



2022–23

# Minnewaska Area Schools **W.I.N. ACADEMY HANDBOOK**

ENGAGE EVERY STUDENT, EVERY DAY!

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### **Our Mission**

Minnewaska Area WIN Academy is designed to incorporate evidence-based practice techniques for the treatment of students who have mental health diagnoses indicating the need for special education. If your child is unable to be successful in their home school, we offer an excellent, convenient alternative. Our program was founded on the premise of the therapeutic value of the ***Relationship Model***.

The principles we use in treating students are focused on building and sustaining relationships with our students and with you, their families– while at the same time maintaining program structure with limits and boundaries. We strive to allow students to become internally motivated to make important changes in their behavior and emotional stability. We work to make the school day safe, therapeutic, educational, and fun. Research indicates that children and youth with emotional and behavioral disruptions benefit from learning skills to help them get along with others. In addition, it's important to learn to develop empathy and other important core values.

At WIN Academy, our teachers, practitioners, paraprofessional staff, office staff, and clinicians care about our students and show it in the way they interact with students and others throughout the school day.

### **PBIS Mission Statement**

The Minnewaska Area WIN Academy Program works to provide a safe and positive learning environment that empowers students and families to develop skills needed to achieve lifelong educational success and promote personal growth while building and maintaining healthy relationships.

### **WIN Academy Components**

#### Program Focus

- Individual Psychotherapy
- Group Skills Training
- Family Skills Training
- Therapeutic Skills and Training

- Behavioral Skills Training

Alternative forms of therapy utilized on a therapeutic-need basis

- Pet Therapy
- Sensory Integration Therapy
- EMDR

### **Collaborative Approach**

All WIN Academy services are coordinated in collaboration with the staff of the sending school to assure compliance with the requirements of each student's Individual Education Plan (IEP).

Representatives from Children's Mental Health Case Management Services (Resident County), court systems, foster care, and other agencies participate with parents and the MMH clinicians in the development of therapeutic services and ongoing treatment reviews.

### **Family Services**

We work closely with parents and families of our students as needed, and when indicated, can provide Family Skills Training and/or Family Therapy to the student and their families. Our mental health family practitioners and professionals are available to meet with you in the convenience of your own home or in our offices, helping the family work through concerns together.

### **Minnewaska Area WIN Academy**

Intensive Outpatient and Day Treatment Services

500 John Street

Starbuck, MN 56381

**Phone: 320-239-2257 ext. 3109**

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**Email: [loeltjen@isd2149.org](mailto:loeltjen@isd2149.org)**

### **Security Policy**

Minnewaska Area WIN Academy is focused on providing a safe and secure environment for all students, staff, and visitors to our school.

To ensure that we have a safe and secure environment we have implemented a School Resource Officer (SRO) in our facility. Our SRO is a certified law enforcement officer who has been permanently assigned to provide coverage to Minnewaska Area WIN Academy. The SRO is specifically trained to perform three roles: law enforcement officer coverage; law-related counseling; and law-related education. The SRO works as an independent agency outside of the School District under their own laws and regulations to assist in keeping order within our campus.

The SRO is in the building to provide safety for staff and students in crisis/emergency situations and operates under the policies and procedures of the Starbuck Police Department and the State of Minnesota Laws.

**General Rules Governing the Use of Force**

\*Please refer to the Starbuck Police Department for their policy on SRO Use of Force.

**Minnesota Statute 2017 – Restrictive Procedures**

**245.8261 RESTRICTIVE PROCEDURES PLANNING AND REPORTING.**

**Subdivision 1.Scope.**

(a) This section applies to providers of the following mental health services for children:

- (1) emergency services as defined in sections [245.4871, subdivision 14](#), and [245.4879](#);
- (2) family community support services as defined in section [245.4871, subdivision 17](#);
- (3) WIN Academy services as defined in section [245.4871, subdivision 10](#);
- (4) therapeutic support of foster care as defined in section [245.4871, subdivision 34](#);
- (5) professional home-based family treatment as defined in sections [245.4871, subdivision 31](#), and [245.4884, subdivision 3](#); and
- (6) mental health crisis services as defined in sections [245.4871, subdivision 24a](#), and [245.488, subdivision 3](#).

(b) Providers of mental health services for children under paragraph (a) must meet the requirements of this section before using a restrictive procedure with a child.

**Subd. 2.Restrictive procedures plan.**

(a) A services provider under subdivision 1, paragraph (a), shall have on file and available for viewing a restrictive procedures plan for children in its program that must include at least the following:

- (1) the list of restrictive procedures the provider intends to use;
- (2) how the provider will monitor and control the use of restrictive procedures;
- (3) a description of the training that staff who use restrictive procedures must complete prior to staff implementation of restrictive procedures;
- (4) how the provider will document information needed to prepare the annual report required in subdivision 15; and
- (5) how the provider will ensure that the child receives treatment for any injury caused by the use of a restrictive procedure.

(b) For purposes of this section, allowable restrictive procedures include those procedures allowed under subdivision 4, paragraph (a).

**Subd. 3. Definitions.**

(a) For the purposes of this section, the terms in this subdivision have the meanings given them.

(b) "Commissioner" means the commissioner of human services.

(c) "Child" means a person under 18 years of age.

(d) "Individual treatment plan" has the meaning given in section [245.4871](#), subdivision 21, as required for children's mental health services providers in section [245.4876, subdivision 3](#). The individual treatment plan must be based on a diagnostic assessment, which includes assessments and reviews of medical conditions and risks of psychological trauma that might be incurred by the use of seclusion or restraint.

(e) "Mechanical restraints" means the use of devices to limit a child's movement or hold a child immobile. The term does not mean mechanical restraints used to:

(1) treat a child's medical needs;

(2) protect a child known to be at risk of injury resulting from lack of coordination or frequent loss of consciousness; or

(3) position a child with physical disabilities in a manner specified in the child's plan of care.

(f) "Physical escort" means physical intervention or contact used as a behavior management technique to guide or carry a child to safety or away from an unsafe or potentially harmful and escalating situation.

(g) "Physical holding" means physical intervention intended to hold a child immobile or limit a child's movement by using body contact as the only source of physical restraint. The term does not mean physical contact:

(1) used to facilitate a child's response or completion of a task when the child does not resist or the child's resistance is minimal in intensity and duration; and

(2) necessary to conduct a medical examination or treatment.

(h) "Restrictive procedures" means the application of action, force, or condition that controls, constrains or suppresses the action, behavior, intention, bodily placement, or bodily location of a child in a manner that is involuntary, unintended by that child, depriving, or aversive to that child.

(i) "Time out" means removing a child from an activity to a location where the child cannot participate or observe the activity and includes moving or ordering a child to an unlocked room.

(j) "Seclusion" involves the confinement of a child alone in a room from which egress is beyond the child's control or prohibited by a mechanism such as a lock or by a device or object positioned to hold the door closed or otherwise prevent the child from leaving the room. The room used for seclusion must be well-lighted, well-ventilated, clean, have an observation window that allows staff to directly monitor the child in seclusion, fixtures that are tamper-proof, electrical switches located immediately outside the

door, and doors that open out and are unlocked or locked with keyless locks that have immediate release mechanisms.

**Subd. 4. Allowable procedures.**

(a) A provider may use one or more of the following restrictive procedures:

- (1) physical escort;
- (2) physical holding;
- (3) seclusion; and
- (4) the limited use of mechanical restraints only in emergency situations.

(b) A provider shall permit the use of restrictive procedures only by program staff who have completed the required training and who are acting under the clinical supervision of a mental health professional.

**Subd. 5. Parental consent and notification.**

Parental consent for the use of seclusion and restraint procedures must be obtained when a child begins receiving services; the agreement must be reviewed at least quarterly. A provider shall notify the child's parent or guardian of the use of a restrictive procedure on the same day the procedure is used unless the parent or guardian notifies the provider that the parent or guardian does not want to receive notification or the parent or guardian requests a different notification schedule.

**Subd. 6. Physical escort requirements.**

The physical escort of a child may be used to control a child who is being guided to a place where the child will be safe and to help de-escalate interactions between the child and others. A provider who uses physical escorting with a child shall meet the following requirements:

- (1) staff shall be trained according to subdivision 11;
- (2) staff shall document the use of physical escort and note the technique used, the time of day, and the names of the staff and child involved; and
- (3) the use of physical escort shall be consistent with the child's treatment plan.

