

**Policy Committee Meeting**  
Duluth Public Schools, ISD 709  
Agenda  
Tuesday, June 10, 2025  
District Services Center  
709 Portia Johnson Dr.  
Duluth, MN 55811  
3:30 PM

<b>1. AGENDA ITEMS</b>	
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B. 512 School Sponsored Student Publications and Activities (replacing 5080 Student Expression of Opinion)	17
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A. 807 Health and Safety Policy	
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A. 412 Expense Reimbursement	34
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## 501 SCHOOL WEAPONS POLICY

***[Note: School districts are required by statute to have a policy addressing these issues. ATTENTION: This policy incorporates certain provisions of the Minnesota Citizens' Personal Protection Act (often referred to as the "conceal and carry" law).]***

### I. PURPOSE

The purpose of this policy is to assure a safe school environment for students, staff and the public. Establishing a weapons free school zone is one element of creating a safe environment. Duluth Public Schools promotes the safe storage of guns in accordance with [School Board Resolution](#) for the safe storage of weapons.

### II. GENERAL STATEMENT OF POLICY

No student or non-student, including adults and visitors, shall possess, use or distribute a weapon when in a school location except as provided in this policy. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school employee, volunteer, or member of the public who violates this policy.

### III. DEFINITIONS

#### A. "Weapon"

1. A "weapon" means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any firearm, whether loaded or unloaded; air guns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; nunchucks; throwing stars; explosives; fireworks; mace and other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.
2. No person shall possess, use or distribute any object, device or instrument having the appearance of a weapon and such objects, devices or instruments shall be treated as weapons including, but not limited to, weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.
3. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.), to inflict bodily harm and/or intimidate and such use will be treated as the possession and use of a weapon.

B. "School Location" includes any school building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the school district.

C. "Possession" means having a weapon on one's person or in an area subject to one's control in a school location.

D. "Dangerous Weapon" means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or 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 fire that is used to produce death or great bodily harm. As used in this definition, "flammable liquid" means any liquid having a flash point below 100 degrees

Fahrenheit and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100 degrees Fahrenheit but does not include intoxicating liquor. As used in this subdivision, "combustible liquid" is a liquid having a flash point at or above 100 degrees Fahrenheit.

#### IV. EXCEPTIONS

- A. A student who finds a weapon on the way to school or in a school location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the principal's office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the principal's office, a student shall not be considered to possess a weapon if he or she immediately turns the weapon over to an administrator, teacher or head coach or immediately notifies an administrator, teacher or head coach of the weapon's location.
- B. It shall not be a violation of this policy if a non-student (or student where specified) falls within one of the following categories:
1. Active licensed peace officers;
  2. Military personnel, or students or non-students participating in military training, who are on duty performing official duties;
  3. Persons authorized to carry a pistol under ~~Minn. Stat. §~~ **Minnesota Statute section** 624.714 while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle;
  4. Persons who keep or store in a motor vehicle pistols in accordance with ~~Minn. Stat. §§~~ **Minnesota Statute section** 624.714 or 624.715 or other firearms in accordance with ~~§~~ **Minnesota Statute section** 97B.045;
    - a. Section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Section 624.715 defines an exception to the pistol permit requirements for "antique firearms which are carried or possessed as curiosities or for their historical significance or value."
    - b. Section 97B.045 generally provides that a firearm may not be transported in a motor vehicle unless it is (1) unloaded and in a gun case without any portion of the firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in compliance with ~~§§~~ **sections** 624.714 and 624.715.
  5. ~~Firearm safety or marksmanship courses or activities for students or non-students conducted on school property;~~
  6. Possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;
  7. ~~A gun or knife show held on school property;~~
  8. ~~Possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center; or~~
  9. ~~Persons who are on unimproved property owned or leased by a child care~~

center, school or school district unless the person knows that a student is currently present on the land for a school-related activity.

**[Note: Nothing prevents a school district from being more stringent in its weapons policy with respect to students and school district employees than the criminal law, except that the school district may not prohibit the lawful carry or possession of firearms in a parking facility or parking area. Although some school districts may choose to incorporate all of the exceptions to the criminal law, other school districts may choose either not to incorporate some or all of the exceptions or to further limit them. For example, a school district may choose to require written permission from the superintendent, not just a principal, for someone to possess a dangerous weapon in a school location. This would impose a more stringent requirement than the exceptions to the general prohibition of having a weapon on school grounds set forth in Minnesota Statutes, section 609.66, Subdivision 1d (f) listed in Section IV.B. above. However, a school district may not regulate firearms, ammunition, or their respective components, when possessed or carried by nonstudents or nonemployees, in a manner that is inconsistent with Minnesota Statutes, section 609.66, Subdivision 1d.]**

C. Policy Application to Instructional Equipment/Tools

While the school district does not allow the possession, use, or distribution of weapons by students or non-students, such a position is not meant to interfere with instruction or the use of appropriate equipment and tools by students or non-students. Such equipment and tools, when properly possessed, used, and stored, shall not be considered in violation of the rule against the possession, use, or distribution of weapons. However, when authorized instructional and work equipment and tools are used in a potentially dangerous or threatening manner, such possession and use will be treated as the possession and use of a weapon.

D. Firearms in School Parking Lots and Parking Facilities

1. A school district may not prohibit the lawful carry or possession of firearms in a school parking lot or parking facility. For purposes of this policy, the "lawful" carry or possession of a firearm in a school parking lot or parking facility is specifically limited to non-student permit-holders authorized under ~~Minn. Stat. §~~ **Minnesota Statute section** 624.714 to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle. Any possession or carry of a firearm beyond the immediate vicinity of a permit-holder's vehicle shall constitute a violation of this policy.
2. An employee who is a permit-holder authorized under Minn. Stat. § 624.714 to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle must receive written permission from the Superintendent/designee; furthermore, the firearm must have a trigger lock and be stored in a locked container or locked compartment of the vehicle.

**V. CONSEQUENCES FOR STUDENT WEAPON POSSESSION/USE/ DISTRIBUTION**

- A. The school district does not allow the possession, use, or distribution of weapons by students. Consequently, the minimum consequence for students **willfully** possessing, using, or distributing weapons shall include:
1. Immediate out-of-school suspension;

2. Confiscation of the weapon;
  3. Immediate notification of police;
  4. Parent or guardian notification; and
  5. Recommendation to the Superintendent of dismissal for a period of time not to exceed one year.
- B. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The school board may modify this requirement on a case-by-case basis.
- C. The building principal shall, as soon as practicable, refer to the criminal justice or juvenile delinquency system, as appropriate, a student who brings a firearm to school unlawfully.
- ED. Administrative Discretion

While the school district does not allow the possession, use, or distribution of weapons by students, the Superintendent **or designee** may use discretion in determining whether, under the circumstances, a course of action other than the minimum consequences specified above is warranted. If so, other appropriate action may be taken, including consideration of a recommendation for lesser discipline.

## VI. CONSEQUENCES FOR WEAPON POSSESSION/USE/DISTRIBUTION BY NONSTUDENTS

- A. Employees
1. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, or discharge as deemed appropriate by the school board.
  2. Sanctions against employees, including nonrenewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.
  3. When an employee violates the weapons policy, law enforcement may be notified, as appropriate.

***[Note: An employer may establish policies that restrict the carry or possession of firearms by its employees while acting in the course and scope of employment. Employment-related sanctions may be invoked for a violation. Thus, for example, reasonable limitations may be imposed on the method of storing firearms by permit-holding employees while at work or performing employment-related duties. Reasonable limitations may include requiring firearms to have trigger locks and to be stored in a locked container or locked compartment of the vehicle.]***

- B. Other Non-Students
1. Any member of the public who violates this policy shall be informed of the policy and asked to leave the school location. Depending on the circumstances, the person may be barred from future entry to school locations. In addition, if the person is a student in another school district, that school district may be contacted concerning the policy violation.

