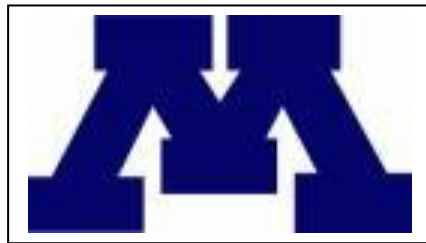


**Minnetonka High School
Independent Provider
Application Packet
for the
Independent Provider Organization
Application Deadline: November 1, 2018**



Includes:

- Guidelines for an Independent Provider**
- Independent Provider Application and Approval
Form for a Co-Curricular Program**
- Criteria of Content Form**
- Awards Report Form**

Guidelines for Participation in a Co-Curricular Program using an Independent Provider

This procedure was created to meet the demonstrated student interest in being a part of a school program in those areas that we are unable to provide for due to staffing, facility, budget, or some other limitation.

An **Independent Provider** is defined as an individual, group or organization that provides an opportunity for Minnetonka High School students to participate in a co-curricular program. The providers are not required to be licensed educators. Independent Provider status to provide an authorized Minnetonka High School co-curricular program is approved on an annual basis by the Minnetonka High School Director of Student Activities.

Applications must be filled out each school year and will be accepted to the Minnetonka High School Activities Office starting on the first day of the current school year and due by November 1 of the current school year. Applicants will be notified within 3 weeks of their application submission.

Application Process for Independent Provider:

1. Organizations/individuals interested in applying for Independent Provider status should contact Minnetonka High School Activities Office to receive an application packet.
2. The Independent Provider must submit the following items: **Independent Provider Application and Approval for an Extra Curricular Program form**, a **Student Registration Form**, a **complete schedule of activities**, and a **completed criteria for content form**.
3. The program content must meet the criteria for awards as outlined in this handout. The provider will include a description of how each of the criteria will be met. Subsequent approval of the Independent Provider proposal is dependent upon rigorous adherence to the Minnetonka High School guidelines, policies, and procedures.
4. The district will provide a copy of its Eligibility form to the Independent Provider. The purpose of this form is to assure that students and parents/guardians understand the responsibilities that must be assumed when participating in an extra curricular program conducted by an Independent Provider.
5. Upon approval/renewal of the organization/individual as an Independent Provider, the provider will be given an **Awards Report Form**. Within five days of the completion of the program, the Independent Provider will submit this form to the Activities Department so that school awards may be prepared. **Only pre-registered students are eligible to receive a letter award.**
6. At least once annually and prior to seeking renewal of approval status, the Independent Provider must submit a program schedule of activities to the Activities Department.
7. The Independent Provider applicant shall provide the school district with written authorizations for criminal background checks that will be done on all employees or volunteers who will be working with Minnetonka High School students. The Independent Provider shall bear the cost of the background checks for its personnel.

