so excited to offer 100% virtual instruction for K-5 students across Minnesota. We make learning come alive in many ways:

- Daily instruction with live, licensed educators
- Comprehensive curriculum and adaptive technology tools to ensure we are building off of individual student abilities and skills
- Ability to participate in micro school settings
- Have fun at scheduled in-person school events and activities
- Build school community with peers, staff, and other families at MNVS & MTCS

As the MNVS Elementary Principal, I am committed to working alongside all students and families to ensure academic success for all. I have been in the field of education for over a decade and am passionate about building a strong school community. With equity on the forefront of all I do, I am dedicated to meeting the needs of all students to ensure they are receiving the highest quality of education possible.

I cannot wait to meet all of you and begin your educational journey at MNVS Elementary!

Best,

Alyssa Scherkenbach
MNVS Elementary Principal
ascherkenbach@emailmtcs.org
612-470-5397

School Director's Welcome Message

Greetings Middle and High School students of MN Virtual Schools!

We are excited to have you in our school community, and on behalf of the faculty and staff of MN Virtual Schools, we are all looking forward to working with you and your families to help you reach your goals and have a great time learning and growing together.

One of the core values of our school, and I believe what makes our community such a great place to participate in, is our emphasis on building fantastic relationships between our school staff and our students and families. Please know that every member of our school faculty is dedicated to helping and supporting our students in their courses and making sure that our students have every opportunity to achieve their potential. If at any time you have questions or need assistance, please reach out to our dedicated staff and we'll do our very best to get you that help that you need.

I am really looking forward to a great year working with all of the amazing people in our school community, and I know together we can do great things.

Sincerely,
Bill Glenz
School Director
MN Virtual Schools
(612) 217-1336
bglenz@emailmtcs.org

MTCS District Policies and Handbook

To access the MTCS Handbook and policies, click the link here:

PART TWO

Minnesota Transitions Charter School
2023 & 2024 STUDENT HANDBOOK

Overview of Student Policies and Procedures, 2023 & 2024

Overview of Student Policies and Procedures, 2023 & 2024

Here are some important policies that you and your child should review. We expect that all MTCS students will do their best to follow these policies and expectations. Sign off in an agreement to follow these policies and procedures is necessary. Some policies listed are shown in summary and others in entirety.

Besides the policies that are included and/or referred to in this Handbook, students are expected to be aware of and to abide by all of MTCS's policies. All of the policies can be found on the MTCS website at MTCS.org on this page: <https://mtcs.org/policies/>. Students should pay particular attention to the policies in Section 500 that specifically pertains to students. Questions regarding policies can be directed to your building administrator.

Policy 419 (Tobacco-Free Environment): Smoking or use of tobacco, tobacco-related devices, or electronic cigarettes is prohibited. This prohibition extends to all facilities whether owned, rented or leased and all vehicles that MTCS owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes. The prohibition includes all MTCS property, and all off-campus events sponsored by MTCS.

Policy 503 (Student Attendance): The purpose of this policy is to encourage regular school attendance. It recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher, and administrators.

Policy 506 (Student Discipline): In view of the need for a safe, orderly and respectful environment at MTCS Schools and in accordance with Minn. Stat. § 121A.55, the MTCS Board, with the participation of MTCS administrators, teachers, employees, students, parents, community members, and such other individuals and organizations as appropriate, has developed this policy which governs student conduct and applies to all students of MTCS.

Policy 515 (Student Directory and Privacy of Student Records – Annual Notice 2017-2018): The following “directory” Information refers to information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to: the student’s name, address, telephone listing, electronic email address, photograph, date and place of birth, major field of study, dates of attendance, grade level, enrollment status, participation in officially recognize activities and sports, honors and awards received, and the most recent educational agency or institution attended. MTCS may disclose directory information from the education records of a student and information regarding parents without prior consent of the parent of the student or eligible student, unless notified their intent to refuse to allow such disclosure. If you wish to disallow sharing of this information, a form is provided with this handbook.

Policy 520 (Student Surveys – Annual Notice, 2017-2018): Occasionally, Minnesota Transitions Charter School (MTCS) utilizes surveys to obtain student opinions and information about students. The purpose of this policy is to establish the parameters of information that may be sought in student surveys. Student surveys may be conducted as determined necessary by MTCS. Surveys, analyses, and evaluations conducted as part of any program funded through the U.S. Department of Education must comply with 20 U.S.C. § 1232h. MTCS must give parents the opportunity to review the survey and to opt their students out of participating in the survey.

Policy 534 (Unpaid Meal Charges): The purpose of this policy is to ensure that students receive healthy and nutritious meals through Minnesota Transitions Charter School's (MTCS) nutrition program and that MTCS employees, families, and students have a shared understanding of expectations regarding meal charges. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for school meals as well as to maintain the financial integrity of the school nutrition program.

Policy 502 (Search of Lockers): At no time does the school district relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school authorities must provide notice of the search to students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.

Policy 522 Sex Nondiscrimination Policy, Title IX Grievance Procedure and Process:

I. General Statement of Policy

A. Minnesota Transitions Charter School (“MTCS”) prohibits discrimination on the basis of sex in all forms, including sexual harassment.

B. MTCS does not discriminate on the basis of sex in its education programs or activities, and it is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. MTCS is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.

II. Sex Discrimination Complaints not Involving Sexual Harassment

Complaints of sex discrimination that do not constitute sexual harassment, as defined below, or retaliation from making a complaint of sexual harassment, should be reported to the building principal or building supervisor. The building principal or supervisor is then responsible for notifying MTCS’s Title IX Coordinator of the complaint. If a complaint involves the building principal or supervisor, it should be reported directly to the Title IX Coordinator. The Title IX Coordinator will ensure an investigation is completed in accordance with the requirements of applicable MTCS policies. The District’s Title IX Coordinators are Annemarie Lanning and Tamlee Berndtson. The Title IX Coordinators’ contact information is:

Annemarie Lanning, HR and Finance Support

Email: alanning@schoolmanagementservices.org hr@emailmtcs.org

Phone: 612-722-9013

Minnesota Transitions Charter School 2872 26th Avenue South Minneapolis, MN 55406

Tamlee Berndtson, Marss and HR Assistant

Email: tberndtson@emailmtcs.org

hr@emailmtcs.org

Phone: 612-235-5663

Minnesota Transitions Charter School 2872 26th Avenue South Minneapolis, MN 55406

III. General Policy Prohibiting Sexual Harassment

A. MTCS prohibits sexual harassment that occurs within its education programs and activities. When MTCS has actual knowledge of sexual harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.

B. This policy applies to sexual harassment that occurs within MTCS’s education programs and activities. This policy does not apply to sexual harassment that occurs outside the scope of MTCS’s education programs and activities. This policy does not apply to sexual harassment that occurs outside the geographic boundaries of the United States, even if the sexual harassment occurs in MTCS’s education programs or activities.

C. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy and grievance process should discuss them with the Title IX Coordinator. MTCS’s Title IX Coordinator(s) is/are:

Annemarie Lanning

Email: alanning@schoolmanagementservices.org hr@emailmtcs.org

Phone: 612-722-9013

Minnesota Transitions Charter School 2872 26th Avenue South Minneapolis, MN 55406

Tamlee Berndtson

Email: tberndtson@emailmtcs.org

hr@emailmtcs.org

Phone: 612-235-5663

Minnesota Transitions Charter School 2872 26th Avenue South

Minneapolis, MN 55406

Questions relating solely to Title IX and its regulations may be referred to the Title IX Coordinator(s), the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

The effective date of this policy is August 14, 2020, and it applies to alleged violations of this policy occurring on or after August 14, 2020.

IV. Definitions

A. “Actual knowledge” means notice of sexual harassment or allegations of sexual harassment to MTCS’s Title IX Coordinator or to any employee of MTCS. This standard is not met when the only official of MTCS with actual knowledge is the respondent.

B. “Complainant” means a person who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. A Title IX Coordinator who signs a formal complaint is not a complainant unless the Title IX Coordinator is alleged to be the victim of the conduct described in the formal complaint.

C. “Day” or “days” means, unless expressly stated otherwise, business days (i.e., day(s) that MTCS office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).

D. “Deliberately indifferent” means clearly unreasonable in light of the known circumstances. MTCS is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

E. “Education program or activity” means locations, events, or circumstances over which MTCS exercises substantial control over both the respondent and the context in which the sexual harassment occurs, and includes MTCS education programs or activities that occur on or off of MTCS property.

F. “Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that MTCS investigate the allegation of sexual harassment.

1. A formal complaint filed by a complainant must be a physical document or an electronic submission.

The formal complaint must contain the complainant’s physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint, and must be submitted to the Title IX Coordinator in person, by mail, or by email.

2. A formal complaint shall state that, at the time of filing the formal complaint, the complainant was participating in, or attempting to participate in, an education program or activity of MTCS with which the formal complaint is filed.

3. A parent or guardian of a child younger than 18 years old may file a formal complaint on behalf of their child.

G. “Informal resolution” means options for resolving a formal complaint that do not involve a full investigation and adjudication. Informal resolution may encompass a broad range of conflict resolution strategies, including mediation or restorative justice.

H. “Relevant questions” and “relevant evidence” are questions, documents, statements, physical items, or information that are related to the allegations raised in a formal complaint and have any tendency to make the allegations more or less likely to be true. Relevant evidence includes evidence that is both inculpatory and exculpatory. Questions and evidence about the complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions or evidence about the complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions or evidence concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent.

I. “Remedies” means actions designed to restore or preserve the complainant’s equal access to education after a respondent is found responsible for sexual harassment. Remedies may include the same individualized services that constitute supportive measures, but need not be non-punitive or non-disciplinary, nor must they avoid burdening the respondent.

J. “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under Title IX.

K. “Sexual harassment” means any of three types of misconduct on the basis of sex that occurs in a MTCS education program or activity and is committed against a person in the United States:

1. Quid pro quo harassment by a MTCS employee (conditioning the provision of an aid, benefit, or service of MTCS on an individual's participation in unwelcome sexual conduct);
2. Unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; or
3. Any instance of sexual assault (as defined in the Clery Act, 20 U.S.C. §1092(f)(6)A(v)), dating violence, domestic violence, or stalking (as defined in the Violence Against Women Act, 34 U.S.C. §12291).

L. “Supportive measures” means individualized services provided to the complainant or respondent without fee or charge that are reasonably available, non-punitive, non-disciplinary, not unreasonably burdensome to the other party, and designed to ensure equal educational access, protect safety, and deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, alternative educational services as defined under Minn. Stat. § 121A.41, as amended, mutual restrictions on contact between the parties, changes in work or school locations, leaves of absence, increased security and monitoring of certain areas of MTCS buildings or property, and other similar measures.

M. “Title IX Personnel” means any person who addresses, works on, or assists with MTCS’s response to a report of sexual harassment or formal complaint, and includes persons who facilitate informal resolutions. The following are considered Title IX Personnel:

1. “Title IX Coordinator” means an employee of MTCS that is designated and authorized to coordinate MTCS’s efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator is responsible for acting as the primary contact for the parties and ensuring that the parties are provided with all notices, evidence, reports, and written determinations to which they are entitled under this policy and grievance process. The Title IX Coordinator is also responsible for effective implementation of any supportive measures or remedies. The Title IX Coordinator must be free from conflicts of interest and bias when administering the grievance process.
2. “Investigator” means a person who investigates a formal complaint. The investigator of a formal complaint may not be the same person as the Decision-maker or the Appellate Decision-maker in that formal complaint. The Investigator may be a MTCS employee, MTCS official, or a third party designated by MTCS.
3. “Decision-maker” means a person who makes a determination regarding responsibility after the investigation has concluded. The Decision-maker for a formal complaint cannot be the same person as the Title IX Coordinator, the Investigator, or the Appellate Decision-maker in that formal complaint. The Decision-maker may be an administrator, supervisor, or other individual qualified to determine and impose appropriate remedies if a determination of responsibility is made.
4. “Appellate Decision-maker” means a person who considers and decides appeals of determinations regarding responsibility and dismissals of formal complaints. The Appellate Decision-maker for a formal complaint cannot be the same person as the Title IX Coordinator, Investigator, or Decision-maker in that formal complaint. The Appellate Decision-maker may be a MTCS employee, or a third party designated by MTCS.
5. “Informal resolution facilitator” means a person who facilitates the informal resolution process if desired by the parties. The Informal resolution facilitator may be the Title IX Coordinator, but may not be the Investigator, Decision-maker or Appellate Decision-maker in the formal complaint proposed for informal resolution.
6. The superintendent of MTCS may delegate functions assigned to a specific MTCS employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, Investigator, Decision- maker, Appellate Decision-maker, and Informal resolution facilitator, to any suitably qualified individual and such delegation may be rescinded by the superintendent at any time. MTCS may also, in its discretion, appoint suitably qualified persons who are not MTCS employees to fulfill any function under this policy, including, but not limited to, Investigator, Decision-maker, Appellate Decision-maker, and Informal resolution facilitator.

V. Reporting Prohibited Conduct

- A. Any student who believes they have been the victim of unlawful sex discrimination or sexual harassment, or any person (including the parent of a student) with actual knowledge of conduct which may constitute unlawful sex discrimination or sexual harassment should report the alleged acts as soon as possible to the Title IX Coordinator.
- B. Any employee of MTCS who has experienced, has actual knowledge of, or has witnessed unlawful sex discrimination, including sexual harassment, or who otherwise becomes aware of unlawful sex

discrimination, including sexual harassment, must promptly report the allegations to the Title IX Coordinator without screening or investigating the report or allegations.