2. If appropriate, law enforcement will be notified of the policy violation by the member of the public and may be asked to provide an escort to remove the member of the public from the school location.

## **VII. REPORTS OF DANGEROUS WEAPON INCIDENTS IN SCHOOL ZONES**

The school district must electronically report to the Minnesota Commissioner of Education incidents involving the use or possession of a dangerous weapon in school zones, as required under Minnesota Statutes section 121A.06.

**Legal References:** Minn. Stat. § 97B.045 (Transportation of Firearms)  
Minn. Stat. § 121A.05 (~~Referral to Police~~ **Policy to Refer Firearms Possessor**)  
**Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)**  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)  
**Minn. Stat. § 152.01, subd. 14(a) (Definition of a School Zone)**  
Minn. Stat. § 609.02, Subd. 6 (Definition of Dangerous Weapon)  
Minn. Stat. § 609.605 (Trespass)  
Minn. Stat. § 609.66 (Dangerous Weapons)  
Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)  
Minn. Stat. § 624.715 (Exemptions; Antiques and Ornaments)  
18 U.S.C. § 921 (Definition of Firearm)  
*In re C.R.M.* 611 N.W.2d 802 (Minn. 2000)  
*In re A.D.*, 883 N.W.2d 251 (Minn. 2016)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
**MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)**

First Reading: 2/26/2019

**Adopted: 4/23/2019 ISD 709**

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### **I. PURPOSE**

The purpose of this policy is to assure a safe school environment for students, staff and the public.

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

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### **III. DEFINITIONS**

#### **A. "Weapon"**

1. A "weapon" means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any firearm, whether loaded or unloaded; air guns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; nunchucks; throwing stars; explosives; fireworks; mace and other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.
2. No person shall possess, use or distribute any object, device or instrument having the appearance of a weapon and such objects, devices or instruments shall be treated as weapons including, but not limited to, weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.
3. No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.), to inflict bodily harm and/or intimidate and such use will be treated as the possession and use of a weapon.

B. "School Location" includes any school building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the school district.

C. "Possession" means having a weapon on one's person or in an area subject to one's control in a school location.

#### **IV. EXCEPTIONS**

- A. A student who finds a weapon on the way to school or in a school location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the principal's office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the principal's office, a student shall not be considered to possess a weapon if he or she immediately turns the weapon over to an administrator, teacher or head coach or immediately notifies an administrator, teacher or head coach of the weapon's location.
- B. It shall not be a violation of this policy if a non-student (or student where specified) falls within one of the following categories:
1. Active licensed peace officers;
  2. Military personnel, or students or non-students participating in military training, who are on duty performing official duties;
  3. Persons authorized to carry a pistol under Minn. Stat. § 624.714 while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle;
  4. Persons who keep or store in a motor vehicle pistols in accordance with Minn. Stat. §§ 624.714 or 624.715 or other firearms in accordance with § 97B.045;
    - a. Section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Section 624.715 defines an exception to the pistol permit requirements for "antique firearms which are carried or possessed as curiosities or for their historical significance or value."
    - b. Section 97B.045 generally provides that a firearm may not be transported in a motor vehicle unless it is (1) unloaded and in a gun case without any portion of the firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in compliance with §§ 624.714 and 624.715.
  5. Firearm safety or marksmanship courses or activities for students or non-students conducted on school property;
  6. Possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;
  7. A gun or knife show held on school property;
  8. Possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center; or



9. Persons who are on unimproved property owned or leased by a child care center, school or school district unless the person knows that a student is currently present on the land for a school-related activity.

C. Policy Application to Instructional Equipment/Tools

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2. An employee who is a permit-holder authorized under Minn. Stat. § 624.714 to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle must receive written permission from the Superintendent/designee; furthermore, the firearm must have a trigger lock and be stored in a locked container or locked compartment of the vehicle.

**V. CONSEQUENCES FOR STUDENT WEAPON POSSESSION/USE/ DISTRIBUTION**

- A. The school district does not allow the possession, use, or distribution of weapons by students. Consequently, the minimum consequence for students possessing, using, or distributing weapons shall include:
  1. Immediate out-of-school suspension;
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  5. Recommendation to the Superintendent of dismissal for a period of

time not to exceed one year.

- B. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The school board may modify this requirement on a case-by-case basis.

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- A. Employees

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**Legal References:** Minn. Stat. § 97B.045 (Transportation of Firearms)  
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First Reading: 2/26/2019  
**Adopted: 4/23/2019 ISD 709**

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 501

Orig. 1995

Revised: \_\_\_\_\_

Rev. 2021

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3. immediate notification of police;
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  5. recommendation to the superintendent of dismissal for a period of time not to exceed one year.
- B. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The school board may modify this requirement on a case-by-case basis.
- C. The building principal shall, as soon as practicable, refer to the criminal justice or juvenile delinquency system, as appropriate, a student who brings a firearm to school unlawfully.
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2. Sanctions against employees, including nonrenewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.
3. When an employee violates the weapons policy, law enforcement may be notified, as appropriate.

***[Note: An employer may establish policies that restrict the carry or possession of firearms by its employees while acting in the course and scope of employment. Employment-related sanctions may be invoked for a violation. Thus, for example, reasonable limitations may be imposed on the method of storing firearms by permit-holding employees while at work or performing employment-related duties. Reasonable limitations may include requiring firearms to have trigger locks and to be stored in a locked container or locked compartment of the vehicle.]***

### B. Other Nonstudents

1. Any member of the public who violates this policy shall be informed of the policy and asked to leave the school location. Depending on the circumstances, the person may be barred from future entry to school locations. In addition, if the person is a student in another school district, that school district may be contacted concerning the policy violation.
2. If appropriate, law enforcement will be notified of the policy violation by the

member of the public and may be asked to provide an escort to remove the member of the public from the school location.

## **VII. REPORTS OF DANGEROUS WEAPON INCIDENTS IN SCHOOL ZONES**

The school district must electronically report to the Minnesota Commissioner of Education incidents involving the use or possession of a dangerous weapon in school zones, as required under Minnesota Statutes section 121A.06.

**Legal References:** Minn. Stat. § 97B.045 (Transporting Firearms)  
Minn. Stat. § 121A.05 (Policy to Refer Firearms Possessor)  
Minn. Stat. § 121A.06 (Reports of Dangerous Weapon Incidents in School Zones)  
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)  
Minn. Stat. § 152.01, subd. 14(a) (Definition of a School Zone)  
Minn. Stat. § 609.02, subd. 6 (Definition of Dangerous Weapon)  
Minn. Stat. § 609.605 (Trespass)  
Minn. Stat. § 609.66 (Dangerous Weapons)  
Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)  
Minn. Stat. § 624.715 (Exemptions; Antiques and Ornaments)  
18 U.S.C. § 921 (Definition of Firearm)  
*In re C.R.M.*, 611 N.W.2d 802 (Minn. 2000)  
*In re A.D.*, 883 N.W.2d 251 (Minn. 2016)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)



Adopted: \_\_\_\_\_

MSBA/MASA Model Policy  
512

Orig. 1995  
Rev. 2024

Revised: \_\_\_\_\_

## **512 SCHOOL-SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES**

### **I. PURPOSE**

The purpose of this policy is to protect students' rights to free speech in production of school-sponsored media and activities while at the same time balancing the school district's role in supervising student publications and the operation of public schools.

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

- A. Expressions and representations made by students in school-sponsored publications and activities are not expressions of official school district policy. Faculty advisors shall supervise student writers to ensure compliance with the law and school district policies.
- B. Students who believe their right to free expression has been unreasonably restricted in school-sponsored media or activity may seek review of the decision by the building principal. The principal shall issue a decision no later than three (3) school days after review is requested.
  - 1. Students producing school-sponsored media and activities shall be under the supervision of a faculty advisor and the school principal. School-sponsored media and activities shall be subject to the guidelines set forth below.
  - 2. School-sponsored media may be distributed at reasonable times and locations.