**Subd. 7. Physical holding or seclusion.**

Physical holding or seclusion may be used in emergency situations as a response to imminent serious risk of physical harm to the child or others and when less restrictive interventions are ineffective. A provider who uses physical holding or seclusion shall meet the following requirements:

- (1) an immediate intervention must be necessary to protect the child or others from physical harm;
- (2) the physical holding or seclusion used must be the least intrusive intervention that will effectively react to an emergency;

- (3) the use of physical holding or seclusion must end when the threat of harm ends;
- (4) the child must be constantly and directly observed by staff during the use of physical holding or seclusion;
- (5) the use of physical holding or seclusion must be used under the supervision of a mental health professional;
- (6) staff shall contact the mental health professional to inform the mental health professional about the use of physical holding or seclusion and to ask for permission to use physical holding or seclusion as soon as it may safely be done, but no later than 30 minutes after initiating the use of physical holding or seclusion;
- (7) before staff uses physical holding or seclusion with a child, staff shall complete the training required in subdivision 11 regarding the use of physical holding or seclusion at the program;
- (8) when the need for the use of physical holding or seclusion ends, the child must be assessed to determine if the child can safely be returned to the ongoing activities at the program;
- (9) staff shall treat the child respectfully throughout the procedure;
- (10) the staff person who implemented the use of physical holding or seclusion shall document its use immediately after the incident concludes and the documentation must include at least the following information:
  - (i) a detailed description of the incident which led to the use of physical holding or seclusion;
  - (ii) an explanation of why the procedure chosen needed to be used;
  - (iii) why less restrictive measures failed or were found to be inappropriate;
  - (iv) the time the physical hold or seclusion began and the time the child was released;
  - (v) documentation of the child's behavioral change and change in physical status for each 15-minute interval the procedure is used; and
  - (vi) the names of all staff involved in the use of the procedure and the names of all witnesses to the use of the procedure; and
- (11) if seclusion is used, the room used for seclusion must:
  - (i) be well-lighted, well-ventilated, and clean;
  - (ii) have an observation window which allows staff to directly monitor a child in seclusion;
  - (iii) have fixtures that are tamper-proof, with electrical switches located immediately outside the door;
  - (iv) have doors that open out and are unlocked or are locked with keyless locks that have immediate release mechanisms; and
  - (v) have objects that may be used by a child to injure the child's self or others removed from the child and the seclusion room before the child is placed in seclusion.



**Subd. 8. Exempt techniques and procedures.**

(a) Use of the instructional techniques and intervention procedures listed in this subdivision is not subject to the restrictions established by this section. The child's individual treatment plan, as defined in section [245.4871, subdivision 21](#), and as required in section [245.4876, subdivision 3](#), must address the use of these exempt techniques and procedures. Exempt techniques and procedures include:

- (1) corrective feedback or prompt to assist a child in performing a task or exhibiting a response;
- (2) physical contact to facilitate a child's completion of a task or response that is directed at increasing adaptive behavior when the child does not resist or the child's resistance is minimal in intensity and duration;
- (3) physical contact or a physical prompt to redirect a child's behavior when:
  - (i) the behavior does not pose a serious threat to the child or others;
  - (ii) the behavior is effectively redirected with less than 60 seconds of physical contact by staff; or
  - (iii) the physical contact is used to conduct a necessary medical examination or treatment; and
- (4) manual or mechanical restraint to treat a child's medical needs or to protect a child known to be at risk of injury from an ongoing medical or psychological condition.

(b) The exemptions under this subdivision must not be used to circumvent the requirements for controlling the use of manual restraint. The exemptions under this subdivision are intended to allow providers the opportunity to deal effectively and naturally with instruction and treatment interventions.

**Subd. 9. Conditions on use of restrictive procedures.**

Restrictive procedures must not:

- (1) be implemented with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under section [626.556](#), the reporting of maltreatment of minors;
- (2) restrict a child's normal access to a nutritious diet, drinking water, adequate ventilation, necessary medical care, ordinary hygiene facilities, or necessary clothing or to any protection required by state licensing standards and federal regulations governing the program;
- (3) be used as punishment or for the convenience of staff; or
- (4) deny the child visitation or contact with legal counsel and next of kin.

**Subd. 10. Prohibitions.**

(a) The following actions or procedures are prohibited:

- (1) using corporal punishment such as hitting, pinching, slapping, or pushing;
- (2) speaking to a child in a manner that ridicules, demeans, threatens, or is abusive;

- (3) requiring a child to assume and maintain a specified physical position or posture, for example, requiring a child to stand with the hands over the child's head for long periods of time or to remain in a fixed position;
  - (4) use of restrictive procedures as a disciplinary consequence;
  - (5) totally or partially restricting a child's senses, except at a level of intrusiveness that does not exceed:
    - (i) placing a hand in front of a child's eyes as a visual screen; or
    - (ii) playing music through earphones worn by the child at a level of sound that does not cause discomfort;
  - (6) presenting an intense sound, light, noxious smell, taste, substance, or spray, including water mist;
  - (7) denying or restricting a child's access to equipment and devices such as walkers, wheelchairs, hearing aids, and communication boards that facilitate the child's functioning, except as provided under paragraph (b).
- (b) When the temporary removal of the equipment or device is necessary to prevent injury to the child or others or serious damage to the equipment or device, the equipment or device shall be returned to the child as soon as possible.

**Subd. 11. Training for staff.**

- (a) Staff who use restrictive procedures shall successfully complete training in the following skills and knowledge areas before using restrictive procedures with a child:
- (1) the needs and behaviors of children;
  - (2) relationship-building;
  - (3) alternatives to restrictive procedures, including techniques to identify events and environmental factors that may trigger behavioral escalation;
  - (4) de-escalation methods;
  - (5) avoiding power struggles;
  - (6) documentation standards for the use of restrictive procedures;
  - (7) how to obtain emergency medical assistance;
  - (8) time limits for restrictive procedures;
  - (9) obtaining approval for use of restrictive procedures;
  - (10) the proper use of the restrictive procedures approved for the program, including simulated experiences of administering and receiving physical restraint;
  - (11) thresholds for employing and ceasing restrictive procedures;
  - (12) the physiological and psychological impact of physical holding and seclusion;
  - (13) how to monitor and respond to the child's physical signs of distress; and

- (14) recognizing symptoms of and interventions with potential to cause positional asphyxia.
- (b) Training under this subdivision must be repeated every two years.

**Subd. 12. Administrative review.**

The provider shall complete an administrative review of the use of each restrictive procedure within three working days after the use of the restrictive procedure. The administrative review shall be conducted by someone other than the person who decided to impose the restrictive procedure, or that person's immediate supervisor. The child or the child's representative shall have an opportunity to present evidence and argument to the reviewer about why the procedure was unwarranted. The record of the administrative review of the use of a restrictive procedure must state whether:

- (1) the required documentation was recorded;
- (2) the restrictive procedure was used in accordance with the treatment plan;
- (3) the standards governing the use of restrictive procedures were met; and
- (4) the staff who implemented the restrictive procedures were properly trained.

**Subd. 13. Review of patterns of use of restrictive procedures.**

At least quarterly, the treatment provider shall review the provider's patterns of the use of restrictive procedures. The review must be completed by the treatment provider or the program's advisory committee. The review shall consider:

- (1) any patterns or problems indicated by similarities in the time of day, day of the week, duration of the use of a procedure, individuals involved, or other factors associated with the use of restrictive procedures;
- (2) any injuries resulting from the use of restrictive procedures;
- (3) actions needed to correct deficiencies in the program's implementation of restrictive procedures;
- (4) an assessment of opportunities missed to avoid the use of restrictive procedures; and
- (5) proposed actions to be taken to minimize the use of physical holding or seclusion.

**Subd. 14. Annual report.**

A provider using restrictive procedures shall annually submit a report to the commissioner stating the number and types of restrictive procedures performed. The report shall be submitted in a form and manner prescribed by the commissioner. Agencies with high use of restrictive procedures will be reviewed by the commissioner to determine needed changes in policies and procedures, including staff training.

**125A.0942 STANDARDS FOR RESTRICTIVE PROCEDURES**

**Subdivision 1. Restrictive procedures plan.**

(a) Schools that intend to use restrictive procedures shall maintain and make publicly accessible in an electronic format on a school or district Web site or make a paper copy available upon request describing a restrictive procedures plan for children with disabilities that at least:

- (1) lists the restrictive procedures the school intends to use;
  - (2) describes how the school will implement a range of positive behavior strategies and provide links to mental health services;
  - (3) describes how the school will provide training on de-escalation techniques, consistent with section 122A.09, subdivision 4, paragraph (k);
  - (4) describes how the school will monitor and review the use of restrictive procedures, including:
    - (i) conducting post-use debriefings, consistent with subdivision 3, paragraph (a), clause (5); and
    - (ii) convening an oversight committee to undertake a quarterly review of the use of restrictive procedures based on patterns or problems indicated by similarities in the time of day, day of the week, duration of the use of a procedure, the individuals involved, or other factors associated with the use of restrictive procedures; the number of times a restrictive procedure is used schoolwide and for individual children; the number and types of injuries, if any, resulting from the use of restrictive procedures; whether restrictive procedures are used in non-emergency situations; the need for additional staff training; and proposed actions to minimize the use of restrictive procedures; and
  - (5) includes a written description and documentation of the training staff completed under subdivision 5.
- (b) Schools annually must publicly identify oversight committee members who must at least include:
- (1) a mental health professional, school psychologist, or school social worker;
  - (2) an expert in positive behavior strategies;
  - (3) a special education administrator; and
  - (4) a general education administrator.

