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INDEPENDENT SCHOOL DISTRICT 199
Inver Grove Heights Community Schools
2990 80th Street East
Inver Grove Heights, Minnesota 55076

STAFF NOTIFICATION OF STUDENT WITH HISTORY OF VIOLENT BEHAVIOR

I. Purpose

In an effort to provide a safe school environment, MN Statute 121A.64 establishes that a classroom teacher has a legitimate educational interest in knowing which students placed in the teacher's classroom have a history of violent behavior and mandates teacher notification prior to such students being placed in the teacher's classroom.

The purpose of this policy is to address the circumstances in which data should be provided to classroom teachers and other school staff regarding students with a history of violent behavior and to establish a procedure for notification of staff with a legitimate educational interest regarding the placement of such students.

II. General Statement of Policy

- A. Any staff member or other employee of the school district who obtains or possesses information concerning a student in the building with a history of violent behavior shall immediately report said information to the principal of the building in which the student attends school.
- B. The administration will meet with the assigned classroom teacher and other appropriate staff members for the purpose of notifying and determining how staff will manage such student.
- C. Only staff members who have a legitimate educational interest in the information will receive notification.

III. Definitions

For purposes of this policy, the following terms have the meaning given them.

A. Administration

“Administration” means the superintendent, building principal or other designee.

B. Classroom Teacher

“Classroom Teacher” means the instructional personnel responsible for the course or room to which a student is assigned at any given time, including a substitute hired in place of the classroom teacher.

C. History of Violent Behavior

1. A student will be considered to have a history of violent behavior if incident(s) of violence have occurred during the current or previous school year.
2. If an incident of violence has occurred during the current or previous school year, that incident and other related or similar incidents of violence from the current or previous school year will be reported.

D. Violent Behavior

1. “Violent Behavior” means a physical act of aggression or assault with the infliction of substantial bodily harm upon a person without the person’s consent or substantial harm to school district property, or
2. Committing an act with a weapon with intent to cause fear in another of immediate bodily harm or death.
3. Violent behavior does not include injury or damage which is accidental or is the result of negligence.
4. Administration is responsible for determining whether certain conduct meets the definition of violent behavior.

E. Substantial Bodily Harm

“Substantial Bodily Harm” means bodily injury that involves a temporary but substantial disfigurement or that causes temporary but substantial loss or impairment of the function of any bodily member or organ, or that causes a fracture of any bodily member. For more detail, see MN Statute §609.02, subd. 7a.

F. Legitimate Educational Interest

The term “Legitimate educational interest” refers to the federal Family Education Rights and Privacy Act (“FERPA”). State law allows teachers “whose work assignments require access” to receive private educational data. This includes interest directly related to classroom instruction, student discipline, student health and welfare, and the ability to respond to a request for educational data. It includes a person’s need to know in order to:

1. Perform an administrative task required in the school or the employee's contract or position description approved by the school board; or
2. Perform a supervisory or instructional task directly related to the student's education; or
3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid; or
4. Perform a task directly related to responding to a request for data.

G. School Staff Member

“School Staff Member” includes:

1. A person duly elected to the school board;
2. A person employed by the school board in an administrative, supervisory, instructional, or other professional position.

IV. Procedure for Staff Notification of Students with Violent Behavior

A. Reports of Violent Behavior

Any staff member or other employee of the school district who becomes aware of any information regarding the violent behavior of an enrolling student or any student enrolled in the school district shall immediately report the information to the building principal where the student is enrolled or seeks to enroll.

B. Recipients of Notice

Each classroom teacher of a student with a history of violent behavior will receive notification from the administration prior to placement of the student in the teacher's classroom. In addition, notice will be given by the administration to other school staff members who have a legitimate educational interest when a student with a history of violent behavior is placed in a teacher's classroom. The administration may provide other school district employees or individuals outside of the school district with information regarding a student, including information regarding a student's history of violent behavior, in accordance with Policy 515, Protection and Privacy of Pupil Records.

C. Determination of Who Receives Notice

The determination of which classroom teachers and school staff members have a legitimate educational interest in information regarding a student with a history of violent behavior will be made by either: (1) the school district's Responsible

Authority appointed by the School Board under the Minnesota Government Data Practices Act or (2) the administration. In the event the administration makes this detailed determination, the Responsible Authority will provide guidance to the administration as to what data will be shared.

D. Form of Written Notice

The notice given to classroom teachers and school staff members will include the following:

1. Name of the student;
2. Date of notice;
3. Notification that the student has been identified as a student with a history of violent behavior as defined in Section III. of this policy; and
4. Reminder of the private nature of the data provided.

E. Record of Notice

1. The administration will retain a copy of the notice or other documentation provided to classroom teachers and school staff members notified under this section.
2. Retention of the documentation provided to classroom teachers and school staff members is governed by the approved Records Retention Schedule.

F. Meetings Regarding Students with a History of Violent Behavior

1. If the administration determines that the classroom teacher or school staff members with a legitimate educational interest in such data reasonably require access to the details regarding a student's history of violent behavior for purposes of school safety and/or intervention services for the student, the administration may also convene a meeting to share and discuss such data.
2. The persons present at the meeting may have access to the data described in Section IV. D. above.

V. Parental Notice

- A. The administration will notify parents annually that the school district gives classroom teachers and other school staff members notice about students' history of violent behavior.

- B. Prior to providing notice of a student’s violent behavior to classroom teachers and/or school staff members, the administration will inform the student’s parent or guardian that such notice will be provided.
- C. Parents will be given notice that they have the right to review and challenge the student’s educational records and data, including the data documenting the history of violent behavior, under both state and federal law as set forth in the school district Data Practices Policy in accordance with Policy 515, Protection and Privacy of Pupil Records.

VI. Training Needs

Representatives of the administration and representatives of the teachers may discuss the need for intervention services or conflict resolution or training for staff related to placing students with a history of violent behavior in teachers’ classrooms.

Legal References: Minn. Stat. Ch. 13 - Minnesota Government Data Practices Act
Minn. Stat. § 120A.22, Subd. 7 - School Attendance – Education Records

Minn. Stat. § 121A.64 - Notification of Students with Violent Behavior
Minn. Stat. § 121A.75 - Law Enforcement Notice to Schools
Minn. Rules Parts 1205.0100 – 1205.2000 – Data Practices
20 U.S.C. § 1232g - Family Educational Rights and Privacy Act
34 C.F.R. §§ 99.1-99.67 - Rules Implementing FERPA

Cross References: MSBA/MASA Policy 515 - Protection and Privacy of Pupil Records