



Minnesota State Academies Board

Monday, March 8, 2021 at 2:00 PM

Policy Committee Meeting

Electronic Means

615 Olof Hanson Drive

Faribault, MN 55021

Link to Zoom Meeting

*Meeting ID: 873 1278 5748 Passcode: MSA*PC*

*One tap mobile +13126266799,,87312785748#,,,,*744910# US (Chicago)*

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INDIVIDUALS WHO REQUIRE ACCOMMODATIONS
SHOULD CONTACT LOLA BRAND
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Minutes of Policy Committee Meeting
Minnesota State Academies Board

A Policy Committee Meeting of the Minnesota State Academies Board was held Monday, February 8, 2021 beginning at 2:00pm via Zoom video Meeting.

Present: Marty Duncan; Board Member, Terry Wilding; Superintendent, Bridget Buckingham; HR Director, Jody Olson; MSAD Assistant Director

Absent: None

1. Call to Order

2:06pm

2. Review Meeting Minutes

- a. Jan 12 Meeting Minutes - Approved

3. Policies to Review from MSBA

- a. Policy 903 – Visitors to School District Buildings and Sites

Discussion around whether it is a procedure to be put in place or a policy and a procedure. Terry suggested bringing it to ILT for input from the Directors. It was mentioned to review the parking paragraph and where would it be best placed, procedure or policy. After the ILT reviews this policy/procedure, Terry will bring it back for consideration.

- b. Policy 905 – Advertising

Overall, it was felt that it is very well detailed and is needed. Section 8 paragraph in bold print could be taken out. It was suggested that it mention the “go-to” person for approval for distributing material.

Under 3E “minor under age 18” language make sure it is clear that the policy reads who the policy is intended for? Suggestion to put in language regarding how long the item can be displayed – having a “take-down” date on the item and/or on the form we require them to fill out. Terry will revise the policy and bring it back to a future policy committee meeting.

4. Policies to Review for a Second Reading

- a. Policy 211 – Criminal or Civil Action against MSA, MSA Board Member, Employee, or Student

The Director of Special Services is looking for legal language for items in blue. It will be ready to review and approve at the Feb 24 board meeting.

b. Policy 450 – School Volunteers

Expanded it to include student workers. Forward to the Feb 24 board meeting for approval.

c. Policy 528 – Student Parental, Family, and Marital Status Nondiscrimination

No changes – Forward to the Feb 24 board meeting for approval.

d. Policy 744 – MSA Fundraising

Site Council members wanted to encourage students to sell their product – blue portion will be deleted and leave the red portion in 5D. In section I – word change (3rd word in) in the red font to read “will” – forward to the Feb 24 board meeting for approval after changes are updated.

5. Policies to Review Prior to a First Reading

a. Policy 752 – MSA Museum Collections Management

It was explained that this policy will assist committee members appointed by the Superintendent in knowing the scope and expectations of the museum tasks and purpose. No changes were suggested. Ready for First Reading.

6. Policies to review prior to Re-authorization in any of the following policies.

a. Policy 102 – Equal Education Opportunity - No changes – ready for reauthorization

b. Policy 110 – Educational Excellence and Equity – Suggestion for one minor formatting change to underline “MSA must work towards addressing and overcoming the inequity” in Section 2, 2nd paragraph – Ready for reauthorization.

c. Policy 419 – Tobacco-Free Environment – No changes – Ready for reauthorization

7. Adjourn – 2:41p.m.

Adopted: _____

MSBA/MASA Model Policy 906

Orig. 1997

Revised: _____

Rev. 2006

906 COMMUNITY NOTIFICATION OF PREDATORY OFFENDERS

[Note: School board adoption of a policy regarding a predatory offender notification is discretionary. The Sex Offender Community Notification Act, Minn. Stat. § 244.052, imposes duties on law enforcement agencies but does not impose mandatory notification duties on school districts except as set forth in Paragraph IV.B.6., below.]

I. PURPOSE

The purpose of this policy is to assist school administrators and staff members in responding to a notification by a law enforcement agency that a convicted predatory offender is moving into the school district so that they may better protect individuals in the school's care while they are on or near the school district premises or under the control of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to provide information to staff regarding known predatory offenders that are moving into the school district so that they may monitor school premises for the safety of the school, its students, and employees. Staff will be notified as appropriate and have access to Offender Fact Sheets.
- B. The superintendent, in cooperation with appropriate school transportation officials, will evaluate bus routes and bus stops. Bus drivers will have access to Offender Fact Sheets. If necessary, bus stops may be moved if they place children in close proximity to a predatory offender who has been convicted of crimes against children of similar ages.
- C. The superintendent, in conjunction with the building principal or designee, shall prepare or provide safety information for distribution to students regarding protecting themselves from abuse, abduction, or exploitation. The school district will prepare a list of available resources. Staff will provide safety information to students on how to protect themselves against abuse, abduction, or exploitation. School officials may ask their police liaison officer or local law enforcement officials for assistance in providing instruction to staff and students.

III. DEFINITIONS

- A. The "Sex Offender Community Notification Act," Minn. Stat. § 244.052, as amended, allows law enforcement agencies to disclose information about certain predatory offenders when they are released into the community. The information disclosed and to whom it is disclosed will depend upon their assessment of the level of risk posed by the predatory offender.
- B. "Risk Level Assessment" is the level of danger to the community as established by the Minnesota Department of Corrections following a review by a committee of experts. The level of risk assigned to a soon-to-be-released offender determines the scope of notification. (Minn. Stat. § 244.052, Subds. 2, 3)
- C. "Risk Levels"

1. "Level I" – Risk Level I is assigned to a predatory offender whose risk assessment score indicates a low risk of reoffense.
2. "Level II" – Risk Level II is assigned to a predatory offender whose risk assessment score indicates a moderate risk of reoffense.
3. "Level III" – Risk Level III is assigned to a predatory offender whose risk assessment score indicates a high risk of reoffense.

(Minn. Stat. § 244.052, Subd. 3(e))

D. "Notification or Disclosure by Law Enforcement Agency"

1. Risk Level I – The local law enforcement agency may disclose certain information to other law enforcement agencies and to any victims of or witnesses to the offense committed by the offender. There will be no disclosure to school districts.
2. Risk Level II – In addition to those notified in Level I, a law enforcement agency may notify agencies and groups the offender is likely to encounter that the offender is about to move into the community and provide to those agencies and groups an Offender Fact Sheet on the offender. School districts, private schools, day care centers, and other institutions serving those likely to be victimized by the predatory offender are included in a Level II notification.
3. Risk Level III – In most cases, the local law enforcement agencies will hold a community meeting and distribute an Offender Fact Sheet with information concerning and a photograph of the soon-to-be-released Level III offender.