**Independent Provider Application &
Approval Form for a Co- Curricular Program**

Today's Date _____

Independent Provider Activity _____

Description of the Activity (if necessary) _____

Contact/Coach Name _____ Email _____

Address _____ Phone (cell) _____ (other) _____

Criteria

1. Program offerings must be within the mission of the school district and consistent with community standards and values.
2. The program may not duplicate an existing high school extra curricular program.
3. All students participating in this program will be currently and fully enrolled students of Minnetonka High School. Students enrolled in grades below 9 are not eligible for this program.
4. All students will be responsible for knowing and following all school district rules and policies concerning student activities including, but not limited to, attendance, conduct, scholastic standing, and other eligibility requirements. In the event of a violation of any rule or policy, whether during or outside of school, the school district's Director of Student Activities or a designee will administer the consequences for the student. Discipline will be administered consistent with the Minnesota Government Data Practices Act. Any violation must be reported to the Director of Student Activities as soon as is practical.
5. Each student will register with the Activities Department and pay the annual \$75 participation fee, and complete the student eligibility form.
6. All costs associated with the program will be borne by the Independent Provider or by the participants on a tuition basis.
7. The Independent Provider will provide to the school district proof or adequate liability insurance to provide for the safety of the student participants naming Independent School District 276 as an additional insured party.
8. The Independent Provider will provide to the school district proof of adequate worker's compensation coverage.
9. The School District will provide copies of its Sexual, Racial, Religious Harassment and Violence policies to the Independent Provider for distribution to all personnel who will be working with the students.
10. The Independent Provider will provide to the school district written authorization for criminal background checks on all employees who will be working with the students.
11. In general, the activities of the program will be conducted at the site of the Independent Provider, but District facilities may be used on an availability basis and at the applicable rental rate as requested.
12. If a team competition is involved, all of the student participants must be Minnetonka High School students. Such a team will be allowed to use Minnetonka High School's name, nickname, and school colors in their competition.
13. If students compete only on an individual basis, students from other school may be in the program, but only Minnetonka High School students will be eligible for a Minnetonka High School letter.
14. Student participants will be eligible to receive school awards. To be eligible to receive a varsity letter the participant must meet the following criteria:
 - There must be a time commitment roughly equivalent to other Minnetonka activities of at least 150 hours during the "season" of participation.
 - There must be a "publicness" to the activity in the form of contests, performances, etc.
 - The participation must be at an "advanced" as opposed to "entry" level.
15. The Independent Provider sport/activity must have a competition component.

Director of Student Activities Use Only

_____ **The proposed offering is consistent with the district's mission and with the communities' values and standards.**

_____ **The Independent Provider has provided proof of insurance.**

_____ **The Independent Provider has provided proof of adequate worker's compensation coverage.**

_____ **The Independent Provider has provided written authorization for criminal background checks for all employees working with students.**

_____ **The Independent Provider has provided a complete schedule of activities for the program.**

_____ **The Independent Provider has provided programming documentation to show that the criteria of content will have been met by the end of the season.**

This application is

_____ **Approved (All criteria have been met.)**

_____ **NOT Approved.**

Additional comments:

**Director of Student Activities
Minnetonka High School**

Below is the portion of the Student Eligibility Statement that all MHS students participating in an activity, along with their parents/guardians, are required to read, understand, and accept by signing. We ask that all person(s) involved on your staff and working with our students, familiarize themselves with these statements as well.

- I. **GENERAL ELIGIBILITY**—In order to be eligible for regular season and MSHSL tournament competition, a student must be fully enrolled as defined by the Minnesota Department of Education and a bona fide undergraduate member of his or her school in good standing. A student who is under penalty of exclusion, expulsion or suspension whose character or conduct violates the Student Code of Responsibilities is not in good standing and is ineligible for a period of time as determined by the principal.
- II. **Student Code of Responsibilities** As a student participating in Minnetonka High School's interscholastic activities, they must understand and accept the following responsibilities:
- A. I will respect the rights and beliefs of others and will treat others with courtesy and consideration.
 - B. I will be fully responsible for my own actions and the consequences of my actions.
 - C. I will respect the property of others.
 - D. I will respect and obey the rules of my school and the laws of my community, state, and country.
 - E. I will show respect to those who are responsible for enforcing the rules of my school and the laws of my community, state, and country.

A student whose character or conduct violates the Student Code of Responsibilities or is suspended or expelled is not in good standing and is ineligible for a period of time as determined by the principal. While a student not in good standing, a student may not serve any penalty for MSHSL bylaw violations. A student ejected from a contest shall be ineligible for the next regularly scheduled competitive athletic or competitive enrichment Extra-curricular activity for the first ejection. All subsequent ejections shall result in ineligibility for four (4) regularly scheduled athletic or enrichment Extra-curricular activity.

III. **MOOD ALTERING CHEMICALS**

- A. **Bylaw:** During the calendar year, regardless of the quantity, a student shall not:
- 1. use or possess a beverage containing alcohol;
 - 2. use or possess tobacco; or,
 - 3. Use or consume, have in possession, buy, sell, or giveaway any other controlled substance or drug paraphernalia.
 - a. The bylaw applies continuously from the first signing of the student Eligibility Brochure.
 - b. It is not a violation for a student to be in possession of a controlled substance specifically prescribed for the student's own use by her/his doctor.
 - c.
- B. **Penalty:** The advisor/coach of the program will inform program participants of these consequences both in writing and verbally at the beginning of the season.

Please note any violations must be served in both areas of Athletics and Fine Arts/Enrichments - No Exceptions.