### **III. DEFINITIONS**

- A. "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting, or displaying material, or placing materials in internal staff or student mailboxes.
- B. "Material and substantial disruption" of a normal school activity means:
  - 1. Where the normal school activity is an educational program of the school district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
  - 2. Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

- C. "Minor" means any person under the age of eighteen (18).

- D. "Obscene to minors" means:
1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
  2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
  3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- E. "School activities" means any activity of students sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.
- F. "School-sponsored media" means material that is:
1. prepared, wholly or substantially written, published, broadcast, or otherwise disseminated by a student journalist enrolled in the school district;
  2. distributed or generally made available to students in the school; and
  3. prepared by a student journalist under the supervision of a student media adviser.
- School-sponsored media does not include material prepared solely for distribution or transmission in the classroom in which the material is produced, or a yearbook.
- G. "Student journalist" means a school district student in grades 6 through 12 who gathers, compiles, writes, edits, photographs, records, or otherwise prepares information for dissemination in school-sponsored media.
- H. "Student media adviser" means a qualified teacher, as defined in Minnesota Statutes, section 122A.16, that the school district employs, appoints, or designates to supervise student journalists or provide instruction relating to school-sponsored media.

#### **IV. GUIDELINES**

- A. Except as provided in paragraph B below, a student journalist has the right to exercise freedom of speech and freedom of the press in school-sponsored media regardless of whether the school-sponsored media receives financial support from the school or district, uses school equipment or facilities in its production, or is produced as part of a class or course in which the student journalist is enrolled. Freedom of speech includes freedom to express political viewpoints. Consistent with paragraph B below, a student journalist has the right to determine the news, opinion, feature, and advertising content of school-sponsored media. The school district must not discipline a student journalist for exercising rights or freedoms under this paragraph or the First Amendment of the United States Constitution.
- B. Student expression in school-sponsored media, a yearbook, or school-sponsored activity is prohibited when the material:

1. is obscene to minors;
  2. is defamatory;
  3. is profane, harassing, threatening, or intimidating;
  4. constitutes an unwarranted invasion of privacy;
  5. violates federal or state law;
  6. causes a material and substantial disruption of school activities;
  7. is directed to inciting or producing imminent lawless action on school premises or the violation of lawful school policies or rules, including a policy adopted in accordance with Minnesota Statutes, section 121A.03 or 121A.031;
  8. advertises or promotes any product or service not permitted for minors by law;
  9. advocates sexual, racial, or religious harassment or violence or prejudice; or
  10. is distributed or displayed in violation of time, place, and manner regulations.
- C. The school district must not retaliate or take adverse employment action against a student media adviser for supporting a student journalist exercising rights or freedoms under paragraph A above or the First Amendment of the United States Constitution.
- D. Notwithstanding the rights or freedoms of this Article or the First Amendment of the United States Constitution, nothing in this Article inhibits a student media adviser from teaching professional standards of English and journalism to student journalists.

These professional standards may include, but are not limited to, the following:

1. assuring that participants learn whatever lessons the activity is designed to teach;
  2. assuring that readers or listeners are not exposed to material that may be inappropriate for their level of maturity;
  3. assuring that the views of the individual speaker are not erroneously attributed to the school;
  4. assuring that the school is not associated with any position other than neutrality on matters of political controversy;
  5. assuring that the sponsored student speech cannot reasonably be perceived to advocate conduct otherwise inconsistent with the shared values of a civilized social order;
  6. assuring that the school is not associated with expression that is, for example, ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.
- E. Time, Place, and Manner of Distribution

Students shall be permitted to distribute written materials at school as follows:

1. Time

Distribution shall be limited to the hours before the school day begins, during lunch hour and after school is dismissed.

2. Place

Written materials may be distributed in locations so as not to interfere with the normal flow of traffic within the school hallways, walkways, entry ways, and parking lots. Distribution shall not impede entrance to or exit from school premises in any way.

3. Manner

No one shall induce or coerce a student or staff member to accept a student publication.

**V. POSTING**

The school district must adopt a student journalist policy consistent with Minnesota Statutes, section 121A.80 and post it on the district website.

**Legal References:** U. S. Const., amend. I  
*Morse v. Frederick*, 551 U.S. 393 (2007)  
*Hazelwood School District v. Kuhlmeier*, 484 U.S. 260 (1988)  
*Bystrom v. Fridley High School, I.S.D. No. 14*, 822 F. 2d 747 (8<sup>th</sup> Cir. 1987)  
Minn. Stat. § 121A.03 (Model Policy)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. § 121A.80 (Student Journalism; Student Expression)

**Cross References:** Policy 505 (Distribution of Non-school-Sponsored Materials on School Premises by Students and Employees)  
Policy 506 (Student Discipline)  
Policy 904 (Distribution of Materials on School District Property by Non-school Persons)

## ~~5080 STUDENT EXPRESSION OF OPINION~~

~~Students, as any other citizens, have the right to express their opinion. Historically, the school has been a place for the exchange of ideas and the dissemination of information; consequently, the schools should provide all possible opportunities for students to discuss issues and to express their opinions on school policies, programs of studies, and areas of public concern. Such discussions should be carried on in an atmosphere of mutual respect with all points of view having equal opportunity to be presented.~~

~~Although students have the right to express opinions, to make suggestions to school administrators and faculty, and to be heard in the setting up of rules of conduct, until changes are made, they must follow the established rules and policies of the school. Any outside person who interferes with the normal functioning of the school or who engages in any unauthorized activity on school property shall be asked to leave, and if he refuses to do so, the school administrator or teacher in charge shall request his removal by law enforcement officers.~~

~~Adopted: 06-09-1970 ISD-709~~

~~Revised: 0-6-20-1995 ISD-709~~

Duluth Public Schools ISD 709 | 215 N First Avenue East | Duluth, MN 55802 | (218) 336-8752

## **807 HEALTH AND SAFETY POLICY**

### **I. PURPOSE**

The purpose of this policy is to assist the school district in promoting health and safety, reducing injuries, and complying with federal, state, and local health and safety laws and regulations.

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

- A. The policy of the school district is to implement a health and safety program that includes plans and procedures to protect employees, students, volunteers, and members of the general public who enter school district buildings and grounds. The objective of the health and safety program will be to provide a safe and healthy learning environment; to increase safety awareness; to help prevent accidents, illnesses, and injuries; to reduce liability; to assign duties and responsibilities to school district staff to implement and maintain the health and safety program; to establish written procedures for the identification and management of hazards or potential hazards; to train school district staff on safe work practices; and to comply with all health and safety, environmental, and occupational health laws, rules, and regulations.
- B. All school district employees have a responsibility for maintaining a safe and healthy environment within the school district and are expected to be involved in the health and safety program to the extent practicable. For the purpose of implementing this policy, the school district shall form a health and safety advisory committee, referred to as the Occupational Safety Committee, to be chaired by the Health, Safety, and Environmental Coordinator. The Occupational Safety Committee will be composed of employees and other individuals with specific knowledge of related issues, and will include members from each site and union. The Occupational Safety Committee will provide recommendations to the administration regarding plans and procedures to implement this policy and to establish procedures for identifying, analyzing, and controlling hazards, minimizing risks, and training school district staff on safe work practices. The committee will also recommend procedures for investigating accidents and enforcement of workplace safety rules. Each recommendation shall include estimates of annual costs of implementing and maintaining that proposed recommendation.

The Occupational Safety Committee shall carry out all of the duties established under ~~Minn. Stat. §~~ **Minnesota Statute section** 182.676.