(Minn. Stat. § 244.052, Subd. 4)

E. "Offender Fact Sheet" is a data sheet compiled by the Department of Corrections or local law enforcement agency. The Offender Fact Sheet contains both public and private data including a photograph and physical description of the predatory offender, as well as the general location of the offender's residence.

1. A local law enforcement agency will generally provide Offender Fact Sheets for Level II predatory offenders directly to the school district.
2. Level III Offender Fact Sheets will be distributed at a community meeting conducted by the local law enforcement agency.

F. "Law enforcement agency" means the law enforcement agency having primary jurisdiction over the location where the offender expects to reside upon release. (Minn. Stat. § 244.052, Subd. 1(3))

G. "Criminal history conviction data" is public data on a convicted criminal which is compiled by the State Bureau of Criminal Apprehension (BCA). (Minn. Stat. § 13.87)

IV. PROCEDURES

A. Level II Notification

In keeping with the statutorily designated purpose that Offender Fact Sheets are to be used by staff members to secure the school and protect individuals in the school district's care while they are on or near the school district's premises or under the control of the school district, the school district will take the following steps:

1. The superintendent shall notify the law enforcement agencies within the school district that all appropriate Level II and Level III notifications are to be provided at least to the superintendent of schools.
2. Upon notification of the release of a Level II predatory offender, the superintendent shall forward the Offender Fact Sheet to all building principals and central office administrators. This would include transportation, food service and buildings and grounds supervisors.
3. Principals of schools in close proximity to the Level II predatory offender's residence shall meet with staff and show the Offender Fact Sheet to persons within the buildings who supervise students or who would be in a position to observe if the Level II offender was in or around the school. This includes, but is not limited to, administrators, teachers, coaches, paraprofessionals, custodians, clerical and office workers, food service workers, volunteers, and transportation providers.
4. The school district shall request criminal history conviction data on the Level II predatory offender from its local law enforcement agency. On a case-by-case basis, the superintendent may determine whether to send a letter to parents with general information regarding release of the Level II offender and a copy of the criminal history conviction data that the school district obtained from its local law enforcement agency. The offender fact sheet contains data classified as private or not public under Minnesota law and may only be distributed to parents, students, or others outside the school district if it determines the release is for the purpose of securing the schools and protecting individuals under the school district's care while they are on or near school premises.
5. The building administrator shall cause the Offender Fact Sheet to be posted in each building in an area accessible to staff and employees but not the general public unless a determination has been made that public posting will help secure the school or protect students.
6. The school district shall not distribute or provide access to Level II Offender Fact Sheets to parents, students, or others outside the school district unless a determination has been made that dissemination of the data will help secure the school or protect students.

[Note: The Department of Administration issued an opinion confirming that the Predatory Offender Fact Sheet contains private data or not public data. However, it is the department's opinion that a school district may release any information contained in the notification to anyone, including staff, students, parents, and guardians, if it

determines that the release of data will help secure the school or protect students.]

B. Level III Notification

1. The superintendent shall notify the law enforcement agencies within the school district that all Level III notifications of community meetings are to be provided to the superintendent of schools.
2. When a Level III predatory offender is released into a community, generally the local law enforcement agency will notify the school district of the time and location of the community meeting at which the Level III Offender Fact Sheet will be distributed to the community.
3. When the school district receives this information, the superintendent shall determine on a case-by-case basis whether the school district will notify parents and students of the time, date, and location of the community meeting.
4. When notified of a Level III predatory offender community meeting the superintendent or another school district administrator designated by the superintendent shall attend the community notification meeting.
5. When the school district receives information that a Level III predatory offender is moving into the school district, in addition to following the procedures specified above, the school district shall follow the procedures outlined for a Level II notification.
6. If the predatory offender is participating in programs offered by the school district that require or allow the person to interact with children other than the person's children, the superintendent shall notify parents of children in the school district of the contents of the Offender Fact Sheet.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 244.052 (Community Notification)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
42 U.S.C. § 16901 *et seq.* (Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program)
Dept. of Admin. Advisory Op. No. 98-004

Cross References: MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 903 (Visitors to School District Buildings and Sites)

Policy #: 752
Title: MSA MUSEUMS COLLECTIONS MANAGEMENT
Date of Initial Approval: NEW
Revision/Re-authorization Dates:
Reviewers: MSA Superintendent; MSA Museum Steering Committee

I. PURPOSE

The purpose of this policy is to establish a clear statement of the purpose and responsibilities of the Minnesota State Academies (MSA) Museums (one for each academy).

II. GENERAL STATEMENT OF THE MUSEUMS' MISSION.

The Minnesota State Academies believes that historical artifacts, stories, and research information that is compiled in our museums serve a vital role in supporting the mission of the academies. In support of ensuring access to historical information about our academies, the mission of our museums is to:

1. Collect and preserve historical materials, including artifacts, documents, books, manuscripts, paintings, photos, video and audio recordings, DVDs, CDs, digital media, and materials pertaining to MSA and its students and staff.
2. Interpret these materials and make them accessible for the education, programming, outreach, and enjoyment of the MSA students, staff, and general public through exhibitions and programs.
3. Provide for the dissemination of information pertaining to deaf education, blind/visually impaired education and local historical topics directly impacting the Minnesota State Academies
4. Maintain and operate the MSAB/MSAD museums and their collections as well as supervise archived collections
5. Encourage inquiry into areas of local and regional historical significance and the history of education for deaf/hard-of-hearing; deafblind; and blind/visually impaired students
6. Emphasize materials related to the schools' rich history

III. MUSEUM STEERING COMMITTEE

The museums will be overseen by the museum steering committee composed of at least 5 individuals appointed by the superintendent. The committee shall have at least one employee representative from each campus, one alumni member designated by each campus' alumni association, and one employee representative from Student Support Services/Shared Services. The steering committee will elect a chair annually. The superintendent shall be an ex-officio member of this committee and tasked with the responsibility of sharing information with the MSA Board.