**Subd. 2.Restrictive procedures.**

(a) Restrictive procedures may be used only by a licensed special education teacher, school social worker, school psychologist, behavior analyst certified by the National Behavior Analyst Certification Board, a person with a master's degree in behavior analysis, other licensed education professionals, paraprofessional under section 120B.363, or mental health professional under section 245.4871, subdivision 27, who has completed the training program under subdivision 5.

(b) A school shall make reasonable efforts to notify the parent on the same day a restrictive procedure is used on the child, or if the school is unable to provide same-day notice, notice is sent within two days by written or electronic means or as otherwise indicated by the child's parent under paragraph (f).

(c) The district must hold a meeting of the individualized education program team, conduct or review a functional behavioral analysis, review data, consider developing additional or revised positive behavioral interventions and supports, consider actions to reduce the use of restrictive procedures, and modify the individualized education program or behavior intervention plan as appropriate. The district

must hold the meeting: within ten calendar days after district staff uses restrictive procedures on two separate school days within 30 calendar days or a pattern of use emerges and the child's individualized education program or behavior intervention plan does not provide for using restrictive procedures in an emergency, or at the request of a parent or the district after restrictive procedures are used. The district must review the use of restrictive procedures at a child's annual individualized education program meeting when the child's individualized education program provides for using restrictive procedures in an emergency.

(d) If the individualized education program team under paragraph (c) determines that existing interventions and supports are ineffective in reducing the use of restrictive procedures or the district uses restrictive procedures on a child on ten or more school days during the same school year, the team, as appropriate, either must consult with other professionals working with the child; consult with experts in behavior analysis, mental health, communication, or autism; consult with culturally competent professionals; review existing evaluations, resources, and successful strategies; or consider whether to reevaluate the child.

(e) At the individualized education program meeting under paragraph (c), the team must review any known medical or psychological limitations, including any medical information the parent provides voluntarily, that contraindicated the use of a restrictive procedure, consider whether to prohibit restrictive procedure and document any prohibition in the individualized education program or behavior intervention plan.

(f) An individualized education program team may plan for using restrictive procedures and may include these procedures in a child's individualized education program or behavior intervention plan; however, the restrictive procedures may be used only in response to behavior that constitutes an emergency, consistent with this section. The individualized education program or behavior intervention plan shall indicate how the parent wants to be notified when a restrictive procedure is used.

### **Subd. 3. Physical holding or seclusion.**

(a) Physical holding or seclusion may be used only in an emergency. A school that uses physical holding or seclusion shall meet the following requirements:

(1) physical holding or seclusion is the least intrusive intervention that effectively responds to the emergency;

(2) physical holding or seclusion is not used to discipline a noncompliant child;

(3) physical holding or seclusion ends when the threat of harm ends and the staff determines the child can safely return to the classroom or activity;

(4) staff directly observes the child while physical holding or seclusion is being used;

(5) each time physical holding or seclusion is used, the staff person who implements or oversees the physical holding or seclusion documents, as soon as possible after the incident concludes, the following information:

(i) a description of the incident that led to the physical holding or seclusion;

- (ii) why a less restrictive measure failed or was determined by staff to be inappropriate or impractical;
  - (iii) the time the physical holding or seclusion began and the time the child was released; and
  - (iv) a brief record of the child's behavioral and physical status;
- (6) the room used for seclusion must:
- (i) be at least six feet by five feet;
  - (ii) be well lit, well ventilated, adequately heated, and clean;
  - (iii) have a window that allows staff to directly observe a child in seclusion;
  - (iv) have tamper-proof fixtures, electrical switches located immediately outside the door, and secure ceilings;
  - (v) have doors that open out and are unlocked, locked with keyless locks that have immediate release mechanisms, or locked with locks that have immediate release mechanisms connected with a fire and emergency system; and
  - (vi) not contain objects that a child may use to injure the child or others; and
- (7) before using a room for seclusion, a school must:
- (i) receive written notice from local authorities that the room and the locking mechanisms comply with applicable building, fire, and safety codes; and
  - (ii) register the room with the commissioner, who may view that room.
- (b) By February 1, 2015, and annually thereafter, stakeholders may, as necessary, recommend to the commissioner specific and measurable implementation and outcome goals for reducing the use of restrictive procedures and the commissioner must submit to the legislature a report on districts' progress in reducing the use of restrictive procedures that recommends how to further reduce these procedures and eliminate the use of seclusion. The statewide plan includes the following components: measurable goals; the resources, training, technical assistance, mental health services, and collaborative efforts needed to significantly reduce districts' use of seclusion; and recommendations to clarify and improve the law governing districts' use of restrictive procedures. The commissioner must consult with interested stakeholders when preparing the report, including representatives of advocacy organizations, special education directors, teachers, paraprofessionals, intermediate school districts, school boards, WIN Academy providers, county social services, state human services department staff, mental health professionals, and autism experts. Beginning with the 2016-2017 school year, in a form and manner determined by the commissioner, districts must report data quarterly to the department by January 15, April 15, July 15, and October 15 about individual students who have been secluded. By July 15 each year, districts must report summary data on their use of restrictive procedures to the department for the prior school year, July 1 through June 30, in a form and manner determined by the commissioner. The summary data must include information about the use of restrictive procedures, including the use of reasonable force under section [121A.582](#).

**Subd. 4. Prohibitions.**

The following actions or procedures are prohibited:

- (1) engaging in conduct prohibited under section [121A.58](#);
- (2) requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;
- (3) totally or partially restricting a child's senses as punishment;
- (4) presenting an intense sound, light, or other sensory stimuli using smell, taste, substance, or spray as punishment;
- (5) denying or restricting a child's access to equipment and devices such as walkers, wheelchairs, hearing aids, and communication boards that facilitate the child's functioning, except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;
- (6) interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under section [626.556](#);
- (7) withholding regularly scheduled meals or water;
- (8) denying access to bathroom facilities;
- (9) physical holding that restricts or impairs a child's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso; and
- (10) prone restraint.

**Subd. 5. Training for staff.**

(a) To meet the requirements of subdivision 1, staff who use restrictive procedures, including paraprofessionals, shall complete training in the following skills and knowledge areas:

- (1) positive behavioral interventions;
- (2) communicative intent of behaviors;
- (3) relationship building;
- (4) alternatives to restrictive procedures, including techniques to identify events and environmental factors that may escalate behavior;
- (5) de-escalation methods;
- (6) standards for using restrictive procedures only in an emergency;
- (7) obtaining emergency medical assistance;
- (8) the physiological and psychological impact of physical holding and seclusion;

(9) monitoring and responding to a child's physical signs of distress when physical holding is being used;

(10) recognizing the symptoms of and interventions that may cause positional asphyxia when physical holding is used;

(11) district policies and procedures for timely reporting and documenting each incident involving the use of a restricted procedure; and

(12) schoolwide programs on positive behavior strategies.

(b) The commissioner, after consulting with the commissioner of human services, must develop and maintain a list of training programs that satisfy the requirements of paragraph (a). The commissioner also must develop and maintain a list of experts to help individualized education program teams reduce the use of restrictive procedures. The district shall maintain records of staff who have been trained and the organization or professional that conducted the training. The district may collaborate with children's community mental health providers to coordinate training.

**Subd. 6. Behavior supports; reasonable force.**

(a) School districts are encouraged to establish effective school-wide systems of positive behavior interventions and supports.

(b) Nothing in this section or section [125A.0941](#) precludes the use of reasonable force under sections [121A.582](#); [609.06, subdivision 1](#); and [609.379](#). For the 2014-2015 school year and later, districts must collect and submit to the commissioner summary data, consistent with subdivision 3, paragraph (b), on district use of reasonable force that is consistent with the definition of physical holding or seclusion for a child with a disability under this section.

**125A.0941 DEFINITIONS.**

(a) The following terms have the meanings given to them.

(b) "Emergency" means a situation where immediate intervention is needed to protect a child or other individual from physical injury. Emergency does not mean circumstances such as: a child who does not respond to a task or request and instead places his or her head on a desk or hides under a desk or table; a child who does not respond to a staff person's request unless failing to respond would result in physical injury to the child or other individual; or an emergency incident has already occurred and no threat of physical injury currently exists.