C. A report of unlawful sex discrimination or sexual harassment may be made at any time, including during non-business hours, and may be made in person, by mail, by telephone, or by e-mail using the Title IX Coordinator's contact information. A report may also be made by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

D. Sexual harassment may constitute both a violation of this policy and criminal law. To the extent the alleged conduct may constitute a crime, MTCS may report the alleged conduct to law enforcement authorities. MTCS encourages complainants to report criminal behavior to the police immediately.

VI. Retaliation Prohibited

A. Neither MTCS nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of sexual harassment, filing a formal complaint, or participating in an investigation, constitutes a violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

B. Any person may submit a report or formal complaint alleging retaliation to the Title IX Coordinator in the manner described in this policy and it will be addressed in the same manner as other complaints of sexual harassment.

C. Charging an individual with violation of MTCS policies for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

VII. Dissemination of Policy

A. This policy shall be made available to all students, parents/guardians of students, MTCS employees, and employee unions.

B. MTCS shall conspicuously post the name of the Title IX Coordinator, including office address, telephone number, and work e-mail address on its website and in each handbook that it makes available to parents, employees, students, unions, or applicants.

C. MTCS must provide applicants for admission and employment, students, parents or legal guardians of secondary school students, employees, and all unions holding collective bargaining agreements with MTCS, with the following:

1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator;
2. Notice that MTCS does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX not to discriminate in such a manner;
3. A statement that the requirement not to discriminate in the education program or activity extends to admission and employment, and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the United States Department of Education, or both; and
4. Notice of MTCS's grievance procedures and grievance process referenced in this policy, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how MTCS will respond.

VIII. Recordkeeping

A. MTCS must create, and maintain for a period of seven calendar years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, MTCS must document:

1. The basis for MTCS's conclusion that its response to the report or formal complaint was not deliberately indifferent;
2. The measures MTCS has taken that are designed to restore or preserve equal access to MTCS's education program or activity; and
3. If MTCS does not provide a complainant with supportive measures, then it must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. Such a record must be maintained for a period of seven years.
4. The documentation of certain bases or measures does not limit the recipient in the future from providing additional explanations or detailing additional measures taken.

B. MTCS must also maintain for a period of seven calendar years records of:

1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom; and
4. All materials used to train Title IX Personnel.

IX. Application of Laws other than Title IX

A. If a formal complaint is dismissed because the allegations, if true, would not constitute sexual harassment as described above or if a Decision-maker or Appellate decision-maker makes a determination that a respondent is not responsible for sexual harassment under these procedures, the Title IX Coordinator will consider whether the alleged conduct may constitute a violation of one or both of the alternative definitions below. If an investigation has already been conducted, the Title IX Coordinator may review the investigation to determine whether prohibited sexual harassment has occurred. If the Title IX Coordinator

concludes that it has, the Title IX Coordinator shall report those findings to the Decision-maker and the Decision-maker shall impose or recommend remedies. If no investigation has taken place, the complaint shall be investigated consistent with Policy 103.

B. Alternative Definitions of Sexual Harassment

i. Minnesota Human Rights Act (Applicable to Employees and Students)

“Sexual harassment” includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:

- (1) submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or education;
- (2) 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
- (3) that conduct or communication has the purpose or effect of substantially interfering with an individual’s employment or education, or creating an intimidating, hostile, or offensive employment, or educational environment.

ii. Title VII (Applicable to Employees)

“Sexual harassment” mean unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

- (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment,
- (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
- (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

X. Grievance Procedure and Process

The grievance procedure and process adopted by MTCS shall be included with the Policy as an addendum, and may be reviewed and revised as deemed appropriate by MTCS.

Title IX Grievance Procedure and Process Addendum to Policy 522

I. Basic Requirements for Grievance Process

A. Equitable Treatment

1. MTCS shall treat complainants and respondents equitably. However, equality or parity with respect to supportive measures provided to complainants and respondents is not required.
2. MTCS will not impose any disciplinary sanctions or take any other actions against a respondent that do not constitute supportive measures until it has completed this grievance process and the respondent has been found responsible.
3. MTCS will provide appropriate remedies to the complainant when a determination of responsibility for sexual harassment has been made against a respondent.

B. Objective and Unbiased Evaluation of Complaints

1. Title IX Personnel, including the Title IX Coordinator, Investigator, Decision-maker, and Appellate Decision-maker, shall be free from conflicts of interest or bias for or against complainants or respondents generally or a specific complainant or respondent.
2. Throughout the grievance process, Title IX Personnel will objectively evaluate all relevant evidence, inculpatory and exculpatory, and shall avoid credibility determinations based solely on a person's status as a complainant, respondent, or witness.

C. Title IX Personnel will presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

D. Confidentiality

To the extent permitted by governing law and regulations, MTCS will not release private educational or personnel data about complainants, respondents, witnesses, allegations of sexual harassment, investigations, decisions, dismissals, and/or findings of responsibility. However, MTCS's obligations under the implementing regulations for Title IX may require disclosure of certain private educational or personnel data to other parties and/or witnesses.

E. Right to an Advisor; Right to a Support Person

Complainants and respondents have the right, at their own expense, to be assisted by an advisor of their choice during all stages of any grievance proceeding, including all meetings and investigative interviews. The advisor may be, but is not required to be, an attorney. In general, an advisor is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly during any phase of the grievance process. An advisor to a complainant or respondent may prepare written submissions on behalf of the party.

F. Notice

MTCS will send written notice of any investigative interviews or meetings to any party whose participation is invited or expected. The written notice will include the date, time, location, participants, and purpose of the meeting or interview, and will be provided so as to allow sufficient time for the party to prepare to participate.

G. Consolidation

MTCS may, in its discretion, consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

H. Evidence

1. During the grievance process, MTCS will not require, allow, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
2. MTCS shall not access, consider, disclose, or otherwise use a party's medical, psychological, and similar treatment records unless MTCS obtains the party's voluntary, written consent.

I. Burden of Proof

1. The burden of gathering evidence and the burden of proof shall remain upon MTCS and not upon the parties.
2. The grievance process shall use a preponderance of the evidence standard (i.e. whether it is more likely than not that the respondent engaged in sexual harassment) for all formal complaints of sexual harassment, including when MTCS employees are respondents.

J. Timelines

1. Any informal resolution process must be completed within thirty (30) calendar days following the parties' agreement to participate in such informal process.
2. An appeal of a determination of responsibility or of a decision dismissing a formal complaint must be received by MTCS within five (5) calendar days of the date the determination of responsibility or dismissal was provided to the parties.
3. Any appeal of a determination of responsibility or of a dismissal will be decided within thirty (30) calendar days of the day the appeal was received by MTCS.
4. MTCS will seek to conclude the grievance process, including any appeal, within 120 calendar days of the date the formal complaint was received by MTCS.
5. Although MTCS strives to adhere to the timelines described above, in each case, MTCS may extend the time frames for good cause. Good cause may include, without limitation: the complexity of the allegations; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening MTCS holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances.