### **III. EMPLOYEE PROCEDURES**

- A. Based upon recommendations from the Occupational Safety Committee and subject to the budget adopted by the school board to implement or maintain these recommendations, the administration will adopt and implement written plans and procedures for identification and management of hazards or potential hazards existing within the school district in accordance with federal, state, and local laws, rules, and regulations. Written plans and procedures will be maintained, updated, and reviewed by the Health, Safety, and Environmental Coordinator on an annual basis and shall be made available on **the staff portal of the** district website. The administration shall identify in writing a contact person to oversee compliance with each specific plan or procedure.
- B. To the extent that federal, state, and local laws, rules, and regulations do not exist for identification and management of hazards or potential hazards, the Occupational Safety Committee shall evaluate other available resources and generally accepted best practice recommendations. Best practices are techniques or actions which, through experience or research, have consistently proven to lead to specific positive outcomes.

- C. The school district shall monitor and make good faith efforts to comply with any new or amended laws, rules, or regulations to control potential hazards.

#### **IV. STUDENT PROCEDURES**

- A. All students shall wear eye protective devices when participating in, observing, or performing any function in connection with any courses or activities taking place in eye protection areas. Eye protection areas shall include, but not be limited to, industrial arts shops, science laboratories, and other school laboratories.

The School District shall purchase and make available for all students eye protective devices meeting ANSI standards Z87.1 2020.

Each program or course requiring the eye protective devices shall have such notation on all literature distributed to prospective students. Each teacher instructing in eye protection areas shall instruct, demonstrate, and constantly supervise the use, care, and storage of the eye protective devices. Each student enrolled in an eye protective course shall obtain the required eye protective device from the teacher; the device shall be returned at the end of the course.

Any student failing to comply with this requirement may be temporarily suspended from participation in said course, and the registration of a student for such a course may be canceled for willful, flagrant, or repeated failure to observe requirements.

All students involved in the operation of rotating equipment or such equipment where rapid discharge of material is common shall wear face protection in addition to eye protection. Other areas with peculiar hazards, such as welding, shall require the use of proper protective equipment from light as well as chips.

Students shall not be allowed in an eye protection area without approved eye protective devices.

#### **IV. PROGRAM AND PLANS**

- A. For the purpose of implementing this policy, the administration will, within the budgetary limitations adopted by the school board, implement a health and safety program that includes specific plan requirements in various areas as identified by the Occupational Safety Committee. Areas that may be considered include, but are not limited to, the following:

1. Asbestos
2. Fire and Life Safety
3. Employee Right to Know
4. Emergency Action Planning
5. Combustible and Hazardous Materials Storage
6. Indoor Air Quality
7. Mechanical Ventilation
8. Mold Cleanup and Abatement
9. Accident and Injury Reduction Program: Model AWAIR Program for Minnesota Schools
10. Infectious Waste/Bloodborne Pathogens
11. Community Right to Know
12. Compressed Gas Safety
13. Confined Space Standard
14. Electrical Safety
15. First Aid/CPR/AED/Naloxone
16. Food Safety Inspection



17. Forklift/Powered Industrial Truck Safety
18. Hazardous Waste Management
19. Hearing Conservation
20. Hoist/Lift/Elevator Safety
21. Integrated Pest Management
22. Laboratory Safety Standard/Chemical Hygiene Plan
23. Lead in Paint
24. Lead in Water and Well Water Management
25. Control of Hazardous Energy Sources (Lockout/Tagout)
26. Machine Guarding
27. Safety Committee
28. Personal Protection Equipment (PPE)
29. Playground Safety
30. Radon
31. Respiratory Protection
32. Underground and Above Ground Storage Tanks
33. Welding/Cutting/Brazing (Hot Work)
34. Fall Protection
35. National Emission Standards for Hazardous Air Pollutants for School Generators established by the United States E.P.A.
36. Bleacher Inspections
37. Heat and Cold Stress
38. Ladders
39. Mobile Elevated Work Platform/Aerial Lifts/Scaffolding
40. Powered Tools and Chainsaws
41. Silica
42. Working Alone
43. CTE Classroom Safety
44. Chemistry Classroom Safety
45. Art Classroom Safety
46. Other areas determined to be appropriate by the **Occupational Safety Committee.**

If a risk is not present in the school district, the preparation of a plan or procedure for that risk will not be necessary.

- B. The administration shall establish procedures to ensure, to the extent practicable, that all employees are properly trained and instructed in job procedures, crisis response duties, and emergency response actions where exposure or possible exposure to hazards and potential hazards may occur.
- C. The administration shall conduct or arrange safety inspections and drills. Any identified hazards, unsafe conditions, or unsafe practices will be documented and corrective action taken to the extent practicable to control that hazard, unsafe condition, or unsafe practice.
- D. Communication from employees regarding hazards, unsafe or potentially unsafe working conditions, and unsafe or potentially unsafe practices is encouraged in either written or oral form. No employee will be retaliated against for reporting hazards or unsafe or potentially unsafe working conditions or practices. All employees have the authority to stop work if they believe conditions may pose a danger to life or health.
- E. The administration shall conduct periodic workplace inspections to identify potential hazards and safety concerns.
- F. In the event of an accident or a near miss, the school district shall promptly cause an accident investigation to be conducted in order to determine the cause of the incident

and to take action to prevent a similar incident. All accidents and near misses must be reported to an immediate supervisor as soon as possible.

- G. The district shall provide personal protective equipment to staff, including but not limited to eye protection (including prescription eye protection), gloves, respirators, and hearing protection, as deemed necessary in the written programs in section IV.A.

## **VI. BUDGET**

The superintendent shall be responsible to provide for periodic school board review and approval of the various plan requirements of the health and safety program, including current plan requirements and related written plans and procedures and recommendations for additional plan requirements proposed to be adopted. The superintendent, or such other school official as designated by the superintendent, such as the Health, Safety, and Environmental Coordinator, each year shall prepare preliminary revenue and expenditure budgets for the school district's health and safety program. The preliminary budgets shall be accompanied by such written commentary as may be necessary for them to be clearly understood by the members of the school board and the public. The school board shall review the projected revenues and expenditures for this program and make such adjustments within the expenditure budget to carry out the current program and to implement new recommendations within the revenues projected and appropriated for this purpose. No funds may be expended for the health and safety program in any school year prior to the adoption of the budget document authorizing that expenditure for that year, or prior to the adoption of an amendment to that budget document by the school board to authorize that expenditure for that year. The health and safety program shall be implemented, conducted, and administered within the fiscal restraints of the budget so adopted.

## **VII. ENFORCEMENT**

Enforcement of this policy is necessary for the goals of the school district's health and safety program to be achieved. Within applicable budget limitations, school district employees will be trained and receive periodic reviews of safety practices and procedures, focusing on areas that directly affect the employees' job duties. Employees shall participate in practice drills. Willful violations of safe work practices may result in disciplinary action in accordance with applicable school district policies.

**Legal References:** [Minn. Stat. § 121A.32 \(Eye Protective Devices\)](#)  
Minn. Stat. § 123B.56 (Health, Safety, and Environmental Management)  
Minn. Stat. § 123B.57 (Capital Expenditure; Health and Safety)  
Minn. Stat. § 182 (Occupational Safety and Health)  
Minn. Rules Part 5208.0010 (Applicability)  
Minn. Rules Part 5208.0070 (Accident and Injury Reduction Program; Alternative Forms of Committee)  
29 CFR § 1910 (OSHA General Industry Standards)  
29 CFR § 1926 (OSHA Construction Standards)

**Cross References:** MSBA/MASA Model Policy 407 (Employee Right to Know - Exposure to Hazardous Substances)  
MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)  
MSBA/MASA Model Policy 806 (Crisis Management Policy)  
[MSA 126.20](#)

First Reading: 04.26.2022  
Second Reading: 05.17.2022

## 807 HEALTH AND SAFETY POLICY

### I. PURPOSE

The purpose of this policy is to assist the school district in promoting health and safety, reducing injuries, and complying with federal, state, and local health and safety laws and regulations.