(c) "Physical holding" means physical intervention intended to hold a child immobile or limit a child's movement, where body contact is the only source of physical restraint, and where immobilization is used to effectively gain control of a child in order to protect a child or other individual from physical injury. The term physical holding does not mean physical contact that:

(1) helps a child respond or complete a task;



- (2) assists a child without restricting the child's movement;
- (3) is needed to administer an authorized health-related service or procedure; or
- (4) is needed to physically escort a child when the child does not resist or the child's resistance is minimal.
- (d) "Positive behavioral interventions and supports" means interventions and strategies to improve the school environment and teach children the skills to behave appropriately, including the key components under section 122A.627.
- (e) "Prone restraint" means placing a child in a face-down position.
- (f) "Restrictive procedures" means the use of physical holding or seclusion in an emergency. Restrictive procedures must not be used to punish or otherwise discipline a child.
- (g) "Seclusion" means confining a child alone in a room from which egress is barred. Egress may be barred by an adult locking or closing the door in the room or preventing the child from leaving the room. Removing a child from an activity to a location where the child cannot participate in or observe the activity is not seclusion.

### **Reset Room**

The Minnewaska Area WIN Academy Reset Room meets the definition of a seclusion room per the Minnesota Department of Education and MN Statute 125A.0942 subd. 3.

**Reset:** Removing a child from an activity to a location where the child cannot participate or observe the activity and includes moving or ordering a child to an unlocked room.

### **Procedures:**

- 1) Students will empty their pockets and remove all pens, pencils, or any other objects from their pockets prior to entering reset. If a student refuses to cooperate, staff will provide direct monitoring until the student complies. If a student refuses to remove an object that could harm them or damage property the SRO may be called to assess whether or not the item needs to be physically removed;
- 2) Students must sit in reset until they are able to demonstrate to Staff they are able to regulate prior to returning to class. The student may be offered a bathroom or water break about every 15 minutes;
- 3) Students are to use the time in reset to regulate themselves and process the event so they are able to return to class without further incident;
- 4) Students may complete a Fix-It Plan form at a time deemed appropriate by staff;
- 5) Once the student has demonstrated they have regulated themselves, they may return to their classroom or session;
- 6) Student's belongings may be returned to them once their reset is complete. Only items students are allowed to have in their possession will be returned;

7) Staff should inspect the Reset Room prior to and upon completion of each reset looking for damage and/or items that could cause harm to students. Staff will report any damage found to the reset rooms to the SRO;

8) If there is damage to the reset rooms the student may be held liable for all costs and may be charged with criminal damage to property. (*criminal damage to property: MN Statute 609.595*)

### **Seclusion**

Involves the confinement of a child alone in a room from which egress is beyond the child's control or prohibited by a mechanism such as a lock or by a device or object positioned to hold the door closed or otherwise prevent the child from leaving the room. The room used for seclusion must be well-lighted, well-ventilated, clean, have an observation window that allows staff to directly monitor the child in seclusion, fixtures that are tamper-proof, electrical switches located immediately outside the door, and doors that open out and are unlocked or locked with keyless locks that have immediate release mechanisms.

#### **Procedures:**

1. Students that are in imminent danger to themselves or others may be placed in seclusion;
2. Staff will directly monitor students in seclusion;
3. Seclusion must end when the student is able to demonstrate they are no longer an imminent danger to themselves or others. At this time the reset procedures will be followed;
4. The SRO (or other law enforcement) may be called to assist with students in seclusion.

### **Calming Area**

#### **Calming Area Purpose:**

The calming area is the student's chance to regulate away from their peers.

#### **Procedures:**

1. It is the staff's discretion on whether or not the student will be allowed to go to the calming area;
2. If a student chooses to use the calming area the student must inform the staff in charge that they would like to use the calming area;
3. Students are not allowed to use the calming area as avoidance;
4. If a student abuses the use of the calming area they may lose the opportunity to use that space, could potentially not earn points on their point card, and/or be sent for a reset.

### **Medication Policy (Administering Medication to Students)**

#### **General Statement of Policy**

The school district acknowledges that some students may require prescribed drugs or medication during the school day. The school district's licensed school nurse, school health paraprofessional (SHP), or nurse designee will administer prescribed medications in accordance with the law and school district procedures.

## Requirements

- A. The administration of prescription medication or drugs at school requires a completed signed request from the student's parent/guardian as well as the licensed prescriber.
- B. A "Administering Prescription Medications" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs.
- C. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with the law, and must be administered in a manner consistent with the instructions on the label.
- D. The school nurse may request to receive further information about the prescription, if needed, prior to the administration of the substance.
- E. Prescription medications are not to be carried by the student but will be left with the appropriate school district personnel. Exceptions may be viewed online by accessing the Wellness Policy through the MAHS webpage or requesting a hard copy in the MAHS office or business office.
- F. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration.
  - G. For drugs or medicine used by children with a disability, permission for administration may be as provided in the IEP, Section 504 plan, or IHP.
  - H. The school nurse, or other designated person, shall be responsible for the filing of the Administering Prescription Medications form in the health records section of the student file.

## Nonprescription Medication (Over the counter medication)

- A. Students may possess and use over the counter (OTC) **pain relief medication** in a manner consistent with the labeling if the school district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The school district may revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the privilege. The provision does **NOT** apply to the possession or use of any drug or products containing ephedrine or

pseudoephedrine as its sole active ingredient or as one of its active ingredients.

- B. **Students in grades K-6 are not permitted to self administer or carry over-the-counter medications.** The student's parent or guardian may provide a non-prescriptive pain relief medication (analgesic) to have available in the nurse's office if needed. A written authorization from the parent/guardian for the student must accompany the medication to be kept in the nurse's office.

## **ILLNESS**

Many students and parents are frequently concerned about when students should stay home or attend school. The following information is intended to help with this decision:

1. If a student has had a fever of 100 degrees or more, the student should stay home until 24 hours **fever free without fever reducing medication** after the temperature has returned to normal.
2. If a student has vomited or had diarrhea, the student should stay home until 24 hour **fever free without fever reducing medication** after the last episode.
3. If a student has any rash, check with the family physician before sending him/her to school.

**\*\*REMEMBER to inform the school by calling 239-3130 (attendance secretary) BY 8:00 a.m. when you intend to keep an ill student home.** If we do not hear from you by 8:00 a.m. the absence may be marked as unexcused and you will receive a phone call from our office. If we are unable to reach you, we may request a welfare check be done.

In cases of an accident in school, emergency first aid will be administered and every attempt will be made to notify parents or guardians before seeking additional medical attention if required.

## **Urinalysis Testing (UA's) Policy**

- 1) All students participating in the Minnewaska Area WIN Academy program are subject to random UA testing during school hours;
- 2) All students that are required to take a UA test must complete their UA test before they leave school for the day;
- 3) If a student fails a UA test the students' parents, social worker, probation officer, and possibly law enforcement will be notified of the students' failed test;

- 4) If a student refuses to take a UA test, the refusal will be the same as a dirty (or a failed) test. The students' parents, social worker, probation officer, and possibly law enforcement will be notified of the students' failed test.

### **Food and Beverages**

- 1) No caffeinated beverages are allowed. Water is preferred and must be in a clear bottle.
- 2) All food/treats for the classroom must be commercially produced. No homemade treats are allowed in the classroom.

### **Acceptable Electronic/Computer Use Policy**

The purpose of this policy is to set forth policies and guidelines for access to the School District's computers, computer systems, internal network, email, and communication systems, servers, Internet, and Internet technologies for safe and acceptable use. **See Minnewaska's new 1:1 Mobile Device Program and Usage Guide for students and parents.** This receipt of notification must be reviewed and signed which states that you have read, understand, and agree to abide by the compliance requirements of the Minnewaska Area Schools Program regarding the use of computers and the internet at our schools. Your signature also states that you authorize Minnewaska Area Schools to create and utilize "Microsoft Drive" accounts that will be under the control of Minnewaska Area Schools, but which reside elsewhere on the internet.

- 1) If a student uses another computer without staff permission they will be removed from the computer room for the day;
- 2) **No student at any time shall share their own password with another student.** Both students will be banned from the computer for two (2) weeks;
- 3) Any student caught downloading any inappropriate music, videos, or playing any inappropriate games may not be allowed to return to the computer room for a minimum of 2 weeks.
- 4) If students are found accessing inappropriate sites or are found to be gaming without permission, the student will lose computer privileges for a minimum of 2 weeks.
- 5) **Note:** *If you choose to share your password with another student you are only hurting yourself. You are allowing that student access to your computer settings and you will be responsible for any inappropriate material found on your computer.*

### **Students are not allowed to do the following:**

1. Share Passwords;
2. Email;
3. Instant Text Message;
4. Play Violent Computer Games;
5. Access Pornographic Sites;
6. Download Music;
7. Visit Chat Rooms;
8. OR, visit sites that a teacher, para or mental health staff find to be inappropriate.