K. Potential Remedies and Disciplinary Sanctions

1. The following is the range of possible remedies that MTCS may provide a complainant and disciplinary sanctions that MTCS might impose upon a respondent, following determination of responsibility: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, changes in transportation, changes in work locations, leaves of absence, monitoring of certain areas of MTCS buildings or property, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge.
2. If the Decision-maker determines a student-respondent is responsible for violating this policy, the Decision-maker will impose or recommend appropriate remedies, including disciplinary sanctions/consequences. The discipline of a student-respondent must comply with the applicable provisions of Policy 506 – Student Discipline, the Minnesota Pupil Fair Dismissal Act, the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

II. Initial Response and Assessment by the Title IX Coordinator

- ### A.
- When the Title IX Coordinator receives a report, the Title IX Coordinator shall promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's

wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

B. MTCS will offer supportive measures to the complainant whether or not the complainant decides to make a formal complaint. MTCS must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair MTCS's ability to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

C. If the complainant does not wish to file a formal complaint, the allegations will not be investigated by MTCS unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation against the complainant's wishes is not clearly unreasonable in light of the known circumstances.

D. Upon receipt of a formal complaint, MTCS must provide written notice of the formal complaint to the known parties with sufficient time to prepare a response before any initial interview. This written notice must contain:

1. The allegations of sexual harassment, including sufficient details known at the time, the identities of the parties involved in the incident (if known), the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known;
2. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
3. A statement explaining that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
4. A statement that the parties may inspect and review evidence gathered pursuant to this policy;
5. A statement informing the parties of any code of conduct provision that prohibits knowingly making false statements or knowingly submitting false information; and
6. A copy of Policy 522 and this Grievance Procedures document.

III. Status of Respondent During Pendency of Formal Complaint

A. Emergency Removal of a Student

1. MTCS may remove a student-respondent from an education program or activity of MTCS on an emergency basis before a determination regarding responsibility is made if:

- a. MTCS undertakes an individualized safety and risk analysis;
- b. MTCS determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal of the student-respondent; and
- c. If MTCS determines the student-respondent poses such a threat, it will so notify the student-respondent and the student-respondent will have an opportunity to challenge the decision immediately following the removal. In determining whether to impose emergency removal measures, the Title IX Coordinator shall consult related MTCS policies, including Policy 506 – Student Discipline. MTCS must take into consideration applicable requirements of the Individuals with Disabilities Education Act

and Section 504 of the Rehabilitation Act of 1973, prior to removing a special education student or Section 504 student on an emergency basis.

B. Employee Administrative Leave

MTCS may place a non-student employee on administrative leave during the pendency of the grievance process of a formal complaint. Such leave will typically be paid leave unless circumstances justify unpaid leave in compliance with legal requirements. MTCS must take into consideration applicable requirements of any applicable collective bargaining agreement or individual contract, Section 504 of the Rehabilitation Act of 1973, and the Americans with Disabilities Act prior to removing an individual with a qualifying disability.

IV. Informal Resolution of a Formal Complaint

A. At any time prior to reaching a determination of responsibility, informal resolution may be offered and facilitated by MTCS at MTCS's discretion, but only after a formal complaint has been received by MTCS.

B. MTCS may not require as a condition of enrollment or continued enrollment, or of employment or continued employment, or enjoyment of any other right, waiver of the right to a formal investigation and adjudication of formal complaints of sexual harassment.

C. The informal resolution process may not be used to resolve allegations that a MTCS employee sexually harassed a student.

D. MTCS will not facilitate an informal resolution process without both parties' agreement, and will obtain their voluntary, written consent to participate in the informal resolution process. MTCS will provide to the parties a written notice disclosing the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, the parties' right to withdraw from the informal resolution process, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

E. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

V. Dismissal of a Formal Complaint

A. Under federal law, MTCS must dismiss a Title IX complaint, or a portion thereof, if the conduct alleged in a formal complaint or a portion thereof:

1. Would not meet the definition of sexual harassment, even if proven;
2. Did not occur in MTCS's education program or activity; or
3. Did not occur against a person in the United States.

B. MTCS may, in its discretion, dismiss a formal complaint or allegations therein if:

1. The complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein;
2. The respondent is no longer enrolled or employed by MTCS; or
3. Specific circumstances prevent MTCS from gathering sufficient evidence to reach a determination.

C. MTCS shall provide written notice to both parties of a dismissal. The notice must include the reasons for the dismissal and grounds upon which an appeal may be made.

D. Dismissal of a formal complaint or a portion thereof does not preclude MTCS from addressing the underlying conduct in any manner that MTCS deems appropriate, including an investigation pursuant to other MTCS policies.

VI. Investigation of a Formal Complaint

A. If a formal complaint is received by MTCS, MTCS will assign or designate an Investigator to investigate the allegations set forth in the formal complaint.

B. If during the course of the investigation MTCS decides to investigate any allegations about the complainant or respondent that were not included in the written notice of a formal complaint provided to the parties, MTCS must provide notice of the additional allegations to the known parties.

C. When a party's participation is invited or expected in an investigative interview, the Investigator will coordinate with the Title IX Coordinator to provide written notice to the party of the date, time, location, participants, and purposes of the investigative interview with sufficient time for the party to prepare.

D. During the investigation, the Investigator must provide the parties with an equal opportunity to present witnesses for interviews, including fact witnesses and expert witnesses, and other inculpatory and exculpatory evidence.

E. Prior to the completion of the investigative report, the Investigator, through the Title IX Coordinator, will provide the parties and their advisors (if any) with an equal opportunity to inspect and review any evidence directly related to the allegations. The evidence shall be provided in electronic format or hard copy and shall include all relevant evidence, evidence upon which MTCS does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or another source. The parties will have ten (10) days to submit a written response, which the Investigator will consider prior to completion of the investigative report.

F. The Investigator will prepare a written investigative report that fairly summarizes the relevant evidence. The investigative report may include credibility determinations that are not based on a person's status as a complainant, respondent or witness. The investigative report may include recommended findings of fact and conclusions. MTCS will send the parties and their advisors (if any) a copy of the report in electronic format or hard copy, for their review and written response at least ten (10) days prior to a determination of responsibility.

VII. Determination Regarding Responsibility

A. After MTCS has sent the investigative report to both parties and before MTCS has reached a determination regarding responsibility, the Decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness. The time allowed for submitting questions and answers is at the discretion of the Decision-maker.

B. The Decision-maker must provide the relevant questions submitted by the parties to the other parties or witnesses to whom the questions are offered, and then provide each party with the answers, and allow for additional, limited follow-up questions from each party.