The steering committee shall meet at least quarterly. At the end of each school year, the committee shall meet to elect a chair, compile an annual report for the board, and develop goals for the following school year. The steering committee is also responsible for development of procedures to ensure the smooth operation of the museums, including acquisitions, archives, digitalization of our resources, and so forth. The steering committee is responsible for sharing information, resources, and support across campuses for both museums.

The Museum Steering Committee may establish sub-committees for each campus' museum to complete tasks and goals specific to that campus' museum. Involvement of staff members, alumni, and/or students is strongly encouraged.

IV. **COLLECTIONS MANAGEMENT**

The Museums' collections are organized and managed as follows:

Permanent Collection

The Museums' Permanent Collection is composed of material relating to the social, cultural, and educational history of the Minnesota State Academies. The Permanent Collection consists of three-dimensional objects/artifacts and digital collections (whenever available) of a permanent, on-going value to Minnesota State Academies, Deaf and B/VI education history and those doing research on the same. Historical materials may be utilized for teaching aids and for programming, outreach, and special interpretive events upon approval of the museum steering committee. Whenever possible, reproductions or other substitutes should be used rather than original artifacts.

Digital Collection

The Digital Collection is composed of digital copies of pictures, audio/visual material, brochures, pamphlets, research papers, and various miscellaneous materials that, whenever made available, will be accessible to individuals interested in accessing our materials.

Collections Scope

MSA acknowledges it cannot and should not attempt to collect everything, and will actively collect using the following guidelines and considerations:

Collecting Priorities

MSA will collect items related to the following specific themes and topics:

1. The interpretation of everyday life, from the earliest times to the present, at the Minnesota State Academies and its provision of Deaf Education and Blind/Visually Impaired Education. These might include, but are not limited to: household objects, furniture, clothing, tools, written information on individuals, prominent and otherwise.
2. The history on the day-to-day operations of MSA, its educational services, and the lives of students and staff.

Preservation and Conservation Considerations

MSA holds its collections as a public trust and as such has an obligation to maintain the artifacts in its possession according to accepted professional standards. Decisions made by the Museum Steering Committee regarding criteria for collecting/acquiring/accessioning as well as deaccessioning must be made in accordance with the best interest and well-being of the individual artifact. The Museum Steering Committee may designate individuals responsible to complete accessioning and deaccessioning tasks.

The Museum Steering Committee directly manages MSA's collections and is responsible for their day-to-day management, including care, storage, and use. The Museum Steering Committee and other MSA staff, including volunteers, will employ the established accepted standards and guidelines regarding collections management.

Acquisitions

Definition: For the purposes of this policy, "acquisition" is hereby defined as the discovery, evaluation, acknowledgement, and receipt of artifacts, as well as securing physical and legal custody of said artifacts.

Mechanism and Criteria

MSA accepts acquisitions to its museum collections through donations, bequests, field collecting, abandonment, or other transactions for which title to the object passes to the museum. MSA-owned artifacts (i.e. Companion/Chronicles Issues, furniture, athletic uniforms, etc.) will follow the same procedures as donated artifacts except for the sections regarding ownership and provenance. Potential acquisitions must meet ALL of the following criteria before being accepted into the MSA's collections after the implementation date of this Collections Management Policy:

- The present owner must have clear title of ownership
- The provenance and history of the artifact(s) must be determined to the extent possible
- The artifact's significance and relevance must be determined
- The artifact(s) must fall within the MSA's collecting scope and objectives
- MSA must be able to provide for the storage, protection, and preservation of the item(s) to ensure the availability for MSA's collecting scope and objectives
- The artifact(s) must be in acceptable physical condition
- All donations will be considered outright and unconditional gifts to be used at the discretion of the MSA
- Artifacts will remain in the MSA's collections as long as their physical integrity, their identity, and their authenticity is intact, and for as long as they remain useful for the purposes of the museum.
- All legal, moral, and ethical implications of an acquisition must be considered prior to its acceptance into collections

Donations

All donations accepted will follow the MSA donations procedures (record keeping and acknowledgment of receipt).

All potential donors must hold free and clear title to any materials they wish to donate. Donors pursuing income tax deductions for their donations must obtain an independent authorized appraiser and record of such appraisals will be kept by MSA in accordance with MSA's records retention schedule. MSA museum steering committee members, volunteers and MSA staff members are prohibited from offering appraisals of potential donations.

MSA is under no obligation to accept donations “on the spot.” MSA may hold an object or collection (circumstances permitting) temporarily until a decision is made. Such material in the care of the MSA will be temporarily identified and cared for in the same manner as permanent collections. Donors are encouraged to contact the Museum Steering Committee prior to making any donations to assist in streamlining the process, especially if the donation involves larger artifacts that require transportation/storage.

All material not accepted into the MSA collections will be returned, intact, to the donor unless the donor specifically states that they do not want the items back. The MSA will notify the donor utilizing contact information on the donation form, whereupon the donor will have thirty days to reclaim the materials. Items left after thirty days will be disposed of at MSA’s discretion.

Potential donations will be considered for the MSA’s Permanent Collection or archives first. Material not accepted into the Permanent Collection will then be considered for educational activities related to the museum and/or school history. Items not accepted into our collections or resources may be designated for exchange, loan, or sale to benefit historical collections elsewhere.

Accessions and Deaccessions

Accessions - The formal process of accepting object(s) into the MSA collections is hereby termed “accessioning”. The museum steering committee has primary responsibility for completing and maintaining all necessary paperwork and for the care and storage of all accessions.

Deaccessions - The formal process of removing accessioned materials permanently from MSA’s collections is termed “deaccessioning” and deaccessioning must be done with extreme care and sensitivity and only under certain limited conditions. The Museum Steering Committee shall establish procedures for deaccessions that are clearly stated and accessible to the public. Such action shall be cautious, deliberate, and scrupulous and considered only for an item that meets one or more of the following criteria:

- It is no longer relevant and useful to the stated purposes of MSA
- It is void of inherent exhibition, research, or educational value
- It cannot be properly stored, preserved, or used by MSA
- It no longer retains its physical integrity, identity, or authenticity
- It is unnecessarily duplicated in the collection
- It is non-historical material accessioned in error
- It was accidentally accessioned twice
- It has been lost or stolen and remains lost for over a year
- It presents a threat to the health, safety, or well-being of the MSA staff, volunteers, patrons, or other collections held by the Museum

Loans, Exhibitions, and Relocations

The MSA museums may occasionally determine that it is appropriate to allow lending of objects from its collections and/or the borrowing of objects from other collections for specific purposes. The basic authority to make loans resides with the Museum Steering Committee. All loan requests (with the exception of those for photographs, see below) are to be submitted for committee approval and a designee will be appointed to be responsible for the negotiation and tracking of all loans, and management of all necessary paperwork. Requests by MSA staff or volunteers for incoming or outgoing loans should be made to the committee. The committee will develop procedures to ensure the preservation of all items within loans or exhibitions as listed below.