### **Electronic Device Rules**

- 1) Students are not allowed to use electronic devices (including cell phones) at any time during school hours between 8:00 AM - 2:45 PM WITHOUT PERMISSION; **To be in compliance with HIPPA: Absolutely no recording, audio/video or pictures are allowed to be taken at WIN Academy.**
- 2) Violations of the electronic device rules will result in the item in question being confiscated by staff and may be returned to the student until the end of the school day;
- 3) The 3<sup>rd</sup> and subsequent violation will result in the item confiscated and a parent must come in to pick up the item.
- 4) Students who are suspected of being non-compliant with WIN's electronic device rules may be subject to a search of their person and belongings.

### **Dress Code**

It is our feeling that there is a strong correlation between student dress and student attitude. Good taste in dress and grooming is an important part of a wholesome school atmosphere. Parents are urged to assist the school in ensuring that their children wear appropriate clothing to school. Students are given the opportunity to determine their own dress and appearance provided that it:

1. Meets standards of personal hygiene;
2. Doesn't impair one's safety or cause a hazard to others;
3. Doesn't interfere with or disrupt the learning process;
4. Meets standards of decency, as interpreted by office staff and faculty;
5. Shorts/Skirts/Dresses must exceed extended arm/fingertip length;
6. Undergarments may not be exposed;
7. Midriff and/or low cut tops (with or without bib overalls) are not acceptable in school – fabric of shirt must overlap waistline of pants/skirts;
8. Clothing with slogans and/or graphics that promote violence, gang activity, use of tobacco, alcohol or other controlled substances or sexual activity are not to be worn to school or school activities;
9. Students are to keep hats and caps, coats and backpacks in their lockers during the school day, except if the privilege is earned on Fridays or by *administrative* approval;
10. Pants/shorts are to be worn at the waist.

NOTE: State laws require all persons to wear shoes in public places.

### **Incomplete/Make-Up Work Policy**

- A. Each teacher will establish a policy for makeup work missed due to absence and will notify each student of the policy within the first week of class.
- B. Students will be expected to make up all previously announced tests on the date of their return.
- C. Makeup work shall be directly related to the subject matter taught and shall be approximately equal to the work and class time missed.

D. Absences will not arbitrarily result in a reduction in grades, but failure to complete work will affect grades as no credit or a zero will be given for work turned in after the incomplete deadline established by each teacher.

E. All assignments including "no credit" or "zero" assignments may be required by the teacher before a satisfactory grade (A through D) will be earned for the quarter.

F. A course grade of "incomplete (I)" will be recorded at the end of the quarter for students who have not completed the instructor's selected policy. An incomplete will become an "F" five school days after quarter grades are mailed from the school, subject to the student's right to a due process hearing.

G. Extensions of the incomplete policy may be made due to extenuating circumstances.

## **GRADUATION REQUIREMENTS**

To be eligible for a diploma at commencement exercises, Minnewaska Area WIN Academy students must meet the required credits (see list below). These credits must be earned in grades 9 through 12. WIN Academy does have an early graduation option. If you plan on graduating early you must have all credits completed at the end of a semester. The following credits are required at each grade level and must be successfully completed for graduation. In addition, all Minnewaska Graduates will be expected to have volunteered at least 10 hours of their time to local groups and/or causes. Besides being able to be a part of a great cause, volunteering is a requirement to graduate from Minnewaska Area Schools.

<b>Grade 9</b>	<b>Grade 10</b>	<b>Grade 11</b>	<b>Grade 12</b>
<b>Class of 2026</b>	<b>Class of 2025</b>	<b>Class of 2024</b>	<b>Class of 2023</b>
English 9 – 1 cr	English 10/ <a href="#">Adv Eng</a> – 1 cr	English <a href="#">11 /AP Lit</a> – 1 cr	<a href="#">Eng 12/AP Language</a> - .5 cr
US History – 1 cr	World Hist/AP – 1 cr	Comp. .5cr ( <b>gr 11/12</b> )	Eng Comm - .5 cr ( <b>gr 11 /12</b> )
Phy Science - 1 cr	Biology – 1 cr	Sociology - .5 cr	Amer Gov – .5 cr
Math – 1 cr	Math – 1 cr	Economics - .5 cr	Math – 1 cr ( <b>gr 11 or 12</b> )
Health - .5 cr		Math – 1 cr ( <b>gr 11 or 12</b> )	Science – 1 cr ( <b>gr 11 or 12</b> )
Phy Ed - .5 cr		Science – 1 cr ( <b>gr 11 or 12</b> )	

### **Grades 9-12: 1.0 cr. Music/Arts – Visual or Performing (Band /Choir)**

### **Credit Requirements to Graduate**

Class of 2023 & Beyond - 25.0 credits ( Required courses – 15.5 credits; Electives – 9.5 credits)

### **MCA III Testing**

Students will take the MCA III test as follows:

- Grade 7: Math and Reading
- Grade 8: Math, Reading and Science
- Grade 10: Reading and Science
- Grade 11: Math

\*Students attending WIN Academy from districts other than Minnewaska will work with their IEP team to determine credits requirements necessary for graduation.

### **School-Wide Level System Behavior Plan**

We are working together to provide a positive and safe learning environment with the use of a program that incorporates our PBIS values and is integrated with the youth's treatment plan process. Our goal is to create a therapeutically structured environment where youth are able to:

- build self-esteem
- promote self-discipline
- focus on internal motivation
- eliminate fear and coercion

### **The following is a summary of the behavioral program utilizing a 4-level system:**

A student's team will work with each of them to gain and master skills at each level using our PBIS values. Students earn a score in each of the four areas: Safety, Teamwork, Accountability, and Relationships.

Scores of 2-1-0 are given.

2=demonstrated skill all of the time

1=demonstrated skill most of the time

0=minimal demonstration of skill

Students are assessed every 30 minutes

Procedure of Level System:

Level 1 (Yellow card) – entry and gaining skills

Level 2 (Green card) – gaining skills

Level 3 (Blue card) – gaining skills (preparing for transition and completing treatment goals)

Level 4 (White card) – mastering skills (transitioning, completing treatment goals, and preparing for graduation of the program)

In order to request a level move, students will need to consistently demonstrate mastery of the level skills by earning **(90%)** on their points for a period of 30 school days. They then can request their level move. They will discuss this with their individual practitioner and get their level move form to complete. Their level move application will be discussed with the team at the ITP review. *Final decisions on all level moves will be approved by the mental health professional.* If a meeting is not scheduled, all team members will be consulted for the move to be completed.

### **Point Cards**

Digital point cards will track points earned in the core values (Safety, Teamwork, Accountability, Relationships) of the assigned level. They will also address positive/negative issues regarding attendance, bus incident, home reports, positive/negative comments regarding overall behavior, and



time outs. If a student is not excused for their absence, they may receive zeros for the day. To be determined by administration.

### **Reset**

When a reset is earned, the student will report to a reset room or agreed upon space until their behavior is regulated. The student may be required to complete a Fix-It Plan before returning to class or when reasonable for the student to do so. If the reset is taking an unreasonable amount of time, the student could potentially earn: reflection room , ISS or other consequences based on their individual behavior plan.

### **Reflection Room**

A Reflection Room is a private space where a student can work one on one with a staff member. This space can be utilized upon student request, or at the direction of staff for the student to work in a quieter space. It may also be used as a consequence for behaviors at the discretion of staff. If the space is being used as a consequence, the student will not earn points for the time period assigned to the reflection room.

### **STUDIO**

The Studio can be utilized for both a quiet space to work if a student is unable to work in the classroom or group setting and for In-School Suspension.

### **In-School Suspension (ISS) Expectations**

- 1) Electronics allowed for school work only;
- 2) Students must follow staff directions at all times;
- 3) Point system rules apply the same as they do in the classroom;
- 4) Students are not allowed to sleep at any time of the day;
- 5) Students must complete all of his/her work given to them by staff;
- 6) Students must eat their breakfast and lunch in the ISS room;
- 7) Students may go to gym class if approved by staff;
- 8) In order to leave the ISS room students must have permission from staff;
- 9) Bathroom/water breaks will be scheduled with staff;
- 10) Students who would like meetings with other staff in the building must have the meeting arranged and approved by ISS staff.

\*\*Students will earn zero points for the assigned day/s of ISS – Point card fines will be used prior to the student earning ISS unless going through the reset process. If a student misbehaves in ISS, their ISS day will not count. Students will receive 3 warnings and then a reset will be required. Students may go for a cool down without penalty. Staff will assign ISS from the original incident. If one day is assigned then one successful day needs to be completed. Upper levels will be on level probation for the number of days the student is in ISS.

\*Student's teams and school administration have the discretion to use other consequences as deemed appropriate.

### **Friday Free Time/School Activities (not level dependent):**

Students may have the opportunity to earn special privileges and rewards. (Friday Free Time, 2nd recess etc.) Building wide incentives will also be planned throughout the year. Details on these privileges and events will be provided by staff.