### II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to implement a health and safety program that includes plans and procedures to protect employees, students, volunteers, and members of the general public who enter school district buildings and grounds. The objective of the health and safety program will be to provide a safe and healthy learning environment; to increase safety awareness; to help prevent accidents, illnesses, and injuries; to reduce liability; to assign duties and responsibilities to school district staff to implement and maintain the health and safety program; to establish written procedures for the identification and management of hazards or potential hazards; to train school district staff on safe work practices; and to comply with all health and safety, environmental, and occupational health laws, rules, and regulations.
- B. All school district employees have a responsibility for maintaining a safe and healthy environment within the school district and are expected to be involved in the health and safety program to the extent practicable. For the purpose of implementing this policy, the school district ~~may~~ **shall** form a health and safety advisory committee, **referred to as the Occupational Safety Committee**, to be ~~appointed by the superintendent~~ **chaired by the Health, Safety, and Environmental Coordinator**. The ~~health and safety advisory committee~~ **Occupational Safety Committee** will be composed of employees and other individuals with specific knowledge of related issues, **and will include members from each site and union**. The ~~advisory committee~~ **Occupational Safety Committee** will provide recommendations to the administration regarding plans and procedures to implement this policy and to establish procedures for identifying, analyzing, and controlling hazards, minimizing risks, and training school district staff on safe work practices. The committee will also recommend procedures for investigating accidents and enforcement of workplace safety rules. Each recommendation shall include estimates of annual costs of implementing and maintaining that proposed recommendation. ~~The superintendent may request that t~~
- ~~The Occupational Safety Committee established under Minn. Stat. § 182.676 shall carry out all or part of the duties of the advisory committee or the advisory committee may consider recommendations from a separate safety committee established under Minn. Stat § 182.676.~~

### III. EMPLOYEE PROCEDURES

- A. Based upon recommendations from the ~~health and safety advisory committee~~ **Occupational Safety Committee** and subject to the budget adopted by the school board to implement or maintain these recommendations, the administration will adopt and implement written plans and procedures for identification and management of hazards or potential hazards existing within the school district in accordance with federal, state, and local laws, rules, and regulations. Written plans and procedures will be maintained, updated, and reviewed by the ~~school board~~ **Health, Safety, and Environmental Coordinator** on an annual basis and shall be ~~an addendum to this policy~~ **made available on the district website**. The administration shall identify in writing a contact person to oversee compliance with each specific plan or procedure.
- B. To the extent that federal, state, and local laws, rules, and regulations do not exist for

identification and management of hazards or potential hazards, the ~~health and safety advisory committee~~ **Occupational Safety Committee** shall evaluate other available resources and generally accepted best practice recommendations. Best practices are techniques or actions which, through experience or research, have consistently proven to lead to specific positive outcomes.

- C. The school district shall monitor and make good faith efforts to comply with any new or amended laws, rules, or regulations to control potential hazards.

#### **IV. STUDENT PROCEDURES**

- A. All students shall wear eye protective devices when participating in, observing, or performing any function in connection with any courses or activities taking place in eye protection areas. Eye protection areas shall include, but not be limited to, industrial arts shops, science laboratories, and other school laboratories.

The School District shall purchase and make available for all students eye protective devices meeting ANSI standards Z87.1-1968/2020.

Each program or course requiring the eye protective devices shall have such notation on all literature distributed to prospective students. Each teacher instructing in eye protection areas shall instruct, demonstrate, and constantly supervise the use, care, and storage of the eye protective devices. Each student enrolled in an eye protective course shall obtain the required eye protective device from the teacher; the device shall be returned at the end of the course.

Any student failing to comply with this requirement may be temporarily suspended from participation in said course, and the registration of a student for such a course may be canceled for willful, flagrant, or repeated failure to observe requirements.

All students involved in the operation of rotating equipment or such equipment where rapid discharge of material is common shall wear face protection in addition to eye protection. Other areas with peculiar hazards, such as welding, shall require the use of proper protective equipment from light as well as chips.

Students shall not be allowed in an eye protection area without approved eye protective devices.

#### **IV. PROGRAM AND PLANS**

- A. For the purpose of implementing this policy, the administration will, within the budgetary limitations adopted by the school board, implement a health and safety program that includes specific plan requirements in various areas as identified by the ~~health and safety advisory committee~~ **Occupational Safety Committee**. Areas that may be considered include, but are not limited to, the following:

1. Asbestos
2. Fire and Life Safety
3. Employee Right to Know
4. Emergency Action Planning
5. Combustible and Hazardous Materials Storage
6. Indoor Air Quality
7. Mechanical Ventilation
8. Mold Cleanup and Abatement
9. Accident and Injury Reduction Program: Model AWAIR Program for Minnesota Schools
10. Infectious Waste/Bloodborne Pathogens
11. Community Right to Know

12. Compressed Gas Safety
13. Confined Space Standard
14. Electrical Safety
15. First Aid/CPR/AED/Naloxone
16. Food Safety Inspection
17. Forklift/Powered Industrial Truck Safety
18. Hazardous Waste Management
19. Hearing Conservation
20. Hoist/Lift/Elevator Safety
21. Integrated Pest Management
22. Laboratory Safety Standard/Chemical Hygiene Plan
23. Lead in Paint
24. Lead in Water and Well Water Management
25. Control of Hazardous Energy Sources (Lockout/Tagout)
26. Machine Guarding
27. Safety Committee
28. Personal Protection Equipment (PPE)
29. Playground Safety
30. Radon
31. Respiratory Protection
32. Underground and Above Ground Storage Tanks
33. Welding/Cutting/Brazing (Hot Work)
34. Fall Protection
35. National Emission Standards for Hazardous Air Pollutants for School Generators established by the United States E.P.A.
36. Bleacher Inspections
37. Heat and Cold Stress
38. Ladders
39. Mobile Elevated Work Platform/Aerial Lifts/Scaffolding
40. Powered Tools and Chainsaws
41. Silica
42. Working Alone
43. CTE Classroom Safety
44. Chemistry Classroom Safety
45. Art Classroom Safety
46. Other areas determined to be appropriate by the health and safety advisory committee.

If a risk is not present in the school district, the preparation of a plan or procedure for that risk will not be necessary.

- B. The administration shall establish procedures to ensure, to the extent practicable, that all employees are properly trained and instructed in job procedures, crisis response duties, and emergency response actions where exposure or possible exposure to hazards and potential hazards may occur.
- C. The administration shall conduct or arrange safety inspections and drills. Any identified hazards, unsafe conditions, or unsafe practices will be documented and corrective action taken to the extent practicable to control that hazard, unsafe condition, or unsafe practice.
- D. Communication from employees regarding hazards, unsafe or potentially unsafe working conditions, and unsafe or potentially unsafe practices is encouraged in either written or oral form. No employee will be retaliated against for reporting hazards or unsafe or potentially unsafe working conditions or practices. All employees have the authority to stop work if they believe conditions may pose a danger to life or health.

- E. The administration shall conduct periodic workplace inspections to identify potential hazards and safety concerns.
- F. In the event of an accident or a near miss, the school district shall promptly cause an accident investigation to be conducted in order to determine the cause of the incident and to take action to prevent a similar incident. All accidents and near misses must be reported to an immediate supervisor as soon as possible.
- G. The district shall provide personal protective equipment to staff, including but not limited to eye protection (including prescription eye protection), gloves, respirators, and hearing protection, as deemed necessary in the written programs in section IV.A.

**VI. BUDGET**

The superintendent shall be responsible to provide for periodic school board review and approval of the various plan requirements of the health and safety program, including current plan requirements and related written plans and procedures and recommendations for additional plan requirements proposed to be adopted. The superintendent, or such other school official as designated by the superintendent, **such as the Health, Safety, and Environmental Coordinator**, each year shall prepare preliminary revenue and expenditure budgets for the school district’s health and safety program. The preliminary budgets shall be accompanied by such written commentary as may be necessary for them to be clearly understood by the members of the school board and the public. The school board shall review the projected revenues and expenditures for this program and make such adjustments within the expenditure budget to carry out the current program and to implement new recommendations within the revenues projected and appropriated for this purpose. No funds may be expended for the health and safety program in any school year prior to the adoption of the budget document authorizing that expenditure for that year, or prior to the adoption of an amendment to that budget document by the school board to authorize that expenditure for that year. The health and safety program shall be implemented, conducted, and administered within the fiscal restraints of the budget so adopted.