- 1. First violation: After confirmation of the first violation, the student shall lose eligibility in any competitive athletic, competitive enrichment, non-competitive athletic, non-competitive enrichment activity for the next two (2) consecutive contests/performances, or two (2) weeks, whichever is greater. No exception is permitted for a student who becomes a participant in a treatment program.
- 2. Second Violation: After confirmation of the second violation, the student shall lose eligibility in any competitive athletic, competitive enrichment, non-competitive athletic, non-competitive enrichment activity for the next six (6) consecutive contests/performances, or three (3) weeks, whichever is greater. No exception is permitted for a student who becomes a participant in a treatment program.
- 3. Third and Subsequent Violations: After confirmation of the third or subsequent violations, the student will not be able to participate in any competitive athletic, competitive enrichment, non-competitive athletic, non-competitive enrichment activity for twelve (12) consecutive contests/performances or four (4) weeks, whichever is greater. If after the third or subsequent violations, the student has been assessed to be chemically dependent and the student on her/his own volition becomes a participant in a chemical dependency program or treatment program, then the student may be certified for reinstatement in MSHSL activities after a minimum period of six (6) weeks. Such certification must be issued by the director or a counselor of a chemical dependency treatment center.

4. Consecutive Penalties: Penalties shall be consecutive beginning with the student's first participation in a League activity and continuing through the student's high school career.
5. Denial/Disqualification: A student shall be disqualified from all athletic, enrichment activities for nine (9) additional weeks beyond the student's original period of ineligibility when the student denies violation of the rule, is allowed to participate and then is subsequently found guilty of the violation.
6. **Captains of team/programs who, during the period of being captain, have a mood- altering chemical violation will immediately be removed from the duties as team captain for the remainder of that season. If applicable, these students may be candidates for the position of captain in future seasons.**
7. All coaches/advisors are required to adhere uniformly to all levels of consequences established by the MSHSL in the event that a student has a mood-altering chemical violation.

IV. RACIAL/RELIGIOUS/SEXUAL HARASSMENT/VIOLENCE and HAZING

- A. **Bylaw**: During the school year, a student shall not be involved in hazing or violate the racial/religious/sexual harassment and racial/religious/sexual violence bylaws of the Minnetonka School District.
Interpretation: The bylaw applies to the entire school year and any portion of an activity season that occurs prior to the start of the school year, or after the close of the school year.
- B. **Definitions**:
 - a. **Racial Harassment** consists of physical or verbal conduct relating to an individual's race when the conduct:
 - b. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment; or
 - c. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
 - d. otherwise adversely affects an individual's employment or academic opportunities.
 2. **Racial Violence** is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, race.
 3. **Religious Harassment** consists of physical or verbal conduct relating to an individual's religion when the conduct:
 - a. has the purpose or effect of creating an intimidating, hostile, offensive working or academic environment; or
 - b. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
 - c. otherwise adversely affects an individual's employment or academic opportunities.
 4. **Religious Violence** is a physical act of aggression or assault upon another because of, or in a manner reasonably related to, religion.
 5. **Assault is**:
 - a. an act done with intent to cause fear in another of immediate bodily harm or death; or
 - b. the intentional infliction of, or attempt to inflict bodily harm upon another; or
 - c. the threat to do bodily harm to another with present ability to carry out the threat.
 6. **Sexual Harassment** is a form of sex discrimination that violates Section 703 of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e, ct. seq., and Minnesota Statutes Sections 363.01-.14, the Minnesota Human Rights Act.
 - a. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct or other verbal or physical conduct or communication of a sexual nature. Sexual harassment is illegal, but may or may not be criminal activity.
 - b. Sexual harassment may include, but is not limited to:
 - i. verbal, written/graphic harassment or abuse;
 - ii. subtle pressure for sexual activity;
 - iii. inappropriate patting or pinching;
 - iv. intentional brushing against the individual's body;
 - v. demanding sexual favors accompanied by implied or overt threats concerning an individual's employment or educational status;