### **Level Privileges**

Level privileges will be determined by the student's team.

### **Level Probation**

Once a student earns level 2 – 4, the student is subject to earning level probation. If on probation, the digital point card will indicate 'probation' and the student will only be eligible for privileges of the previous level but continue to work off their current level card. (for example: if on level 3, probation level will be 2, card carried will be level 3 with probation stamp). Students will earn probation for the number of days point value drops/ISS is earned. Probation starts once out of ISS.

### **Level Drop**

Will be determined by WIN Academy Team for lack of progress on identified target behaviors or as determined by school policy – for example: bullying, physical assault, chemical use, weapon violation.

### **Positive Behavioral Intervention Supports (PBIS)**

Positive Behavior Intervention Supports (PBIS) is a process for creating safer and more effective schools. Minnewaska Area WIN Academy is a state-certified PBIS school. We work to bring the values of Safety, Teamwork, Accountability, and Relationships throughout the school day. The goals of the program are:

- Focus on acknowledging students for consistent positive behavior.
- Teach and reteach behavior expectations as specific skills with expectations clearly outlined for students. Skills are taught in relation to real-life situations.
- Recognize students who demonstrate quality behavior.
- Engage students in problem-solving when problem behaviors occur.
- Implement routines and language that are consistent throughout the school.

### **Minnewaska W.I.N. Academy Behavioral Matrix**

\*This is a guideline that will be used in determining consequences. Individual circumstances may be used to assist in guiding on a case by case basis. All determinants are at the discretion of W.I.N. Academy staff and administration of Minnewaska Area Schools. W.I.N. Academy staff will additionally utilize the "Predictable Responses to Challenging Behaviors" in handling behavioral situations that arise.

Misbehaviors	1 <sup>st</sup> Offense	2 <sup>nd</sup> Offense	3 <sup>rd</sup> Offense	4 <sup>th</sup> Offense
Absences (excessive), Skipping/Tuancy	Detention, parent contact	Detention, parent conference	ISS, parent contact, truancy mediation	County attorney
Alcohol use,/possession	OSS up to 3 days, Police referral, parent conference	OSS 3-5 days, Police referral, Student Assistance Team referral	Potential for expulsion	
Bullying/Harassment	Detention, conference with Principal, Parent contact	ISS up to 3 days, Parent/Student meeting	ISS up to 5 days, parent meeting to discuss the appropriateness of setting.	
Bus Conduct	Verbal warning, parent contact	Detention, parent contact.	1-3 day bus suspension,	3-5 day bus suspension, parent/bus company meeting <b>5<sup>th</sup> Offense:</b> 5-10 day bus suspension. <b>6<sup>th</sup> Offense:</b> 10 days or longer bus suspension. **Consequences can be skipped/repeated at the discretion of the principal in consultation with the bus company.
Electronic Device Misuse Cell phones and other electronic devices that have recording capability are not allowed at WIN Academy. Cell phones etc must be turned in to your classroom teacher.	Phone/device confiscated for the remainder of the day and parent notified.	Phone/device confiscated and parent must pick it up.	Phone/device confiscated, parent must pick up, and team meeting to discuss a plan moving forward.	
Cheating	Zero on assignment, parent contact	Parent contact, detention, zero on assignment	ISS, zero on assignment, parent conference	
Chemicals (drugs)	OSS up to 3 days, Police referral, parent conference	OSS 3-5 days, Police referral, parent conference	Potential for expulsion	
Disruptive behavior	Reflected on the point card	1 day ISS	ISS, 1-3 days, possible Saturday school	OSS, possible Saturday school
False Fire Alarm	ISS (3 day min) Police referral	ISS, Police referral	OSS 5 days, police referral	
Fighting	Detention and/or ISS, parent contact	ISS and/or OSS, police referral, parent conference	OSS, referral to SAT, police referral	
Forgery	Detention, parent contact	ISS (1 day)	ISS (3 days)	
Technology Misuse	Detention, return the device to original form, parent contact	Detention, device suspension for up to 1 week, parent conference	ISS, device suspension for up to 1 month, parent conference	
Inappropriate Dress	Conference & alter attire	Conference, alter attire, and parent contact.	Conference, alter attire, possible ISS	
Insubordination (including academic insubordination)	Detention, parent contact	ISS 1 day, parent meeting, possible Saturday school	1-3 days ISS, parent/student meeting, possible Saturday school	OSS, parent/student meeting, possible Saturday school
Internet misuse	Up to 3 week suspension from using a computer, parent contact	30-day suspension from computer, parent conference.		
Lunchroom Misconduct	Lunchroom cleaning	Lunch detention, clean lunchroom,	1-3 day ISS, clean lunchroom, possible Saturday school	Parent/student meeting, possible Saturday school
Physical Assault	Up to Recommended expulsion and police referral			
Obscene Materials	Reflected on the point card	1 day ISS	3 days ISS	
Profanity (written, spoken & gesture)	Reflected on the point card	1 day ISS, parent contact	ISS (1-3 days), parent meeting	OSS

Stealing	Reflected on point card, item returned/replaced, parent contacted.	ISS (1-3 days), Police Referral, parent meeting	OSS, Police referral	
Tardies	Per classroom teacher policy			
Threats/Intimidation	Reflected on point card, parent contact	Up to 3 days ISS, parent meeting, police referral	OSS, Police referral, Possible exclusion	
Tobacco Violations	1 day ISS, parent contact, police referral	1-2 days OSS, Police referral, parent meeting	OSS up to 3 days, Police referral.	
Verbal Assault	1-3 day suspension	3-5 day suspension	5-10 day suspension, parent meeting, and police referral	Recommendation for expulsion
Weapon/Terroristic Threat	5-10 day suspension, team meeting required before returning to school	Recommendation for expulsion		

## **Zero Tolerance**

At Minnewaska WIN we believe every student has a right to:

1. Be treated with respect and courtesy
2. Learn without disruption
3. Attend school every day
4. Feel safe

In addition, we endorse the right of teachers to feel safe in their classrooms and teach without disruption. Therefore, we have zero tolerance for the following actions. If a student commits any of the following actions they will be suspended and the principal will make a recommendation to the Superintendent for expulsion. The Superintendent will decide if a hearing should be held in front of the Board of Education to expel the student.

1. The possession or use of any narcotic drug steroid, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind on school property at any time or at any school-sponsored function is expressly forbidden. Likewise, the possession or use of any substance which is represented to be a narcotic drug, steroid, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, depressant, or intoxicant of any kind on school property at any time or at any school-sponsored function is expressly forbidden.
2. A loaded or unloaded firearm, a weapon, device, laser or electronic stun weapon equipment, chemical substance, or other material that in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury.
3. Assaulting a school staff member.
4. Possession of a weapon:
  - Possession of a weapon will result in:
    1. Confiscation of the weapon
    2. Notification of the police
    3. A recommendation to the Superintendent that the student is permanently expelled from the school

“Possession”. Students and non-students, including adults and visiting youths, are forbidden to knowingly or voluntarily possess, store in an area subject to one’s control, handle, transmit or use an instrument that is considered a weapon in school, on school grounds, at school activities, on school buses or school vehicles, or entering upon or departing from school premises, property, or events. Possession of a weapon includes a look-alike weapon that is used with intent to intimidate or cause or create fear in another because of the similarity in appearance of the look-alike weapon to an actual weapon that is prohibited by these rules. This prohibition applies to all school-owned buildings and grounds, leased or owned, and within all school-owned, leased, or contracted vehicles.

“Weapon”: means any firearm, whether loaded or unloaded, any device or instrument designed as a weapon or through its use capable of threatening or producing great bodily harm, any combustible or flammable liquid or other device or instrumentality that, in the manner, it is used or intended to be used, is calculated or likely to produce death or great bodily harm, or any device or instrument that is used to threaten or cause bodily harm or death. The following are examples of weapons but are not limited to: guns (including pellet guns, look-alike guns and non-functioning guns that could be used to threaten others), knives with a blade, clubs, metal knuckles, nunchucks, throwing stars, explosives, stun guns, ammunition, lead pipes, darts, chains, explosives (fireworks, firecrackers, smoke bombs) flammable liquids and mace.

“Non-Weaponry Objects”: means any article designed for other purposes but may be used to inflict bodily harm and/or intimidate or cause fear. The following are examples of non-weaponry objects but not limited to: belts, combs, pencils, files, compasses, scissors, and poisonous chemicals. The use of a non-weaponry object to inflict bodily harm, or intimidate, or cause fear in another is prohibited by this policy.

\*\*A student who finds a weapon on the way to school or in the school building and takes the weapon immediately to the WIN office shall not be considered in possession of a weapon.

5. Making a bomb threat.
6. Making a death threat – with malice and intent.
7. Setting a fire, or attempting to set a fire.