**VII. ENFORCEMENT**

Enforcement of this policy is necessary for the goals of the school district’s health and safety program to be achieved. Within applicable budget limitations, school district employees will be trained and receive periodic reviews of safety practices and procedures, focusing on areas that directly affect the employees’ job duties. Employees shall participate in practice drills. Willful violations of safe work practices may result in disciplinary action in accordance with applicable school district policies.

**Legal References:** Minn. Stat. § 123B.56 (Health, Safety, and Environmental Management)  
Minn. Stat. § 123B.57 (Capital Expenditure; Health and Safety)  
Minn. Stat. § 182.676 (Safety Committees)  
Minn. Rules Part 5208.0010 (Applicability)  
Minn. Rules Part 5208.0070 (Alternative Forms of Committee)

**Cross References:** MSBA/MASA Model Policy 407 (Employee Right to Know - Exposure to Hazardous Substances)  
MSBA/MASA Model Policy 701 (Establishment and Adoption of School District Budget)  
MSBA/MASA Model Policy 806 (Crisis Management Policy)  
**MSA 126.20**

First Reading: April 26, 2022  
Second Reading: May 17, 2022

## ~~4165 — EYE AND FACE PROTECTION~~

~~All employees shall wear protective devices when working, participating in, observing, or teaching in vocational or industrial arts shops, science or other school laboratories, maintenance shops, and other areas identified by the Superintendent.~~

~~Eye protective devices meeting ANSI Standards Z87.1-1968 shall be supplied by the School District and made available to all employees requiring such protection. Each employee requiring such a protective device shall submit a request to his/her immediate supervisor. Employees requiring corrective lenses must provide (at their own expense) a current prescription from their ophthalmologist. The cost of an eye protective device made from the employee's prescription will be borne by the School District. All employees exposed to or required to work in chemical splash hazard areas shall be provided chemical splash goggles and are required to wear such goggles when working with hazardous liquids.~~

~~All personnel involved in the operation of rotating equipment or such equipment where rapid discharge of material is common shall wear face protection in addition to eye protection. Other areas with peculiar hazards, such as welding, shall require the use of proper protective equipment from light as well as chips.~~

~~Any staff member teaching in an area where eye protection is required, who fails to enforce the School Board's policies on protection for students and staff, shall be deemed to be in violation of the policy and may be subject to disciplinary action.~~

~~References: MSA 126.20 Eye Protective Devices  
Minnesota Occupational Safety and Health Act 1973  
1910.133 Eye and Face Protection~~

~~Adopted: 11-09-76 ISD 709  
Revised: 01-08-1980  
08-09-1983  
06-20-1995 ISD 709~~



## ~~5145—EYE AND FACE PROTECTION~~

~~All students shall wear eye protective devices when participating in, observing, or performing any function in connection with any courses or activities taking place in eye protection areas. Eye protection areas shall include, but not be limited to, industrial arts shops, science laboratories, and other school laboratories.~~

~~The School District shall purchase and make available for all students eye protective devices meeting ANSI standards Z87.1-1968.~~

~~Each program or course requiring the eye protective devices shall have such notation on all literature distributed to prospective students. Each teacher instructing in eye protection areas shall instruct, demonstrate, and constantly supervise the use, care, and storage of the eye protective devices. Each student enrolled in an eye protective course shall obtain the required eye protective device from the teacher; the device shall be returned at the end of the course.~~

~~Any student failing to comply with this requirement may be temporarily suspended from participation in said course, and the registration of a student for such a course may be canceled for willful, flagrant, or repeated failure to observe requirements.~~

~~All students involved in the operation of rotating equipment or such equipment where rapid discharge of material is common shall wear face protection in addition to eye protection. Other areas with peculiar hazards, such as welding, shall require the use of proper protective equipment from light as well as chips.~~

~~Students shall not be allowed in an eye protection area without approved eye protective devices.~~

~~Reference: MSA 126.20~~

~~Adopted: 11-09-1976 ISD-709~~

~~Revised: 01-08-1980~~

~~07-14-1981~~

~~06-20-1995 ISD-709~~

Adopted: \_\_\_\_\_

MSBA/MASA Model Policy 412

Orig. 1995

Revised: \_\_\_\_\_

Rev. 2008

## **412 EXPENSE REIMBURSEMENT**

***[Note: School districts are required by statute to have a policy addressing these issues.]***

### **I. PURPOSE**

The purpose of this policy is to identify school district business expenses **and how they are either prepaid by the District or reimbursed to the employee.** ~~that involve initial payment by an employee and qualify for reimbursement from the school district, and to specify the manner by which the employee seeks reimbursement.~~

### **II. AUTHORIZATION**

All school district business expenses to be **prepaid or** reimbursed must be approved by the supervising administrator. Such expenses to be reimbursed may include transportation, meals, lodging, registration fees, required materials, parking fees, tips, and other reasonable and necessary school district business-related expenses.

### **III. PREPAYMENT**

- A. Requests for prepayment of expenses must be on the official school district form and are submitted to the designated administrator for review and approval. Supporting documentation must also be attached.

### **IIIIV. REIMBURSEMENT**

- A. Requests for reimbursement must be itemized on the official school district form and are to be submitted to the designated administrator. Receipts for lodging, commercial transportation, registration, **meals, parking** and other reasonable and necessary expenses must be attached to the reimbursement form.
- B. Automobile travel shall be reimbursed at the mileage rate set by the **Internal Revenue Service** ~~school board~~. Commercial transportation shall reflect economy fares and shall be reimbursed only for the actual cost of the trip.

### **IVV. AIRLINE TRAVEL CREDIT**

- A. Employees utilizing school district funds to pay for airline travel are required to ensure that any credits or other benefits issued by any airline accrue to the benefit of the school district rather than the employee.
  - 1. To the extent an airline will not honor a transfer or assignment of credit or benefit from the employee to the school district, the employee shall report receipt of the credit or benefit to the designated administrator within 90 days of receipt of the credit or benefit.
  - 2. Reports of the receipt of an airline credit or benefit shall be made in writing and shall include verification from the airline as to the credit or benefit received. Reimbursement for airline travel expenses will not be made until such documentation is provided.

- B. Employees who have existing credits or benefits issued by an airline based upon previously reimbursed airline travel for school district purposes will be required to utilize those credits or benefits toward any subsequent airline travel related to school district purposes, prior to reimbursement for such travel, to the extent permitted and/or feasible.
- C. The requirements of this section apply to all airline travel, regardless of where or how the tickets are purchased.

**VI. MONITORING**

The Finance Department will monitor reimbursement for adherence to applicable policies before reimbursement are made.

**VVVI. ESTABLISHMENT OF DIRECTIVES AND GUIDELINES**

The superintendent shall develop a schedule of reimbursement rates for school district business expenses, including those expenses requiring advance approval and specific rates of reimbursement. The superintendent shall also develop directives and guidelines to address methods and times for submission of requests for reimbursement.

**Legal References:** Minn. Stat. § 15.435 (Airline Travel Credit)  
Minn. Stat. § 471.665 (Mileage Allowances)  
Minn. Op. Atty. Gen. 1035 (Aug. 23, 1999) (Retreat Expenses)  
Minn. Op. Atty. Gen. 161b-12 (Aug. 4, 1997) (Transportation Expenses)  
Minn. Op. Atty. Gen. 161B-12 (Jan. 24, 1989) (Operating Expenses of Car)

**Cross References:** MSBA/MASA Model Policy 214 (Out-of-State Travel by School Board Members)

New Policy  
Replacing: 3135, 3136  
First Reading: 07-16-2019  
Adopted: 08-20-2019

**412R EXPENSE REIMBURSEMENT**

All employees must complete the appropriate forms when claiming and applying for expenses under Policy 412.