Incoming Exhibitions

From time to time, as determined by the Museum Steering Committee, MSA may accept traveling exhibits. The committee will work with MSA administrators for all arrangements, negotiations, and contracting for such exhibits.

Outgoing Loans

MSA may allow artifacts and material from its collections to be loaned to other museums, historic sites, or historical agencies in good standing for educational, interpretive, exhibit, or scholarly purposes. Non-museum borrowers (government agencies, schools, corporations, or businesses, etc.) may utilize MSA's collections for educational purposes only. Use of borrowed artifacts for private or decorative purposes is prohibited. MSA will not authorize any loans to individuals including employees, volunteers, committee members, or officers of MSA. Photographs in our archives will not be authorized for loans – only digital copies may be loaned/distributed for use outside of our archives. Those individuals wishing to view stored pieces in the collections may make an appointment through the steering committee.

Only artifacts and material to which MSA holds clear title and for which there are no special restrictions may be considered for loan.

Temporary Loans of Items from Educational or Research Collections

If a member of the staff, a volunteer, or a committee member is making an educational presentation outside of the museum, that person shall sign a temporary loan agreement for materials borrowed from the MSA museums. Any item(s) to be borrowed from the Permanent Collection require prior approval of their use by the Museum Steering Committee and the execution of a temporary loan agreement for the material(s) borrowed. The loan shall be for a period no longer than 72 hours unless otherwise negotiated.

Temporary Relocation of Collections for Preservation, Conservation or Access Reasons

If an object in the collections must be relocated offsite for preservation, conservation, or access (i.e. digitization) purposes, a written and signed agreement must be made between both parties. This agreement must include a description of the object and the length of time the object will be outside of MSA's control.

V. CARE AND USE OF COLLECTIONS

MSA is ethically bound to care for and preserve its collections. MSA is committed to providing proper storage areas in which to house collections, maintaining appropriate environmental controls within its facilities, and administering conservation efforts when necessary. The goal is to retard and/or stabilize the inherent aging and deterioration process of collections, and all accepted professional museum standards will be employed to the best of MSA's ability.

The Museum Steering Committee, MSA staff, and volunteers must make every effort to protect collections items to ensure their long-term preservation while making them available for the use and enjoyment of the public. To this end, it should be noted that

1. Printed, manuscript, photographic, audio, and moving-image items in MSA collections may be reproduced as provided under the fair-use provision of the United States copyright law. MSA may refuse to permit the copying of a collections item if, in its judgement, such reproduction would violate the copyright law, violate the donor agreement, or pose a threat to the physical integrity of the item.
2. Publication, exhibition, or other use of an item from MSA collections requires written permission from the Museum Steering Committee and this permission is required whether or not MSA is the copyright holder. Permission also may be required from the copyright holder. Publication/exhibition of items from MSA museum collections must be accompanied with a statement crediting the ownership to the MSA museums.
3. Any reproduction of a collections item must be approved by the Museum Steering Committee. Any reproduction or replication of an item must be clearly identified as such.

Records

MSA, to the best of its ability, will establish and maintain proper collections records for all artifacts in its collections according to professional museum standards. These include, but are not limited to, accessions, donors, catalogs, provenance, locations, conservation, loans, and exhibit records. The Museum Steering Committee is responsible for all collections records. Access to collections records is strictly limited to MSA staff and the committee members.

Inventory

Under the direction of the Museum Steering Committee, MSA will initiate an inventory of its collections in the museums and will regularly update this inventory for its collections management purposes, security, verification of missing artifacts, and maintenance. The Museum Steering Committee and authorized volunteers may, as needed, conduct a full-scale inventory to verify the contents of the MSA Museum Collections. A master collections inventory will be placed on a computer database and updated as subsequent inventories are conducted. Back-up copies will be stored in separate locations. It is also recommended that the initial inventory and each periodic update be printed and stored in a secure location. Also, it is recommended that a photographic record of all items be made, with one copy to be kept on file.

Security

MSA will take all necessary precautions to ensure the security of its collections and prevent their loss or damage while on exhibit, during research use, or in storage. MSA will examine the security needs and risks for all objects under consideration for accession and make adjustments or accommodations where possible. Artifact use for exhibit, research, education, or loan is contingent upon a thorough evaluation of its security risks and needs, and the ability of MSA to accommodate those needs.

VI. DIGITAL COLLECTIONS

Definitions

- Born digital materials were originally created in a digital form. These include programs, websites, databases, photographs, videos, audio recordings, records, documents, emails, maps, etc.
- Born analog materials were originally created in a physical or negative form. These include photographs, videos, audio recordings, records, archives, letters, documents, maps, etc.
- Digitized materials are digital copies of analog materials, usually created through scanning or photographing the analog material.
- Migration is the transfer of digital materials from one format to another to prevent obsolescence.

Scope

MSA born digital collections shall include programs, websites, databases, photographs, videos, audio recordings, documents, emails, maps, and other materials that fall within the general scope of collections as listed above. The donor, if not produced at MSA, of the materials must hold the copyright on the born digital materials in question, just as donors of analog materials must have title to them. MSA-produced materials may be transferred to the MSA museums without concerns regarding copyrights.

As a general rule, MSA will not accept digitized copies of analog materials created by external sources (i.e., scanned copies of newspaper articles, copies of photographs taken by individuals outside of MSA) into the Permanent Collection, as copyright remains with the creator of the original analog material. It is preferred that the original analog materials be donated to the museum with the permission of the creator. The Museum Steering Committee may make an exception to this rule if the analog original image is unlikely to be donated to the museum at a later date (i.e., analog materials developed by individuals who are deceased, or materials developed by unknown individuals) with the understanding that copyright does not lie with MSA.

Copyright Acquisition of born digital materials is dependent on the transfer of copyright to MSA. Donors must transfer nonexclusive rights to reproduce, distribute, display, perform, and prepare derivative works of the born digital work. MSA will not accept donations of born digital materials that do not come with a sharing of copyright.