C. The Decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant.

D. When the exchange of questions and answers has concluded, and the parties have been provided at least ten days to review and submit a written response to the investigative report, the Decision-maker must issue a written determination regarding responsibility that applies the preponderance of the evidence standard to the facts and circumstances of the formal complaint. The written determination of responsibility must include the following:

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of MTCS's code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions MTCS imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by MTCS to the complainant; and
6. MTCS's procedures and permissible bases for the complainant and respondent to appeal and the date by which an appeal must be made.

E. In determining appropriate disciplinary sanctions, the Decision-maker 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 incident occurred.

F. The written determination of responsibility must be provided to the parties simultaneously.

G. The Title IX Coordinator is responsible for the effective implementation of any remedies.

H. The determination regarding responsibility becomes final either on the date that MTCS provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

VIII. Appeals

A. MTCS shall offer the parties an opportunity to appeal a determination regarding responsibility or MTCS's dismissal of a formal complaint or any allegations therein, on the following bases:

1. A procedural irregularity that affected the outcome of the matter (e.g., a material deviation from established procedures);
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

- B. If notice of an appeal is timely received by MTCS, MTCS will notify the parties in writing of the receipt of the appeal, assign or designate the Appellate Decision- maker, and give the parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.
- C. After reviewing the parties' written statements, the Appellate Decision-maker must issue a written decision describing the result of the appeal and the rationale for the result.
- D. The written decision describing the result of the appeal must be provided simultaneously to the parties. The decision of the Appellate Decision-maker is final. No further review beyond the appeal is permitted.

Policy 524 (Acceptable Use):

I. Purpose

The purpose of this policy is to set forth policies and guidelines for access to Minnesota Transitions Charter Schools (MTCS) computer system and acceptable and safe use of the Internet, including electronic communications.

II. General Statement of Policy

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

III. Limited Educational Purpose

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

IV. Use of System is a Privilege

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

V. Unacceptable Uses

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

1. Users will not use the MTCS system to access, review, upload, download, store, print, post, receive, transmit, or distribute:
 - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
 - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
 - d. information or materials that could cause damage or danger of disruption to the educational process;
 - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
2. Users will not use the MTCS system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
3. Users will not use the MTCS system to engage in any illegal act or violate any local, state, or federal statute or law.
4. Users will not use the MTCS system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the MTCS system software, hardware, or wiring or take any action to violate MTCS's security system, and will not use the MTCS system in such a way as to disrupt the use of the system by other users.

5. Users will not use the MTCS system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.

6. Users will not use the MTCS system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.

a. This paragraph does not prohibit the posting of employee contact information on MTCS webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).

b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:

1. such information is classified by MTCS as directory information and verification is made that MTCS has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
2. such information is not classified by MTCS as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

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

c. These prohibitions specifically prohibit a user from utilizing the MTCS system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as "Facebook," "Twitter/"X," "Instagram," "Snapchat," "TikTok," "Reddit," and similar websites or applications.

7. Users must keep all account information and passwords on file with the designated MTCS official.

Users will not attempt to gain unauthorized access to the MTCS system or any other system through MTCS system, attempt to log in through another person's account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the MTCS system may not be encrypted without the permission of appropriate school authorities.

8. Users will not use the MTCS system to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.

9. Users will not use the MTCS system for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of MTCS. Users will not use the MTCS system to offer or

provide goods or services or for product advertisement. Users will not use the MTCS system to purchase goods or services for personal use without authorization from the appropriate MTCS official.

10. Users will not use the MTCS system to engage in bullying or cyberbullying in violation of the MTCS's Bullying Prohibition Policy, Policy 514. This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.

B. A student or employee engaging in the foregoing unacceptable uses of the Internet when off MTCS premises also may be in violation of this policy as well as other MTCS policies. Examples of such violations may include, but are not limited to, serious or severe bullying or harassment targeting particular individuals, threats aimed at teachers or other student, failure to follow rules concerning lessons, the writing of papers, the use of computers, or participating in other online school activities, and breaches of school security devices. If MTCS receives a report of an unacceptable use originating from a non-school computer or resource, MTCS may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the MTCS computer system and the Internet and discipline under other appropriate MTCS policies, including suspension, expulsion, exclusion, or termination of employment.

C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate MTCS official. In the case of a MTCS employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a MTCS employee, the building administrator.

VI. Filter

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

VII. Consistency with Other School Policies

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

VIII. Limited Expectation of Privacy

A. By authorizing use of the MTCS system, MTCS does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the MTCS system.

- B. Routine maintenance and monitoring of the MTCS system may lead to a discovery that a user has violated this policy, another MTCS policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or MTCS policy.
- D. Parents have the right at any time to investigate or review the contents of their child's files and e-mail files. Parents have the right to request the termination of their child's individual account at any time.
- E. MTCS employees should be aware that MTCS retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, MTCS employees should be aware that data and other materials in files maintained on the MTCS system may be subject to review, disclosure, or discovery under Minn. Stat. Ch. 13 (the Minnesota Government Data Practices Act).
- F. MTCS will cooperate fully with local, state, and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with MTCS policies conducted through the MTCS system.

IX. Internet Use Agreement

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

X. Limitation on MTCS Liability

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

XI. User Notification

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

- c. Personal property used to access MTCS computers, networks, or online resources.
 - d. Unauthorized financial obligations resulting from use of MTCS resources/accounts to access the Internet.
3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
 4. Notification that, even though MTCS may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
 5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents.
 6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by Policy 406, Public and Private Personnel Data, and Policy 515, Protection and Privacy of Pupil Records.
 7. Notification that, should the user violate MTCS's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
 8. Notification that all provisions of the acceptable use policy are subordinate to local, state, and federal laws.

XII. Parents' Responsibility; Notification of Student Internet Use

A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies, and other possibly offensive media.

Parents are responsible for monitoring their student's use of the MTCS system and of the Internet if the student is accessing the MTCS system from home or a remote location.

B. Parents will be notified that their students will be using MTCS resources/accounts to access the Internet and that MTCS will provide parents the option to request alternative activities not requiring Internet access.

This notification should include:

1. A copy of the user notification form provided to the student user;
2. A description of parent/guardian responsibilities;
3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option;
4. A statement that the Internet Use Agreement must be signed by the user, the parent or guardian, and the supervising teacher prior to use by the student; and
5. A statement that MTCS's acceptable use policy is available for parental review.

XIII. Notification Regarding Technology Providers

A. "Technology provider" means a person who:

1. contracts with MTCS, as part of a one-to-one program or otherwise, to provide a school-issued device for student use; and
2. creates, receives, or maintains educational data pursuant to or incidental to a contract with MTCS.

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

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

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

D. MTCS must provide parents and students an opportunity to inspect a complete copy of any contract with a technology provider.

E. A contract between a technology provider and MTCS must include requirements to ensure appropriate security safeguards for educational data. The contract must require that:

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

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

XIV. School Issued Devices

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

B. Except as provided in paragraph C, MTCS or a technology provider must not electronically access or monitor:

1. any location-tracking feature of a school-issued device;
2. any audio or visual receiving, transmitting, or recording feature of a school-issued device; or
3. student interactions with a school a school-issued device, including but not limited to keystrokes and web-browsing activity.