- Preapproval for Professional Leave and/or Travel
- Reimbursement for Actual Travel Expenses (accompanied by Preapproval when submitting for reimbursement)
- Invoice/Reimbursement Form (when requesting for reimbursements for things like in-district mileage, **supplies, fees, etc. when approved by the direct supervisor.**)

All travel including in and out of town workshops and seminars must be approved in advance by the appropriate supervisor. The pre-approval form must be attached to a Professional Leave Request Form.

All travel must be within the budgets established by the School Board. Travel costs shall be incurred in such a manner that actual dollar costs and employee time are minimized.

Effective July 1, 2019, meal reimbursements are limited to the per diem rate of up to fifty dollars (~~\$50~~**\$47**) per day. See graph on next page for breakdown by meal.

All reimbursement requests ~~must be claimed within a reasonable period of time. All requests~~ must be submitted within 60 days after they were paid or were incurred to be reimbursed by the District. **All reimbursements received (mileage, lodging, travel, conference fees, meals) after 60 days they were paid for will not be reimbursed.**

Any excess advances must be returned to the District within 30 days after the date the expense was paid or incurred.

**OUT-OF-STATE TRAVEL**

All out-of-state travel must be germane to the School District's mission and approved by the Superintendent or designee. Out-of-state travel must be approved by the Superintendent or designee at least two weeks in advance unless air travel is needed, then a minimum of three weeks' notice is needed, unless some sort of an approvable emergency arises.

All arrangements for air travel must be coordinated by the Business Services' designee. Only **each economy** travel is permissible unless the difference between first class and ~~each~~ **economy** fare is (1) pre-paid by the employee, Board member or community member, (2) is required by law, or (3) is less costly than a 21-day advance coach fare.

According to Minnesota State Statute 15.435 "Whenever public funds are used to pay for airline travel by an elected official or public employee, any credits or other benefits issued by any airline must accrue to the benefit of the public body providing the funding". Therefore, all air travel rewards/credits shall be credited to an account set up for the individual through the District. All District related travel credits must be credited to the individual's District account, and once a reward is earned the reward can be used for District related travel only.

**TRAVEL EXPENSES/REIMBURSEMENT**

Reimbursement rates for travel shall be within Board adopted or amended budget guidelines and travel shall be at the most reasonable rate. Registration fees and banquet events shall be at actual costs. All costs must be reasonable and necessary. If a conference or seminar has an agenda, a copy of that agenda is to be attached to the Reimbursement Request.

**Reimbursements for meals are limited to the following amounts:**

**MEAL LIMITATIONS (Effective July 1, 2019)**

	<b>Per Meal Rate</b>
Breakfast up to	\$10.00
Lunch up to	\$14.00
Dinner up to	\$23.00
<b>Full day per diem</b>	\$47.00 per day

~~Receipts are not needed when the full day per diem rate is claimed.~~

If the workshop, conference, seminar, etc. has meals included in the cost of registration, the full day per diem may not be claimed, only the meals which must be purchased. A copy of the agenda must be included with reimbursement requests. Receipts are required to receive up to but not to exceed per diem rate.

**When claiming individual meals:**

1. Breakfast: An employee may not claim reimbursement for breakfast unless the employee was required to leave home before 6:00 a.m. or to be away from home overnight.
2. Lunch: An employee may not claim reimbursement for lunch unless the employee has traveled more than thirty-five (35) miles from the employee's regular or temporary workstation.
3. Dinner: An employee may not claim reimbursement for dinner unless the employee was still in a travel status after 7:00 p.m. or away from home overnight.
4. If an employee is claiming reimbursement for a meal, the employee must indicate the starting and ending time of the travel.

**VEHICLE EXPENSE REIMBURSEMENT:**

~~Limousine,~~ Bus service, taxi, car service or car rental must be at the most reasonable or efficient convenient rate that can be demonstrated. This District has an arrangement with a local car agency for car rentals.

Parking receipts must be submitted with the reimbursement forms.

Allowance for use of private vehicle is to reflect the current IRS approved reimbursement rate. Because it is possible that the rate may change within a reimbursement period, it is the employee's responsibility to ensure the reimbursement is submitted at the proper rate/rates.

The District reserves the right to establish an effective date different than the IRS effective date. District reimbursement rates and the effective dates will be posted on the District web site. The

employee must provide actual odometer readings or use the mileage allowed per the District's official mileage charts.

The employee must submit airline travel credits (i.e. mileage, etc.) or other benefits (i.e. monetary vouchers for future travel, etc.) earned to the Business Services' designee within 14 days of the date of the return. A brief explanation of the reason for receiving the credit or benefit must be attached.

~~Long distance business-related telephone calls or other identified incidental expenses necessary for business purposes must be verified for appropriateness.~~

## **MILEAGE REIMBURSEMENT FOR USE OF PRIVATE VEHICLES**

Personnel who incur expenses for official travel shall be reimbursed in accordance with the following guidelines at the official rate of reimbursement as established by the Internal Revenue Service.

### **GENERAL INFORMATION:**

1. All mileage claims must be logged on the School District's mileage log form.
2. Only those mileage claims submitted for reimbursement within sixty (60) days after they are incurred will be reimbursed.
3. No allowance will be made for mileage between an employee's residence and his/her work place for the first report to work and the first return home in any regular work day.
4. When an employee is required to report to a different work destination at the beginning of the day than they are normally assigned, the employee will be reimbursed for the lesser of the two: either the mileage from their home to the new destination or the mileage from their normal work location to the new destination.
5. All reimbursement claims must be submitted on an expense voucher accompanied by a copy of the log covering the period for which the claim is made. The log must be complete with sufficient information included so that it is easily understandable. Logs will be returned to the originator whenever information is incomplete.
6. On trips from school location to school location, mileage claimed may be based on actual odometer readings (not trip counter readings). If the actual odometer readings are not provided, the District's mileage chart must be used.

### **SPECIFIC INFORMATION:**

Mileage may be claimed when the employee:

1. Performs visits to pupil residence for parent/guardian consultation.
2. Attends meetings called by the administration.
3. Performs work at a second location in any one work day.
4. Returns a sick student to the student's residence.

5. Attends evening events such as P.T.A. meetings, citizen committee meetings, School Board or School Board Committee meetings, but only if the employee is officially asked to be present or has an official duty to perform.
6. Attends in an official capacity (e.g., coach, assistant coach, assigned administrator) an extra- or co-curricular event.
7. Responds to emergency situations during normal non-work hours.
8. Is required to visit various agencies, business establishments, banks, and other related areas for business or instructional reasons.

### **IN-DISTRICT MEALS AND REFRESHMENTS**

For an in-district meal or refreshment expenditure to be reimbursable to an employee or paid directly to a vendor, it must meet the criteria of being necessary, reasonable, and must directly serve a public purpose. Meal and meeting expenditures that are allowable consist of the following:

1. A meal expenditure may be permissible if only a breakfast, noon, or dinner meeting is possible and participants from outside of the School District are available only at that time.
2. A meal is provided at a training session and the session is conducted throughout the reasonable meal time.
3. A meal is available in lieu of overtime pay.
4. Coffee, soft drinks and/or juices and snacks are permissible for staff meetings.
5. A meal is reimbursable to an administrator or Board member if the meal is the product of an organization, other than the district itself, and attendance is necessarily beneficial to the School District and such benefits could not be obtained other than by attending the meal itself.
- ~~6. A meal is provided in lieu of hiring a substitute teacher.~~
7. Modest refreshments such as coffee, soft drinks, and/or juices and snacks may be provided at functions where members of the general public are in attendance.
8. Individuals who are not District employees are not entitled to travel expenses such as meals, lodging, or transportation unless prior approval has been given by the Superintendent or the appropriate director.
9. A modest meal can be provided students, parents, and staff if part of a school or District sponsored educational event or activity.
10. Reasonable transportation and childcare expenses may be permissible for parents who may otherwise not be able to attend an educational event or activity at their son/daughter's school or program. The expenditure would require prior approval by the building principal or program administrator and would be paid to the service provider upon proper documentation.
11. If the budget for a program or grant which includes specific funding for parent or community involvement is approved by the Board and a State Agency, the expenditure of such funds is appropriate and can be approved by the administrator responsible for the

program or grant.