Digitization

Analog materials that have been temporarily entrusted or donated to MSA may be digitized for MSA's use with permission from the creator. These digitized copies will be treated as part of the Digital Collection, with copyright remaining with the creator of the materials.

Parts of the Permanent, Educational, or Research Collections of MSA that have been digitized will be considered part of the same collection as the original material. Copyright of the digitized materials will remain with MSA if it has title and ownership of the source material.

Storage

Born digital portions of the collections will be stored on MSA servers/hard drives with at least one back-up stored off the premises (i.e., Cloud Storage). Newly acquired collections must be moved into those designated storage sites as soon as time permits. A new back-up will be completed on a semi-annual basis.

VII. ETHICAL CONSIDERATIONS REGARDING MSA MUSEUM COLLECTIONS

As stewards of the material history and culture of MSA, MSA has an obligation and responsibility to maintain the highest ethical standards and avoid even the appearance of impropriety. Because of their unique positions with regard to collections, MSA staff, volunteers, and Museum Steering Committee members are especially vulnerable to questions of ethical conduct and/or conflict of interest. Therefore, it is necessary that all of the MSA employees, volunteers, and committee members observe certain restrictions on activities that might compete with or discredit MSA, and it is incumbent upon MSA to inform them of its collecting goals and of the potential for conflict of interest.

The following provisions further list ethical best practices with regards to collections:

1. No MSA staff member, volunteer, or Museum Steering Committee member will engage in appraising objects acquired by the Museum
2. MSA staff members, volunteers and Museum Steering Committee members may not recommend an appraiser to donors
3. MSA staff members, volunteers, and Museum Steering Committee members are prohibited from purchasing objects deaccessioned/divested by the Museum except through public auction or MSA-approved procedures.
4. MSA staff members, volunteers, and Museum Steering Committee members are prohibited from borrowing money or collections items from MSA museums, nor shall they use its personnel, equipment, supplies, good will, or other resources for their personal purposes, other than as allowed to all members of the MSA community.
5. MSA staff members, volunteers, and Museum Steering Committee members are prohibited from using their MSA affiliation to promote their own or any family member's personal collecting or business activities.
6. Consistent with its mission, the MSA museums may consider for acquisition any material that has a documented association with the history of MSA and is in such condition that it can be maintained properly. In its collecting activities, the MSA museums shall strive to be inclusive, respectful, transparent, and in keeping with the best professional practices, especially with culturally sensitive and sacred objects,

documentation, and religious practices of all cultures. The Collections Management Policy shall govern the acquisition, use, loan, conservation, de-accession, and disposal of all collections

7. As steward of MSA's heritage, the MSA museums are committed to making their collections as accessible as possible to all people while ensuring their safekeeping and preservation. In providing access to collections, MSA shall balance the need to respect their continued physical integrity and safety for future use and the current requirements of scholarly, programmatic, or educational uses.
8. Museum Steering Committee members and staff members considering the acquisition of an historically significant item that may be within MSA's collecting goals should bring the intended purchase to the attention of the Museum Steering Committee in a timely manner to determine whether or not the MSA museums would be interested in acquiring the item for their collections. If the MSA museums do not intend to acquire the item, the individual may then proceed with their individual purchase.

Policy #: 208
Title: DEVELOPMENT, ADOPTION, AND IMPLEMENTATION OF POLICIES
Date of Initial Approval: 04-08-2003
Revision/Re-authorization Dates: 03-08-2012; 11-21-2013; 06-12-2018
Reviewers: MSA Superintendent; MSA Human Resources Office

I. PURPOSE

The purpose of this policy is to establish a clear process for review and revision of Minnesota State Academies (MSA) policies and ensure that it is an ongoing effort to maintain current policies that supports the mission and vision of MSA.

II. GENERAL STATEMENT OF POLICY

Formal guidelines are necessary to ensure that MSA adheres to its mission and vision statements, and operates in an effective, efficient, and consistent manner. A set of written policy statements shall be maintained and modified as needed. Policies should define the desire and intent of the MSA board and should be in a form which is sufficiently explicit to guide administrative action.

III. DEVELOPMENT OF POLICY

- A. The MSA board has jurisdiction to legislate policy for the Academies with the force and effect of law. MSA board policy provides a structure for achieving the mission/vision of the Academies while delegating implementation of policy to the administration.
- B. The MSA board's written policies also provide guidance to the school community. The policies shall be the basis for the formulation of guidelines and directives by the administration. The MSA board shall determine the effectiveness of the policies by evaluating periodic reports from the administration.
- C. Policies or changes to existing policies may be proposed by any board member, employee, site council member, or student at MSA. Proposed policies or ideas shall be submitted to the Superintendent for review prior to referral to the MSA Board's Policy Committee.

IV. ADOPTION OF POLICY

- A. Review and revision of existing policies, or development of new policies, begin with initial notice and discussion during the MSA Board's Policy Committee meetings. After the policy committee develops a draft for consideration, the draft is sent to each campus' site councils for their review and input. At the same time, the policy is added to the next MSA board agenda for the first reading of the policy. When each campus' site council has shared feedback, the policy committee reviews the feedback and makes any necessary revisions.
- B. During the first reading of the policy, the board members have the opportunity to share their input about the policy and recommend changes if appropriate. The public also has the opportunity to present their input to the board during the public comment portion of the meeting. If there are changes to be made, the policy committee

reviews those recommendations and incorporates changes into the final draft. The final draft is then assigned to the next MSA board meeting as an action item for approval. At that meeting, the MSA board votes to approve or disapprove the policy. The public also has a second chance to share their input about the policy during the public comment portion of this meeting.

- C. The final action taken to adopt the proposed policy shall be approved by a simple majority vote of the MSA board after the policy committee has submitted the final draft (second reading). The policy becomes effective on the date of the meeting, or on a later date if explicitly stated in the motion.
- D. In the case of an emergency, a new or modified policy may be adopted by a majority vote of a quorum of the MSA board. A statement regarding the emergency and the need for immediate adoption of the policy shall be included in the minutes. The emergency policy shall expire within one year following the emergency action unless the policy adoption procedure stated above is followed and the policy is reaffirmed. The board shall have discretion to determine what constitutes an emergency situation.
- E. If a policy is modified because of a legal change over which the MSA board has no control, the modified policy may be approved at one meeting at the discretion of the board.
- F. If a policy needs re-authorization and does not involve any changes, the policy committee may refer the policy directly to the MSA board and have it approved at one meeting.