C. MTCS or a technology provider may only engage in activities prohibited by paragraph B if:

1. the activity is limited to a noncommercial education purpose for instruction, technical support, or exam-proctoring by MTCS employees, student teachers, staff contracted by MTCS, a vendor, or the Minnesota Department of Education, and notice is provided in advance;
2. the activity is permitted under judicial warrant;
3. MTCS is notified or becomes aware that the device is missing or stolen;
4. the activity is necessary to comply with federal or state law, including but not limited to Minnesota Statutes section 121A.031; or

5. the activity is necessary to participate in federal or state funding programs, including but not limited to the E-rate program.

D. If MTCS or a technology provided interacts with a school-issued device as provided in paragraph C, clause 4, it must, within 72 hours of the access, notify the student to whom the school-issued device was issued or that student's parent and provide a written description of the interaction, including which features of the device were accessed and a description of the threat. This notice is not required at any time when the notice itself would pose an imminent threat to life or safety, but must instead be given within 72 hours after that imminent threat has ceased.

XV. Cell Phone Use

1. Students are prohibited from using cell phones and other electronic communication devices during the instructional day. Students also are prohibited from using a cell phone or other electronic communication device to engage in conduct prohibited by MTCS policies including, but not limited to, cheating, bullying, harassment, and malicious and sadistic conduct.

2. If MTCS has a reasonable suspicion that a student has violated a school policy, rule, or law by use of a cell or other electronic communication device, MTCS may search the device. The search of the device will be reasonably related in scope to the circumstances justifying the search.

3. Students who use an electronic communication device during the school day and/or in violation of MTCS policies may be subject to disciplinary action pursuant to MTCS's discipline policy. In addition, a student's cell phone or electronic communication device may be confiscated by MTCS and, if applicable, provided to law enforcement. Cell phones or other electronic communication devices that are confiscated and retained by MTCS will be returned in accordance with school building procedures.

Note: This language aligns with the provisions found in the MSBA Model Student Handbook. As an alternative to stating specific cell phone rules in a school district policy, a school board could choose to direct school administration to establish cell phone rules. This approach enables administrators to craft flexible and specific rules that are specific to grade levels and buildings.]

XVI. Limits on Screen Time for Children in Preschool and Kindergarten

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

XVII. Implementation; Policy Review

A. MTCS administration may develop appropriate user notification forms, guidelines, and procedures necessary to implement this policy for submission to the MTCS Board for approval. Upon approval by the MTCS Board, such guidelines, forms, and procedures shall be an addendum to this policy.

B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.

C. MTCS Internet policies and procedures are available for review by all parents, guardians, staff, and members of the community.

D. Because of the rapid changes in the development of the Internet, the MTCS Board shall conduct an annual review of this policy.

Policy 413 (Harassment and Violence) [Minn. Stat. § 121A.03]:

I. Purpose

The purpose of this policy is to maintain a learning and working environment 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 (“Protected Class”).

II. General Statement of Policy

A. The policy of MTCS is to maintain a learning and working environment free from harassment and violence on the basis of Protected Class. MTCS prohibits any form of harassment or violence on the basis of Protected Class.

B. A violation of this policy occurs when any student, teacher, administrator, or other MTCS personnel harasses a student, teacher, administrator, or other MTCS personnel or group of students, teachers, administrators, or other MTCS personnel through conduct or communication based on a person’s Protected Class, as defined by this policy. (For purposes of this policy, MTCS personnel includes school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)

C. A violation of this policy occurs when any student, teacher, administrator, or other MTCS personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other MTCS personnel or group of students, teachers, administrators, or other MTCS personnel based on a person’s Protected Class.

D. MTCS will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person’s Protected Class, and to discipline or take appropriate action against any student, teacher, administrator, or other MTCS personnel found to have violated this policy.

E. Because there are multiple, overlapping laws governing MTCS’s response to allegations of sexual harassment, all allegations of sexual harassment are subject to Policy 522.

III. Definitions

A. “Assault” is:

1. an act done with intent to cause fear in another of immediate bodily harm or death;
2. an act done with intent to cause fear in another of immediate bodily harm or death; or
3. the threat to do bodily harm to another with present ability to carry out the threat.

B. “Harassment” prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual’s or group of individuals’ race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability when the conduct:

1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
2. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment; or
3. otherwise adversely affects an individual's employment or academic opportunities.

C. "Immediately" means as soon as possible but in no event longer than 24 hours.

D. Protected Classifications; Definitions

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

E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.

F. Sexual Harassment; Definition

1. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:
 - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or

- b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- c. that conduct or communication has the purpose or effect of substantially interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.

2. Sexual harassment may include, but is not limited to:

- a. unwelcome verbal harassment or abuse;
- b. unwelcome pressure for sexual activity;
- c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
- d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
- e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
- f. unwelcome behavior or words directed at an individual because of gender.

G. Sexual Violence; Definition

1. Sexual violence is a physical act of aggression or force or the threat thereof that involves the touching of another's intimate parts, or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minnesota Statutes, section 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;
- b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
- c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
- d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence; Definition

Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to an individual's Protected Class.

IV. Reporting Procedures

A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of Protected Class by a student, teacher, administrator, or other MTCS personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other MTCS personnel or group of students, teachers, administrators, or other MTCS personnel should report the alleged acts immediately to an appropriate MTCS official designated by this policy. A person may report conduct that may constitute harassment or

violence anonymously. However, MTCS may not rely solely on an anonymous report to determine discipline or other remedial responses.

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

C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a MTCS human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the MTCS human rights officer by the reporting party or complainant.

D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult MTCS personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the MTCS human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.

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

F. Upon receipt of a report, the building report taker must notify the MTCS human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.

G. In the MTCS. MTCS hereby designates Shawn Fondow, Executive Director, 2872 26th Ave. S., Minneapolis, MN 55406, (612) 722-9013, sfondow@emailmtcs.org, as the MTCS 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 Building Principal or Supervisor.

H. MTCS shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.

I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.

J. Use of formal reporting forms is not mandatory.

K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.

L. MTCS 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 MTCS's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.

N. False accusations or reports of violence or harassment against another person are prohibited.

O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with MTCS's policies and procedures. Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

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

V. Investigation

A. By authority of MTCS, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by MTCS officials or by a third party designated by MTCS.

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, MTCS 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, MTCS may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other MTCS personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.

E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

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

VI. MTCS Action

A. Upon completion of an investigation that determines a violation of this policy has occurred, MTCS 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. MTCS action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable MTCS policies and regulations.

B. MTCS is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of MTCS. School officials will notify the targets or victims and alleged perpetrators of harassment or violence, the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.

C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, MTCS shall, where determined appropriate by the child's individualized education program (IEP) or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

VII. Retaliation or Reprisal

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

VIII. Right to Alternative Complaint Procedures

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

IX. Harassment or Violence as Abuse

A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minnesota Statutes chapter 260E may be applicable.