12. The Chair of the School Board shall have the prerogative to determine if a meal is needed for a Board meeting, committee meeting, or in-service meeting.
13. All expenditures for meals other than the twelve listed above are the personal responsibility of the School District employee who incurred the expense.

The Superintendent may grant exceptions to these general rules based on need to attend and availability of funds.

Approved: 06-09-1970

Revised:	04-20-1976	03-21-1995	06-21-2005
	10-09-1979	06-20-1995	10-18-2005
	08-14-1984	02-17-1998	01-01-2007
	08-11-1987	03-21-2000	01-20-2009
	11-13-1990	07-17-2001	03-18-2015
	01-18-1994	10-19-2004	06-16-2015
Revised and Renumbered from 3136R:			08-20-2019



## Preapproval for Professional Leave and/or Travel

See POLICY 412 prior  
to submitting request.

Submit all copies to the appropriate supervisor **FIVE** working days prior to in district leave and **TEN** working days prior to travel out of district or out of state.

Application Date \_\_\_\_\_ Name \_\_\_\_\_ Employee ID \_\_\_\_\_ Position \_\_\_\_\_

Building \_\_\_\_\_ Attending (*conference, meeting, etc.*) \_\_\_\_\_

Location and address of conference: \_\_\_\_\_

Specific dates of leave/travel \_\_\_\_\_ to \_\_\_\_\_ Number of days away from work \_\_\_\_\_

Reason for attendance \_\_\_\_\_ Requested by \_\_\_\_\_

### COMPLETE ONLY WHEN OUTSIDE AGENCY IS TO BE BILLED FOR A SUBSTITUTE

INVOICE TO: Name/Agency \_\_\_\_\_  
Address \_\_\_\_\_  
City/State/Zip \_\_\_\_\_

### ESTIMATED COST OF TRAVEL

KEY BUDGET CODE ► \_\_\_\_\_

Will this travel be paid with Federal funds?  Yes  No

#### Airfare

**IN AND OUT  
OF STATE**

366 / 368

Must complete Form 412-A prior to travel arrangements and submit to Business Office.

\$ \_\_\_\_\_

#### Transportation

366 / 368

Personal Car  Rental Car  Taxi  Shuttle

Mileage: \_\_\_\_\_ miles @ \_\_\_\_\_¢ (*current rate*)

\$ \_\_\_\_\_

#### Conference Fee or Tuition

366 / 368

Attach copy of conference brochure or information.

\$ \_\_\_\_\_

#### Lodging and Meals

366 / 368

Lodging: \_\_\_\_\_ nights @ \$ \_\_\_\_\_ /night (*include tax*)

Meals: \_\_\_\_\_ per day @ \$ \_\_\_\_\_ /day

**Meal Per diem  
Max \$47/day:**

*Receipts REQUIRED for meal per diem -- claimant will not automatically be given per diem rate without original receipts.*

Breakfast - \$10 Lunch - \$14 Dinner - \$23

\$ \_\_\_\_\_

\$ \_\_\_\_\_

#### Other Expenses (i.e. parking, baggage fees, etc.)

Specify: \_\_\_\_\_

\$ \_\_\_\_\_

#### Sub Expenses (Certified / Non-Certified)

145 / 146

Substitute Required?  Yes  No

1st Choice \_\_\_\_\_ 2nd Choice \_\_\_\_\_

Dept/Program responsible for sub cost: \_\_\_\_\_

\$ \_\_\_\_\_

SFE JOB NO. \_\_\_\_\_

**TOTAL**

\$ \_\_\_\_\_

### APPROVAL

Principal / Supervisor

Date

Program Manager / Director (if needed)

Date

**ACTUAL REIMBURSEMENT REQUEST MUST BE MADE WITHIN 60 DAYS OF FIRST DAY OF TRAVEL ON FORM 412-R.  
DISTRIBUTE AS FOLLOWS ONCE APPROVAL SIGNATURES ARE OBTAINED.**

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**Independent School District 709**  
**Reimbursement Claim for Actual Travel Expenses**

Date: \_\_\_\_\_

See Policy 412, Regulation 412R prior to submitting request.  
Travel claims must be submitted within 60 calendar days of first day of travel.

Claimant's Name: \_\_\_\_\_ Site: \_\_\_\_\_ Employee ID: \_\_\_\_\_

Home Address: \_\_\_\_\_ City, State & Zip: \_\_\_\_\_

Conference/Seminar: \_\_\_\_\_ Location of Conference (city, state): \_\_\_\_\_

Dates - From: \_\_\_\_\_ Departure Time: \_\_\_\_\_ To: \_\_\_\_\_ Return Time: \_\_\_\_\_

**REIMBURSEMENT REQUESTED AS FOLLOWS:**

**KEY BUDGET CODE**

▶ \_\_\_\_\_

**Did you attach?**

- Approved Professional Leave       Proof of Insurance  
 Original Receipts                       Agenda or Brochure

**Airfare**

366 (In & Out of State)     368 (Out of State-Federal ONLY)      Amount: \$ \_\_\_\_\_

**Transportation**

366 (In & Out of State)     368 (Out of State-Federal ONLY)  
 Personal Car - Mileage: \_\_\_\_\_ miles @ \_\_\_\_\_¢ (current rate)     Rental Car     Taxi     Shuttle      Amount: \$ \_\_\_\_\_

**Conference Fee or Tuition**

366 (In & Out of State)     368 (Out of State-Federal ONLY)     Prepaid by ISD709     Not Prepaid      Amount: \$ \_\_\_\_\_

**Lodging and Meals**

366 (In & Out of State)     368 (Out of State-Federal ONLY)     Prepaid by ISD709     Not Prepaid

Lodging from (date): \_\_\_\_\_ to \_\_\_\_\_ Lodging Total: \$ \_\_\_\_\_ (attach receipt)

Dates	Breakfast	Lunch	Supper	Total Per Day
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
_____	\$ _____	\$ _____	\$ _____	\$ _____
Meal Totals:	\$ _____	\$ _____	\$ _____	\$ _____

**Meal Per diem:**  
Max \$47/day:    Breakfast - \$10  
                         Lunch - \$14  
                         Dinner - \$23

*Receipts REQUIRED for meal per diem -- claimant will not automatically be given per diem rate without original receipts.*

Lodging & Meals Amount: \$ \_\_\_\_\_

**Other Expenses**

Specify: \_\_\_\_\_  \_\_\_\_\_  \_\_\_\_\_ Amount: \$ \_\_\_\_\_

**Totals**

SubTotal of Reimbursement: \$ \_\_\_\_\_  
Less Prepaid Total: \$ \_\_\_\_\_  
**Grand Total of Reimbursement:** \$ \_\_\_\_\_

**A U T H O R I Z A T I O N S**

**InSTRuCTIoNs:** If actual expenses fall within 10% of the **pre-approved estimated** costs, no additional approval is required. The form should be sent to Accounts Payable for processing. If actual expenses **exceed** the pre-approved estimated costs by more than 10%, the claimant must obtain additional approval from the Program Manager / Supervisor before submitting to Accounts Payable.

\_\_\_\_\_  
Claimant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Program Manager / Supervisor (If over 10%)

\_\_\_\_\_  
Date 42