V. IMPLEMENTATION OF POLICY

- A. It shall be the responsibility of the MSA superintendent to implement board policies, and to develop administrative guidelines and directives to provide greater specificity and consistency in the process of implementation, including procedures and forms used by MSA employees.
- B. A master copy of the board policy manual shall be placed in the MSA superintendent's office. An accessible electronic copy of the board policy manual shall be posted on the MSA website for ease of access to board members, employees, family members, and students, as well as members of the public. The superintendent's office will make accessible copies of policies in a variety of formats (i.e. Braille) upon request.
- C. It shall be the responsibility of the MSA Superintendent and employees designated by the superintendent to keep the policy manual current.
- D. Each policy in the MSA policy manual shall be reviewed at least once every three years. Some policies must be reviewed annually and shall be reauthorized every June during the final board meeting of the academic year. The superintendent shall

be responsible for developing a system of periodic review, addressing approximately one third of the policies annually.

- E. When there is no MSA board policy in existence to provide guidance on a matter, the superintendent is authorized to act appropriately under the circumstances, keeping in mind the educational philosophy and financial condition of the Academies. Under such circumstances, the superintendent shall advise the MSA board of the need for a policy and present a recommended policy to the MSA board policy committee for consideration.

Legal References:

Minn. Stat. § 123B.02, Subd. 1 (School District Powers)

Minn. Stat. § 123B.09, Subd. 1 (School Board Powers)

Policy #: 401
Title: EQUAL EMPLOYMENT OPPORTUNITY
Date of Initial Approval: 11-17-2011
Revision/Re-authorization Dates: 01-19-2012; 11-21-2013; 06-12-2018
Reviewers: MSA Superintendent; MSA Human Resources Office

I. PURPOSE

The purpose of this policy is to provide equal employment opportunity for all applicants for employment at the Minnesota State Academies (MSA) and MSA employees.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the Minnesota State Academies is to provide equal employment opportunity for all applicants and employees. MSA does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, gender, gender identity, marital status, status with regard to public assistance, disability, sexual orientation, age, family care leave status, or veteran status. MSA also provides reasonable accommodations for disabled employees.
- B. The Minnesota State Academies prohibit the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute impermissible harassment and MSA's internal procedures for addressing complaints of harassment, please refer to MSA Policy #413 regarding harassment and violence.
- C. This policy applies to all areas of employment including hiring, discharge, promotion, compensation, facilities, or privileges of employment.
- D. It is the responsibility of every MSA employee to follow this policy.
- E. Any person having a question regarding this policy should discuss it with the MSA Human Resources Office.

Legal References:

- Minn. Stat. Ch. 363A (Minnesota Human Rights Act)*
- 29 U.S.C. § 621 et seq. (Age Discrimination in Employment Act)*
- 29 U.S.C. § 2615 (Family and Medical Leave Act)*
- 38 U.S.C. § 4211 et seq. (Employment and Training of Veterans)*
- 38 U.S.C. § 4301 et seq. (Employment and Reemployment Rights of Members of the Uniformed Services)*
- 42 U.S.C. § 2000e et seq. (Title VII of the Civil Rights Act)*
- 42 U.S.C. § 12101 et seq. (Equal Opportunity for Individuals with Disabilities)*
- 42 U.S.C. § 12101 et seq. (Americans with Disabilities Act)*

Cross References:

- MSBA/MASA Model Policy 402 (Disability Nondiscrimination)*
- MSBA/MASA Model Policy 405 (Veteran's Preference)*
- MSBA/MASA Model Policy 413 (Harassment and Violence)*
- MSA Policy #413 (Harassment and Violence)*
- MSA Affirmative Action Plan*

Policy #: 404
Title: EMPLOYMENT BACKGROUND CHECKS
Date of Initial Approval: 01-22-2009
Revision/Re-authorization Dates: 03-15-2018
Reviewers: MSA Human Resources; MSA Superintendent

I. PURPOSE

The purpose of this policy is to maintain a safe and healthful environment at the Minnesota State Academies (MSA) in order to promote the physical, social, and psychological well-being of its students. To that end, MSA will seek a criminal history background check for applicants who receive an offer of employment at MSA and on all individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching/sponsor services to MSA, regardless of whether any compensation is paid.

MSA may also require background checks for volunteers (MSA Policy# 450); independent contractors performing services on our campuses; and student volunteers/employees at MSA. MSA may accept criminal history background checks performed by other entities if the check was performed within the last 12 months.

II. GENERAL STATEMENT OF POLICY

- A. The Minnesota State Academies shall require that applicants for MSA positions who receive an offer of employment and all individuals who are offered the opportunity to provide athletic coaching services or other extracurricular academic coaching/sponsor services to MSA, regardless of whether any compensation is paid, submit to a criminal history background check. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by MSA that an individual's criminal history does not preclude the individual from employment with, or provision of services to MSA.
- B. The Minnesota State Academies specifically reserves any and all rights it may have to conduct background checks regarding current employees, applicants, or service providers without the consent of such individuals.
- C. Adherence to this policy by MSA shall in no way limit MSA's right to require additional information, or to use procedures currently in place or other procedures to gain additional background information concerning employees, applicants, volunteers, service providers, independent contractors, and student volunteers/employees.

III. PROCEDURES

- A. Normally, an individual will not commence employment or provide services until MSA receives the results of the criminal history background check. MSA may conditionally hire an applicant or allow an individual to provide services, pending completion of the background check, but shall notify the individual that the individual's employment or opportunity to provide services may be terminated based on the result of the background check. Background checks will be performed by the Minnesota Bureau of Criminal Apprehension (hereinafter "the BCA"). MSA reserves the right to also have criminal history background checks conducted by other organizations or agencies.
- B. In order for an individual to be eligible for employment or to provide athletic coaching services or other extracurricular academic coaching/sponsor services to MSA, the individual must sign a criminal history consent form (Appendix 404A), which provides permission for MSA to conduct a criminal history background check, and provide a money order or check payable to either the BCA or to the Minnesota State Academies, in an amount equal to the actual cost to the BCA and MSA of conducting the criminal history background check. If the individual fails to provide MSA with a signed Informed Consent Form and fee at the time the individual receives a job offer, or permission to provide services, the individual will be considered to have voluntarily withdrawn the application for employment or request to provide services.
- C. MSA, in its discretion, may elect not to perform a criminal history background check on an individual who holds an initial teacher license from the state of Minnesota issued within the 12 months preceding an offer of employment or permission to provide services. However, MSA must have a copy of the individual's most recent criminal background check performed within 12 months prior to employment at MSA on file.
- D. MSA may use the results of a criminal background check conducted at the request of another school or hiring authority if:
1. the results of the criminal background check are on file with the other school or hiring authority or otherwise accessible;
 2. the other school or hiring authority conducted a criminal background check within the previous 12 months;
 3. the individual executes a written consent form giving MSA access to the results of the check; and
 4. there is no reason to believe that the individual has committed an act subsequent to the check that would disqualify the individual for employment or provision of services.