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

X. Dissemination of Policy and Training

A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.

B. This policy shall be given to each MTCS employee and independent contractor who regularly interacts with students at the time of initial employment with MTCS.

C. This policy shall appear in the student handbook.

D. MTCS will develop a method of discussing this policy with students and employees.

E. MTCS may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, resourcefulness, and/or sexual abuse prevention.

F. This policy shall be reviewed at least annually for compliance with state and federal law.

Policy 514 (Bullying) [Minn. Stat. § 121A.031]:

I. Purpose

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

II. General Statement of Policy

A. An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, on MTCS property, at school functions or activities, or on school transportation. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of MTCS or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off MTCS property and/or with or without the use of MTCS resources.

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

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

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

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

F. A student who engages in an act of bullying, reprisal, retaliation, or knowingly making a false report of bullying shall be subject to discipline or other remedial responses for that act in accordance with MTCS's policies and procedures, including MTCS's discipline policy. A teacher, administrator, volunteer, contractor, or other employee of MTCS who permits, condones, or tolerates bullying or engages in an act of reprisal, retaliation, or knowingly making a false report of bullying shall be subject to disciplinary action. MTCS may take into account the following factors:

1. The developmental ages and maturity levels of the parties involved;
2. The levels of harm, surrounding circumstances, and nature of the behavior;
3. Past incidences or past or continuing patterns of behavior;

4. The relationship between the parties involved; and
5. The context in which the alleged incidents occurred.

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

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

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

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

III. Definitions

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

A. “Bullying” means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:

1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
2. materially and substantially interferes with a student’s educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

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

B. “Cyberbullying” means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on MTCS property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.

C. “Immediately” means as soon as possible but in no event longer than one school day.

D. “Intimidating, threatening, abusive, or harming conduct” means, but is not limited to, conduct that does the following:

1. Causes physical harm to a student or a student’s property or causes a student to be in reasonable fear of harm to person or property;
2. Under Minnesota common law, violates a student’s reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or

3. Is directed at any student or students, including those based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

E. "On school premises, on MTCS property, at school functions or activities, or on school transportation" means all MTCS buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for MTCS purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. MTCS 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, MTCS does not represent that it will provide supervision or assume liability at these locations and events.

F. "Prohibited conduct" means bullying or cyberbullying as defined in this policy or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.

G. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.

H. "Student" means a student enrolled in MTCS.

IV. Reporting Procedure

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

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

C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a MTCS human rights officer or the Superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the Superintendent or the MTCS human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices,

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

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

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

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

G. MTCS 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 MTCS' obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. MTCS Action

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

B. The building report taker or other appropriate MTCS officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.

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

D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, MTCS will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline

prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. MTCS action taken for violation of this policy will be consistent with the requirements of applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy and other applicable MTCS policies; and applicable regulations.

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

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

VI. Retaliation or Reprisal

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

VII. Training and Education

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

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

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

C. MTCS annually will provide education and information to students regarding bullying, including information regarding this MTCS policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.

D. The administration of MTCS is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.

E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students. The administration must establish strategies for creating a positive school climate and use evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct.

F. Affected students and their parents may have rights under state and federal data practices laws to obtain access to data related to an incident and to contest the accuracy or completeness of the data.

VIII. Notice

A. MTCS will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.

B. This policy or a summary thereof must be conspicuously posted in the administrative offices of MTCS and the office of each school.

C. This policy must be given to each school employee and independent contractor who regularly interacts with students at the time of initial employment with MTCS.

D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy distributed to parents at the beginning of each school year.

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

F. MTCS shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

IX. Policy Review

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

Policy 526 (Hazing) [Minn. Stat. § 121A.69]:

I. Purpose

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

II. General Statement of Policy

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

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

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

D. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.

E. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited.

F. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, or tolerates hazing shall be subject to discipline or other remedial responses for that act in accordance with MTCS's policies and procedures.

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

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

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

G. This policy applies to hazing that occurs during and after school hours, on or off school premises or property, at school functions or activities, or on school transportation.

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

I. MTCS 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 MTCS who is found to have violated this policy.

III. Definitions

A. "Hazing" means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with

a student organization, or for any other school-related purpose. The term hazing includes, but is not limited to:

1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, or placing a harmful substance on the body.
2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of MTCS policies or regulations.

B. “Immediately” means as soon as possible but in no event longer than 24 hours.

C. “On school premises or MTCS property, or at school functions or activities, or on school transportation” means all MTCS buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for MTCS purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. MTCS property also may mean a student’s walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting hazing at these locations and events, MTCS does not represent that it will provide supervision or assume liability at these locations and events.

D. “Remedial response” means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.

E. “Student” means a student enrolled in a public school or a charter school.

F. “Student organization” means a group, club, or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities, or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

IV. Reporting Procedures

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

B. MTCS encourages the reporting party to use the report form available from the principal/director of each building or available from the MTCS main office, but oral reports shall be considered complaints as well. The building principal/director, the principal/director's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of hazing at the building level. Any adult school personnel who receives a report of hazing prohibited by this policy shall inform the building report taker immediately. Any person may report hazing directly to a MTCS human rights officer or to the Superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the Superintendent or the MTCS human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.

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

D. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.

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

F. MTCS 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 MTCS's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

V. MTCS Action

A. Within three (3) school days of the receipt of a complaint or report of hazing, MTCS shall undertake or authorize an investigation by MTCS officials or a third party designated by MTCS.

B. The building report taker or other appropriate MTCS officials may take immediate steps, at their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students or others pending completion of an investigation of alleged hazing prohibited by this policy.

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

D. Upon completion of an investigation that determines hazing has occurred, MTCS 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. MTCS action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; and applicable MTCS policies and regulations.

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

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

VI. Retaliation or Reprisal

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

VII. Dissemination of Policy

A. This policy shall appear in each school's student handbook and in each school's building and staff handbooks.

B. MTCS will develop a method of discussing this policy with students and employees.

Policy 531 (Pledge of Allegiance) [Minn. Stat. § 121A.11]:

I. Purpose

The Minnesota Transitions Charter School (MTCS) Board recognizes the need to display an appropriate United States flag and to provide instruction to students in the proper etiquette, display, and respect of the flag. The purpose of this policy is to provide for recitation of the Pledge of Allegiance and instruction in school to help further that end.

II. General Statement of Policy

Students in MTCS shall recite the Pledge of Allegiance to the flag of the United States of America one or more times each week. The recitation shall be conducted:

- A. By each individual classroom teacher or the teacher's surrogate; or
- B. Over a school intercom system by a person designated by the school principal or other person having administrative control over the school.

III. Exceptions

Anyone who does not wish to participate in reciting the Pledge of Allegiance for any personal reasons may elect not to do so. Students and school personnel must respect another person's right to make that choice. This statement allowing students to elect to not participate shall be included in the student handbook.