Having read this Zero Tolerance policy, I agree to abide by the policy and the procedures of Minnewaska Area Schools and realize that I may be subject to disciplinary action if I do not abide by the policy.

## **Code of Conduct**

\*At WIN Academy, we strive to use PBIS models of intervention when consequences are necessary. Discipline will be handled on a case by case basis by the student's team, with the approval of the Program Director.

## **BEHAVIORS:**

### **Alcohol and drugs, Possession or Use of**

Possession or use of any alcohol, drugs, or drug paraphernalia in or on school premises, or in an area where school activity is taking place is absolutely forbidden. Students found in violation will be suspended from school and may be required to have a drug evaluation. Law enforcement agencies may be contacted. A parent conference will be held prior to the student being readmitted to school. Offenses are cumulative in grades 4-12.

- 1st Offense: 1-3 days out of school suspension;
- 2nd Offense: 3-5 days out of school suspension;
- 3rd Offense: The offender will appear before the Board of Education with his/her parent/guardian to participate in a hearing to determine the facts and obtain testimony pursuant to expulsion from school.

**Note:** To ensure a safe and drug-free environment at WIN Academy the school board has approved the use of drug-detecting dogs to randomly search the school property. When this procedure is used, the dogs may systematically search the parking lot, lockers, and classrooms for illicit drugs. Although we would not have the dogs systematically search students, it is possible that the dogs would detect drugs stored in books, backpacks, and clothing. We would follow-up all leads with a legally conducted search. The search and follow-up action will be handled by school designated law enforcement officials. Parents will be notified any time a student's locker or personal belongings are searched

**\* Sale of illegal substances may result in expulsion and law enforcement will be notified.**

### **Bus Discipline**

The school district provides bus transportation for all who qualify. It is the responsibility of each student riding the bus to behave properly in order to keep this privilege. Driving demands the bus driver's full attention. For the safety of everyone, do nothing to distract the bus driver.

### **Cheating/Lying**

Cheating cannot be approved of in any educational facility. WIN Academy students caught cheating, both the person supplying the answers and the person receiving them will receive a zero for the work. Lying to staff or forging notes will be treated the same as cheating. Cheating may also be copying content, data, etc., from another source and turning it in as their own work or better known as **plagiarism**.

The student may meet with their parent/guardian, counselor, principal, and teacher to review the incident to determine if additional action should be taken. Students involved in extracurricular and

co-curricular activities will also be governed by the Minnewaska High School and WIN Academy eligibility rules guidelines.

### **Class Disruptions**

When a student's behavior is causing others in the class to lose focus on their work, it is considered a classroom disruption. This can include inappropriate comments, loud or obnoxious behavior, talking to others during lectures, etc.

### **Classroom Rule Violations**

Classroom rules may be more restrictive in some cases. For example, gum-chewing may not be permitted in some classes. Teachers must have the classroom rules and consequences posted in their rooms or provide each student with a written copy. The teacher will take points away from the student, and may send the student to reset. The student may also receive In-School Suspension for their violations.

### **Fighting**

Fights are any physical confrontation that involves the use of fists or the use of any physical force in anger. Students involved in fights on school property may receive up to three days of suspension (This could be either in-school or out-of-school.) Parents will be notified and a conference may be held before re-admittance to school. Law enforcement may also be notified and assault charges could be filed.

### **Bullying**

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with students' ability to learn and teachers' ability to educate students in a safe environment. An act of bullying, by either an individual student or a group of students, is expressly prohibited on school district property or at school-related functions. Minnesota anti-bullying laws now cover off-campus conduct through the use of electronic technology and communications to the extent such use substantially and materially disrupts student learning or the school environment.

Bullying can be defined as intimidating, threatening, abusive, or harmful conduct that is objectively offensive and the conduct itself involves an imbalance of power that is repeated. The act itself must substantially interfere with a student's education or ability to participate in school activities.

ISD 2149 will act to investigate all complaints of bullying and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or another employee of the school district who is found to have violated this policy.

The misuse of technology including, but not limited to, teasing, intimidating, defaming, threatening, or terrorizing another student, teacher, administrator, volunteer, contractor, or another employee of the school district by sending or posting e-mail messages, instant messages, text messages, digital pictures or images, or website postings, including blogs, also may constitute an act of bullying.

Consequences for students who commit prohibited acts of bullying may range from positive behavioral interventions up to and including suspension and/or expulsion. The primary contact for reporting bullying at WIN Academy is the Program Director.

**Bullying can be defined as:**

- 1) **Physical Bullying** – This includes hitting, kicking, pushing, choking, punching...
- 2) **Verbal and Non-Verbal Bullying** – This includes threatening, taunting, teasing, hate speeches, insults, pictures, drawings, cartoons, ...
- 3) **Exclusion or Relational Bullying** – to purposefully try to convince peers to exclude or reject a certain person or people and cut the victims off from their social connections, manipulation of friendship relationships, spreading rumors, ...
- 4) **Extortion** – This includes stealing money and possessions, ...
- 5) **Cyberbullying** – via websites, emails, chat rooms, etc.

**Procedures:** All bullying allegations will be investigated within 3 days of the initial referral.

- a) If any of the above actions make you feel uncomfortable or fearful, you need to tell a teacher, counselor, social worker, a principal, psychologist, our mental health professional, or the superintendent;
- b) All referrals will be processed using an investigation form;
- c) Your right to privacy will be respected as much as possible;
- d) We take seriously all reports and will take appropriate actions based on your report;
- e) The Minnewaska Area School district will take action if anyone tries to intimidate you or take action to harm you because you have reported the event;
- f) All incidents of bullying will be reported to parents as well as reported to the MN Department of Education.

**Consequences may include one or more of the following:**

- 1) Parent notification
- 2) Education through reading, videos, etc.
- 3) Restorative Justice Activity
- 4) Social skills curriculum
- 5) Removal from class or school
- 6) Restitution
- 7) Journaling
- 8) Police report
- 9) Written or verbal apologies
- 10) Other actions deemed appropriate based upon the severity and frequency of incidents

**District 2149 Policy against Religious, Racial and Sexual Harassment and Violence**

- 1) Everyone at District 2149 has a right to feel respected and safe. Consequently, we want you to know about our policy to prevent religious, racial, or sexual harassment and violence of any kind as referenced in statute 121A.03;



- 2) A harasser may be a student or an adult. Harassment may include the following when related to religion, race, sex, or gender:
  - a) name-calling, jokes or rumors
  - b) pulling on clothing
  - c) graffiti
  - d) notes or cartoons
  - e) unwelcome touching of a person or clothing
  - f) offensive or graphic posters or book covers; or
  - g) any words or actions that make you feel uncomfortable, embarrass you, hurt your feelings or make you feel bad;
- 3) If any words or actions make you feel uncomfortable or fearful, you need to tell a teacher, counselor, the director, or the Human Rights Officer (Superintendent).
  - a) At WIN Academy the Designated contact persons are:
    - i) School Resource Officer, Ryan Franks
    - ii) Mental Health Director, Leah Oeltjen
    - iii) Educational Director, Kelly Quade
- 4) You may also make a written report. It should be given to a teacher, counselor, the director or the Human Rights Officer (Superintendent);
- 5) Your right to privacy will be respected as much as possible;
- 6) We take seriously all reports of religious, racial or sexual harassment or violence and will take all appropriate actions based on your report;
- 7) The School District will also take action if anyone tries to intimidate you or take action to harm you because you have reported;
- 8) This is a summary of the School District policy against religious, racial and sexual harassment and violence. Completed policies are available in the district or high school offices upon request;

**RELIGIOUS, RACIAL, AND SEXUAL HARASSMENT AND VIOLENCE ARE AGAINST THE LAW --  
DISCRIMINATION IS AGAINST THE LAW**

CONTACT: The Superintendent and/or Human Rights Officer; Or Kelly Quade, WIN Academy Director at: Minnewaska Area WIN Academy, 500 John St., Starbuck MN 56381 320-239-2257

**Hazing Policy**

**“Hazing” Definition:**

Means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose as referenced in Minnesota Statute 121A.69.

**Reporting Procedures**

- 1) Any person who believes he or she has been the victim of hazing shall report the alleged acts immediately to an appropriate school district officials designated by this policy.
- 2) The building Principal or the Assistant Principal, is the person responsible for receiving reports of hazing at the building level. Any person may report hazing directly to a school district human rights officer.

### **School District Actions**

- 1) Upon receipt of a complaint or report of hazing, the school district shall undertake or authorize an investigation by school district officials.
- 2) Upon completion of the investigation, the school district will take appropriate action. Such action may include but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. For more information, a complete copy of the hazing policy is on file in the Superintendent's Office.

### **Insubordination**

Refusing to obey the reasonable demands of the school staff is insubordination. This includes comments made in the classroom, halls, cafeteria, school events, etc. Insubordination will not be tolerated.