- E. For all non-Minnesota state residents who are offered employment with or the opportunity to provide athletic coaching services or other extracurricular academic coaching/sponsor services to MSA, MSA shall request a criminal history background check on such individuals from the superintendent of the BCA and from the government agency performing the same function in the resident state or, if no government entity performs the same function in the resident state, from the Federal Bureau of Investigation. The offer of employment or the opportunity to provide services shall be conditioned upon a determination by MSA that an individual's criminal history does not preclude the individual from employment with, or provision of services to MSA. Such individuals must provide an executed criminal history consent form.
- F. When required, individuals must provide fingerprints to assist in a criminal history background check. If the fingerprints provided by the individual are unusable, the individual will be required to submit another set of prints.
- G. The need to submit to a criminal history background check will be included with the basic criteria for employment or provision of services in the position posting and position advertisements.
- H. The individual will be informed of the results of the criminal background check(s) to the extent required by law. If the criminal history background check precludes employment with or provision of services to MSA, the individual will be so advised.
- I. Each MSA employee must report to the Superintendent in writing within seven days of when the employee becomes aware of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any misdemeanor or felony offense of which the employee has not previously notified MSA or the Superintendent through written notification, records or employment application.
- J. This policy will be published in the MSA Parent-Student Handbook so that parents and families are aware of our procedures and expectations in relation to criminal history background checks.

Legal References:

- Minn. Stat. § 13.04, Subd. 4 (Inaccurate or Incomplete Data)*
- Minn. Stat. § 123B.03 (Background Check)*
- Minn. Stat. §§ 299C.60-299C.64 (Minnesota Child Protection Background Check Act)*
- Minn. Stat. § 364.09(b) (Exception for School Districts)*

Appendix:

- Appendix 404A – Criminal History Consent Form*

Policy #: 412
Title: EXPENSE REIMBURSEMENT
Date of Initial Approval: 03-24-2016
Revision/Re-authorization Dates: 06-29-2017
Reviewers: MSA Superintendent; MSA Business Office

I. PURPOSE

The purpose of this policy is to identify school district business expenses 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. The Minnesota State Academies (MSA) is a State agency and is part of the executive branch of government in Minnesota. MSA follows the Employee Business/Travel Expense Policy PAY0021 set forth by Minnesota Management and Budget. (See Appendix 412-A or http://www.sema4.state.mn.us/htmldoc/eng/webhelp/Employee_Business_Travel_Expenses_-_Operating_Policy_and_Procedure1.htm)

II. MSA-SPECIFIC PROCEDURES

The Minnesota State Academies may establish specific procedures for paperwork and filing so employees can easily comply with this policy. Employees should refer to Procedure #2106 – Employee Expense Reimbursement for additional information.

References:

- [PAY0020 - Travel Advances - Operating Policy and Procedure](#)
- [PAY0049 - Self Service Business Expenses - Operating Policy and Procedure](#)
- M.S. 43A.38, Subd. 2
- M.S. 15.435
- All Minnesota Statutes are available from The Office of the Revisor of Statutes. <https://www.revisor.mn.gov/statutes/>
- Department of Treasury, Internal Revenue Service, Publication 15 (Circular E), Employer's Tax Guide
- Minnesota Management & Budget Administrative Procedure 4.4, Special Expenses

Appendix:

Appendix 412-A

Procedure:

Procedure #2106

Policy #: 440
Title: REASONABLE ACCOMMODATIONS
Date of Initial Approval: 07-09-1996
Revision/Re-authorization Dates:05-31-2001; 11-21-2013; 04-19-2018
Reviewers: MSA Human Resources; MSA Superintendent

I. PURPOSE

The Minnesota State Academies (MSA) are responsible to reasonably accommodate qualified individuals with physical or mental disabilities, who are employees, applicants, board members, or employees seeking promotion, in the accomplishment of their employment responsibilities unless the accommodation would impose an undue hardship. MSA is committed to the fair and equal employment of people with disabilities, and understands that in many cases, reasonable accommodation is the key to this employment. In accordance with the Americans with Disabilities Act (ADA), MSA will work with the employee to provide reasonable accommodations appropriate to the situation.

II. DEFINITIONS

A. **“Person with a disability.** A person with a disability is one who...

- i. ...has a physical or mental impairment that substantially limits one or more major life activities or
- ii. ...has a record of such an impairment, or
- iii. ...is regarded as having such an impairment

B. **Reasonable accommodation.** An accommodation is any modification or adjustment to a job, an employment practice, or the work environment that makes it possible for a qualified individual with a disability to participate in and benefit from all aspects of employment. The accommodation is reasonable if it is effective in eliminating the barrier and does not cause an undue hardship.

C. **Undue hardship.** An undue hardship is an action that is unduly costly, extensive, substantial, or disruptive or that would fundamentally alter the nature of the operation of the agency.

III. PROCEDURE FOR REQUESTING A REASONABLE ACCOMMODATION (EMPLOYEE):

A. The employee will inform their supervisor of the need for an accommodation. The employee (or the supervisor if requested by the employee) will complete the *Request for Reasonable Accommodation* form and submit it to the MSA Human Resources Office. If necessary, the supervisor will work with the Human Resources Director/ADA Coordinator to obtain documentation of the individual’s functional limitations.

- B. When an accommodation has been requested, the supervisor will, in consultation with the employee:
 - i. Discuss the purpose of the job and the essential functions. (It may be necessary to complete a step-by-step job analysis);
 - ii. Determine the precise job-related limitation(s);
 - iii. Identify potential accommodations and assess the effectiveness of each; and
 - iv. Select and implement the most appropriate accommodation for both the individual and the employer.

- C. The supervisor and/or employee may seek technical assistance from the MSA Human Resources Office and/or the Minnesota Department of Management and Budget as needed.