IV. Instructions

Students will be instructed in the proper etiquette toward, correct display of, and respect for the flag, and in patriotic exercises.

Minnesota Statute § 120B.31 (student participation) requires school districts to provide notice to parents or guardians of their option to refuse to have their students take the statewide assessments. The Commissioner of the Minnesota Department of Education (MDE) has developed a form for parents to use to exercise this option:

https://education.mn.gov/mdeprod/idcplg?IdcService=GET_FILE&dDocName=PROD058851&RevisionSelectionMethod=latestReleased&Rendition=primary

Minnesota Statute 121A.30 (Pesticide application at school):

Should MTCS plan to apply a pesticide which in a toxicity category, we will provide notice no later than September 15 of each school year during which pesticides are planned to be applied and will inform parents that an estimated schedule of applications of pesticides listed in subdivision 2 is available for review or copying at the school offices, and that a parent may receive prior notice of each application if specifically requested.

Minnesota Statute 123B.03 (Background check required):

Subdivision 1. Background check required.

(a) A school hiring authority, as defined in subdivision 3, shall request a criminal history background check from the superintendent of the bureau of criminal apprehension on all individuals who are offered employment in the school, as defined in subdivision 3. In order to be eligible for employment, an individual who is offered employment must provide an executed criminal history consent form and a money order or check payable to either the bureau of criminal apprehension or the school hiring authority, at the election of the school hiring authority, in an amount equal to the actual cost to the bureau of criminal apprehension and the school district of conducting the criminal history background check. A school hiring authority electing to receive payment may, at its discretion, accept payment in the form of a negotiable instrument other than a money order or check and shall pay the superintendent of the bureau of criminal apprehension directly to conduct the background check. The superintendent of the bureau of criminal apprehension shall conduct the background check by retrieving criminal history data maintained in the criminal justice information system computers. A school hiring authority, at its discretion, may elect not to request a criminal history background check on an individual who holds an initial entrance license issued by the state board of teaching or the commissioner of children, families, and learning within the 12 months preceding an offer of employment.

(b) A school hiring authority may use the results of a criminal background check conducted at the request of another school hiring authority if:

- (1) the results of the criminal background check are on file with the other school hiring authority or otherwise accessible;
- (2) the other school hiring authority conducted a criminal background check within the previous 12 months;
- (3) the individual who is the subject of the criminal background check executes a written

consent form giving a school hiring authority access to the results of the check; and
(4) there is no reason to believe that the individual has committed an act subsequent to the check that would disqualify the individual for employment.

(c) A school hiring authority may, at its discretion, request a criminal history background check from the superintendent of the bureau of criminal apprehension on any individual who seeks to enter a school or its grounds for the purpose of serving as a school volunteer or working as an independent contractor or student employee. In order for an individual to enter a school or its grounds under this paragraph when the school hiring authority elects to request a criminal history background check on the individual, the individual first must provide an executed criminal history consent form and a money order, check, or other negotiable instrument payable to the school district in an amount equal to the actual cost to the bureau of criminal apprehension and the school district of conducting the criminal history background check. Notwithstanding section 299C.62, subdivision 1, the cost of the criminal history background check under this paragraph is the responsibility of the individual.

(d) For all nonstate residents who are offered employment in a school, a school hiring authority shall request a criminal history background check on such individuals from the superintendent of the bureau of criminal apprehension and from the government agency performing the same function in the resident state or, if no government entity performs the same function in the resident state, from the Federal Bureau of Investigation. Such individuals must provide an executed criminal history consent form and a money order, check, or other negotiable instrument payable to the school hiring authority in an amount equal to the actual cost to the government agencies and the school district of conducting the criminal history background check. Notwithstanding section 299C.62, subdivision 1, the cost of the criminal history background check under this paragraph is the responsibility of the individual.

Subd. 2. **Conditional hiring; discharge.** A school hiring authority may hire an individual pending completion of a background check under subdivision 1 but shall notify the individual that the individual's employment may be terminated based on the result of the background check. A school hiring authority is not liable for failing to hire or for terminating an individual's employment based on the result of a background check under this section.

Subd. 3. **Definitions.** For purposes of this section:

(a) "School" means a school as defined in section 120A.22, subdivision 4, except a home-school, and includes a school receiving tribal contract or grant school aid under section 124D.83; school, for the purposes of this section, also means a service cooperative, a special education cooperative, or an education district under Minnesota Statutes 1997 Supplement, section 123.35, a charter school under section 124D.10, and a joint powers district under section 471.59.

(b) "School hiring authority" means the school principal or other person having general control and supervision of the school.

Minn. Statute 121A.72 (school locker policy):

Subdivision 1. **Policy.** It is the policy of the state of Minnesota that:

"School lockers are the property of the school district. At no time does the school district relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school authorities for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school authorities have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school authorities must provide notice of the search to students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials."

Subd. 2. **Dissemination.** The locker policy must be disseminated to parents and students in the way that other policies of general application to students are disseminated. A copy of the policy must be provided to a student the first time that the student is given the use of a locker.

Minn. Statute 2020, section 13.32 (data and technology providers):

MTCS uses a variety of digital tools to support student learning. Technology vendors and software are utilized to support work as we help all students develop the skills necessary to succeed in an ever-changing world.

We have an inventory of our curriculum, testing, and assessment tools posted here <https://mtcs.org/plans-and-reports/> and include an outline of the student data elements within each tool. This list is maintained and communicated annually to all families at the start of the school year.

Please reach out to Kelsey Bennett for additional questions regarding specific digital tools used in classrooms.

Discipline Addendum

All students have the right to an excellent education. At MTCS we strive to maintain a safe learning environment. Students that consistently disrupt the learning environment or exhibit unsafe behaviors will be subject to discipline.

A suspension from school is: The student's right to education at the school is suspended (put on hold) for a period of time, typically 1-5 days.

An expulsion from school is: A school board decision to suspend the student from all MTCS programs for a period of 12 months.

Events that may result in discipline including expulsion:

- Multiple suspensions
- Physical attack on a student or a teacher
- Harassment of any kind and terroristic threats
- Sexual Conduct
- Theft / Burglary
- Threatening Acts
- Arson
- Possession of ammunition, fireworks, explosives, alcohol, drugs, and/or weapons or items that look like or function as weapons.

Student Acknowledgement Form

Student Handbook

I have received the 2022-2023 MTCS School Student Handbook. I acknowledge and will abide by the policies and guidelines defined in the handbook. I understand that violation of school policies and guidelines may result in disciplinary actions.

Student _____

Date _____

Parent _____

Date _____

Publishing of Student's Achievements or Image

Occasionally the opportunity may arise for a student's achievements and/or image to be published in various venues (ex. school website, newsletter, etc.). Signing below authorizes the use of the student's works or image by Minnesota Transitions Charter School.

Parent _____

Date _____