### **Nuisance Devices**

Nuisance devices are such objects as water guns, pea shooters, paper projectiles, noisemakers, etc. These devices in the possession of students present a clear and present danger to others and are prohibited in any school building or on school grounds. The article shall be confiscated and appropriate disciplinary action taken.

### **Rollerblades, Skateboards, etc.**

Rollerblades, skateboards, etc., are not allowed during the school day and are never to be used on the school grounds.

### **Pornographic Material: Possession, Use or Distribution of:**

The possession, use, or distribution of pornographic material will result in the immediate notification of parents, detention, and possible suspension from school. The length of suspension may be from 1 to 5 days, depending on the circumstances. **This includes Internet usage.**

### **Profanity/Inappropriate Comments**

Profanity is verbal or written material that shows disrespect or abuse toward others. It is the cursing, swearing or use of words that are inappropriate in a public facility. **Note:** Profanity, insults or verbally abusive language directed toward any school staff or teachers may result in an automatic suspension.

### **Rude/Discourteous Behavior**

Yelling, name-calling, sarcasm or character degradation will not be tolerated. If the teacher makes a simple request, e.g., don't run in the hallway, stop talking in class, etc., you do not need to question the request; just follow the directions.

## **Stealing**

Stealing is a behavior that is not tolerated by Minnewaska Area Schools. Students may have traditional consequences as outlined in the behavior matrix. If a pattern of theft or item of large value has been stolen, law enforcement may be notified as well.

## **Tobacco, Possession or use of**

Possession or use of tobacco or tobacco-related devices such as “electronic cigarettes” or E-Cigs or in any form in any school building, on school grounds, on a school bus, or at any other premises in which students from Minnewaska Area WIN Academy are participating is prohibited. Any student found violating the rules on the use of tobacco shall be disciplined in the following manner:

- 1) 1st Offense: 1 day in-school suspension. (Law enforcement will be informed)
- 2) 2nd Offense: 1-3 days in-school suspension. (Law Enforcement will be informed)
- 3) 3rd Offense: 3-5 days in-school suspension. ( Law enforcement will be informed).

## **Weapons Policy**

Bringing a dangerous weapon on school property is a violation of Minnesota law. It is a serious violation called a felony. You may not possess a dangerous weapon at any time on school property. You should also know that possession on school property includes on a school bus, on school property, or any property leased by a school. See the district’s web page for the full version of the policy:

[www.minewaska.k12.mn.us](http://www.minewaska.k12.mn.us)

### **“Weapons” are identified by two categories:**

- a) Articles commonly used or designed to inflict bodily harm and/or intimidate other persons. Examples are: firearms, whether loaded or unloaded, knives, clubs, metal knuckles, nunchucks, throwing stars, explosives, stun-guns, ammunition, chains, pellet guns, look-alike guns and other non-functioning guns that could be used to threaten others.
- 2) Articles designed for other purposes but which are actually used to inflict bodily harm and/or intimidate. Examples include but are not limited to: belts, combs, pencils, files, scissors, compasses, broken glass, and letter openers.
  - Minimum corrective actions shall include initial suspension for five days, confiscation of weapon, notification of police, and parental notification.
  - An assessment team composed of building principal, assistant principal, counselor, teacher representative, and a law enforcement representative will meet to make further recommendations for resolving the incident. This may be a recommendation to the School Board for exclusion or expulsion.
  - Violation of the terms of Minnesota law will result in statutory penalties, which may include significant fines and prison.

## **Attendance Policy**

### **Minnesota Attendance Law**

All children between the ages of 7 and 17 shall attend school each day school is in session. Hence, the school and the State of Minnesota insist that students attend every day unless they have excusable

reasons. Failure to meet this requirement will result in the notification of truancy being filed with Social Services and the County Attorney's Office.

### **Attendance Policy**

There is a direct relationship between good attendance and success in school. It is the recommendation of administration and staff that no more than seven (7) days of absenteeism will be allowed for credit in any given quarter. Seat time will be made up at a 1:1 rate for any students exceeding the allowable number. Students must be in school from 11:00-3:10 in order to participate or attend extra-curricular activities that school day unless special circumstances have been discussed with the principal ahead of time.

### **Excused Absences**

Excused absences may be given for the following reasons:

- Illness\*\*
- Necessary medical attention or health-related problems.
- Serious illness or death of someone in the immediate family.
- Emergencies calling for the student at home.
- Family trips, college visits, **when arrangements have been made in advance with the attendance secretary.**

**\*\*REMEMBER to inform the school by calling 239-2257 X3130 (attendance secretary) by 8:00 a.m. when you intend to keep an ill student home.**

### **Minimum Attendance**

By policy, attendance will be reviewed quarter by quarter. Students in grades 7-12 who are absent, excused or unexcused, over **7 times in a quarter terms** will be required to make up hours/work during Saturday school, before/after school detentions, by attending non-student days, etc., at the discretion of the director before they will receive credit for the course. **Extenuating circumstances will be decided on a case-by-case basis by the Minnewaska Area WIN Academy Director.**

### **Excuse from Physical Education**

Students will not be excused from physical education class unless they present either of the following:

1. **Doctor's excuse.** This excuse must include the length of time for non-participation from regular physical education or an adaptive physical education.
2. **Parental excuse.** This is valid for one class meeting.

### **School Locker Policy**

#### **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."

**Subdivision 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.

### **Voluntary Searches**

Students may be asked for permission to search their backpacks or other personal items. When a search is voluntary, the student is free to withhold consent and a student's refusal to consent to a voluntary search will not result in additional discipline or other adverse consequences.

### **Tennessee Warning**

Students have the right to refuse questioning. However, students are expected, by school policy, to cooperate with school officials when being questioned in a disciplinary investigation. Non-cooperation may result in disciplinary action. Information received will be released to school officials, parents, guardians, the MSHSL if necessary. Suspected criminal activity will be submitted to law enforcement.

### **Emergency Closing Days**

Emergency closing make-up days can come in the form of Flexible Learning Days through the school year or make-up days that occur during the school year or after.

### **SCHOOL CLOSINGS**

In the event of a school closing, families will be notified by phone, text or email by School Messenger. School Messenger is a broadcast service used by Minnewaska Area Schools to communicate with families. You may also listen to the following stations for school closings:

TV: KARE, KSTP, KCCO, WCCO

Radio: WCCO, KMGK, KXRA, KSCR, KIKV, KMRS, KS95, KDJS, KVMY, KWLM

This will be an official announcement. **Do not call the school.** If you feel the weather has made the roads unsafe, please call the attendance secretary at 320-239-2257 X3130 to report that your student will be staying home.

**2022-23 CALENDAR**

August 22, 23, 24, and 25..... Inservice/Workshops  
August 29..... First Day of School  
September 2.....No School  
September 5.....Labor Day (No School)  
October 20 & 21 ..... EM Break (Education Minnesota)  
October 24..... Inservice - No School  
November 4.....Inservice-No School  
November 7.....No School  
November 24 & 25. .... Thanksgiving (No School)  
December 23-Jan 3. .... Winter Break  
January 4. .... School Resumes  
January 16..... Inservice-No School  
February 17..... No School  
February 20.....In-Service-No School  
March 17.....Inservice - No School  
March 20 & 21.....No School - Spring Break  
April 7.....No School  
April 10..... No School  
May 26.....Last Student Day  
May 29.....Memorial Day  
May 30.....Inservice/Workshop

**WIN (Quarters)**

September 30..... 1st Mid-quarter  
November 3 ..... End of 1st Quarter  
December 9 ..... 2nd Mid-quarter  
January 13 ..... End of 1st Semester  
February 16 ..... 3rd Mid-quarter  
March 16 ..... End of 3rd Quarter  
April 21.....4th Mid-quarter  
May 26..... End of 2nd Semester

## Signature Page

I have received, read, and understand the W.I.N. Academy Policies distributed by Minnewaska Area Mental Health and Special Education Program. I have read, understood, and have gone through all policies with my son/daughter.

The Minnewaska W.I.N. Academy Program will attempt to use positive behavioral interventions during times when my son or daughter is having a crisis. My son or daughter may have the opportunity to use a calming space to assist them in calming down. In the event of an emergency situation (i.e. threat to self or others), I understand that restricted procedures, in accordance with state law and performed by staff certified in Crisis Prevention Institute (CPI), may be used with my son or daughter, and/or, in emergency situations, may be placed in manual restraints by law enforcement. Further, I understand that my son or daughter may be manually restrained until he or she has calmed down or law enforcement authorities have taken my son or daughter into custody or transported to the local hospital.

I also understand that my son or daughter will be subject to random Urinalysis Tests (UA's) at any time during the school day.

Student's Name: \_\_\_\_\_

Student's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parents Name: \_\_\_\_\_

Parents Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Staff Name: \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_