- vi. demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status;
 - vii. any unwelcome touching of a sexual nature.
7. **Sexual Violence** is a physical act of aggression that involves the touching of another's intimate parts, either above or underneath the other person's clothes, or forcing another to touch one's intimate parts, either above or underneath one's clothes. Intimate parts, as defined in Minnesota Statutes 1990, Section 609.341, include the primary genital area, groin, inner thigh, buttocks, or breast of a human being. Sexual violence is a criminal activity.
- a. Sexual violence may include, but is not limited to:
 - i. touching, patting, grabbing, or pinching another person's intimate parts, either same sex or opposite sex;
 - ii. coercing or forcing sexual touching on another;
 - iii. coercing or forcing sexual intercourse on another;
 - iv. threatening to force sexual touching or intercourse on another.
8. **Hazing**
- a. **Hazing** means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other purpose. The term hazing includes, but is not limited to:
 - i. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking or placing a harmful substance on the body.
 - ii. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 - iii. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health of the student.
 - iv. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
 - v. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.
 - b. **Student organization** means a group, club or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.
 - c. **Reporting Procedures**
 - i. Any person who believes he or she has been the victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by this policy.
 - ii. The building 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 or to the superintendent.
 - iii. Teachers, administrators, officials, volunteers, and employees of the school district shall be particularly alert to possible situations, circumstances or events which might include hazing. Any such person who receives a report of, observes, or had other knowledge or belief of conduct which may constitute hazing shall inform the building principal immediately.

- iv. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades or work assignments.
- d. **Reprisal** The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, coach, official contractor or employee of the school district who retaliates against any person who makes a good faith report of alleged hazing or against any person who testifies, assists, or participates in an investigation, or against any person who testifies, assists or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

C. Penalties

1. Racial/Religious/Sexual Harassment and Hazing Violations:

- a. First violation: After determination of the first violation, the student will not be able to participate in any competitive athletic, competitive enrichment, non-competitive athletic, non-competitive enrichment activity for two (2) contests/performances, or two (2) weeks, whichever is greater. Recommendations: 1) It is recommended that the school develop a local education program through which the student would receive information about racial/religious/sexual harassment and racial/religious/sexual violence. 2) It is recommended that, when appropriate, the school refer a student to a community agency or a professional individual outside the school for counseling.
- b. Second Violation: After determination of the second violation, the student will not be able to participate in any competitive athletic, competitive enrichment, non-competitive athletic, non-competitive enrichment activity for six (6) consecutive contests/performances, or three (3) weeks, whichever is greater. Recommendation: It is recommended that before being readmitted to activities following suspension for the second violation, the student shall show evidence in writing that the student has received counseling from a community agency or professional individual such as a school counselor, medical doctor, psychiatrist, or psychologist.
- c. Third and Subsequent Violations: After determination of the third or subsequent violations, the student will not be able to participate in any competitive athletic, competitive enrichment, non-competitive athletic, non-competitive enrichment activity for twelve (12) consecutive contests/performances or four (4) weeks, whichever is greater.
- d. Accumulative Penalties: Penalties shall be accumulative beginning with the student's first participation in a League activity and continuing through the student's high school career.

2. Racial/Religious/Sexual Violence Violations: After determination of the violation of the racial/religious/sexual violence rules, the student shall lose eligibility for the next year, i.e., twelve (12) calendar months.

- V. **SERVING AN MSHSL PENALTY** – a student must be a student in good standing, and able to be placed in the game, meet or contest except for the penalty being served. (Students who are not in good standing due to suspension, expulsion, injury, illness, family vacations, etc are not able to be placed in a game, meet or contest and are therefore not able to count those contests toward the penalty).

- VI. **FAIR HEARING PROCEDURE**-The League Constitution provides a Fair Hearing Procedure for the student or parent contesting a school's failure to certify the eligibility of a student. **The student has 10 calendar days (from the date the school is officially notified of the infraction) in which to appeal the school's decision.** The appeals process includes an appeal before a hearing panel at the school and the right, if desired, to appeal that decision to the League's Board of Directors. An independent hearing examiner will hear the appeal and make written findings of fact, conclusions and a recommendation for the Board of Directors following the hearing. The Board's decision shall be final. A complete listing of the Fair Hearing Procedure may be obtained from the athletic director or principal of the high school or on Web at www.mshsl.org in the Publications section.