- D. If the supervisor is unable to make a decision about a requested accommodation, they will forward the written request for accommodation along with their recommendation to the MSA superintendent within ten working days of the employee's request. The superintendent, working with MSA's Human Resources Director/ADA Coordinator, will make a decision and provide their response to the supervisor and the employee within 10 working days after receiving the request.

- E. If an accommodation cannot overcome existing barriers, or if the requested accommodation would cause undue hardship in the operation of the agency, the employee and MSA's Human Resources Director/ADA Coordinator will work together to determine whether reassignment may be an appropriate accommodation, utilizing the following guidance.
 - i. Look for a vacant position that is equivalent to the one held by the employee that may be appropriate.
 - ii. If the employee is not qualified for a vacant position with or without a reasonable accommodation, or no equivalent vacant position exists, MSA may, as an accommodation, reassign the individual to a vacant position in a lower classification for which the employee is qualified. In this case, MSA is not required to maintain the employee's salary at the previous level.
 - iii. Look for transfer, mobility, noncompetitive and competitive opportunities within other state agencies that might be of interest for the employee.

IV. PROCEDURE FOR REQUESTING A REASONABLE ACCOMMODATION (JOB APPLICANT):

- A. When a request for accommodation is received from a job applicant, the supervisor and a staff member from the MSA Human Resources Office will discuss the request and any possible alternatives with the applicant and will make a decision regarding the request. If approved, the supervisor will make sure that the accommodation is provided.

- B. If the supervisor and the staff member from the MSA Human Resources Office are unable to make a decision, they will forward a written request for accommodation along with a recommendation to the MSA Superintendent within 3 days following the request.
- C. If the request is approved, the supervisor will make sure that the accommodation is provided. If the request is not approved, the Human Resources Director will inform the applicant in writing within 3 working days.

V. FUNDING OF REQUESTED ACCOMMODATIONS

Funding must be secured for reasonable accommodations which do not cause an undue hardship. The supervisor and the MSA Financial Services Director will determine the funding source at the time of the request.

VI. PROCEDURE FOR DETERMINING WHETHER REQUESTED ACCOMMODATION IS AN UNDUE HARDSHIP

- A. If, in the opinion of the supervisor receiving the request for an accommodation, the cost or scope of the accommodation might alter the nature or operation of the department, the supervisor and MSA Human Resources Director will meet to review the requested accommodation(s), and will consider:
 - i. The nature and cost of the accommodation in relation to the size and financial resources of MSA as an employer; and*
 - ii. The impact of the accommodation on the nature or operation of the department.*
- B. If the supervisor/Human Resources Director determine that the accommodation will impose an undue hardship, the Human Resources Director will forward an analysis of the situation and the reasons it is determined to cause an undue hardship, along with a recommendation to the superintendent within 10 working days following the employee's request or within three working days following an applicant's request.
- C. The superintendent will provide a decision in writing to the Human Resources Officer, supervisor, and employee or applicant within 3 working days after receipt of the analysis and recommendations.

Legal References:

42 U.S.C. § 12101 et seq. (*Americans with Disabilities Act*)

Policy #: 444
Title: DRIVER'S LICENSE AND RECORDS CHECKS
Date of Initial Approval: 03/26/2015
Revision/Re-authorization Dates:04/19/2018
Reviewers: MSA Superintendent; MSA Human Resources

I. PURPOSE

Many Minnesota State Academy employees are required to drive a state vehicle; drive their personal vehicles on state business; or transport other employees, students, parents, etc. to off-campus locations either in a state or personal vehicle. They are therefore required to possess an active, valid, and appropriate driver's license. State employees whose job duties require driving have a personal obligation to comply with the law by not driving with an inactive, cancelled, suspended or revoked license, by refraining from driving under the influence of alcohol or drugs, by abiding by license restrictions, and by driving safely and courteously. The public must have confidence in State employees who drive as part of their job.

II. DEFINITIONS

- A. **Alcohol/drug related driving offense.** Any violation of Minnesota Statutes Chapter 169A (Driving while impaired) or Minnesota Statute 169A.52 (Test Refusal or Failure).
- B. **Active/Valid/Appropriate license.** A current motor vehicle operator's license issued under the laws of the state of issuance and used as intended under the law.
- C. **CDL with School Bus Endorsement Driver.** An employee with a Commercial Driver's License (CDL) who transports students in the yellow bus.
- D. **Driver's License Record (DLR).** Refers to the historical record maintained on each driver by the Department of Public Safety (DPS), Driver and Vehicle Services (DVS) division. Includes equivalent records from searches of other states driver's license records repositories. Records include violations, revocations, and suspensions of driver's licenses.
- E. **Driver's license loss.** In this policy, the term "driver's license loss" refers to suspension, revocation, cancellation, disqualification, restrictions that preclude the employee from performing current job duties, or expiration.
- F. **Major traffic violations.** Major violations include but are not limited to: driving under the influence of alcohol/drugs, reckless or careless driving, attempting to elude the police, leaving the scene of an accident, and driving while license is suspended/revoked.
- G. **State vehicle.** An automobile, truck, or other equipment which is the property of the State and requires the operator to have a driver's license.
- H. **Type III School Bus.** Passenger cars, station wagons, vans, SUVs, and buses having a maximum manufacturer's rating sitting capacity of 10 or fewer

people including the driver, and a gross vehicle weight rating of 10,000 pounds or less. The vehicle may not be more than 12 years old.

- I. **Type III Driver.** Any employee who transports students in a Type III School Bus/Vehicle.

III. **DRIVER'S LICENSE REQUIREMENT**

All Minnesota State Academies employees must have an active, valid, appropriate driver's license if they drive a state-owned, rented or leased vehicle, or personal vehicle on state business including transporting other employees, students, parents, etc. An employee who drives on state business without an active, valid, appropriate driver's license will be subject to disciplinary action, up to and including discharge. The Minnesota State Academies Human Resources Office will verify each year that their employees have appropriate driver's licenses.

In cases where a driver's license is not required or is incidental to performing job duties, the employee must be able to provide their own transportation to off-site training sessions, meetings or other business responsibilities. This may include carpooling or riding a bus or taxi, etc.

IV. **FOR DRIVERS OF STATE-OWNED, LEASED OR PERSONAL VEHICLES**

Job Applicants: Prior to hiring an individual who will be required to drive a state vehicle or a personal vehicle in positions which driving is a requirement of the job, MSA must verify that the individual has the required license and that the driver's license record is reviewed. The agency must also obtain and review the individual's driver's license record for any state in which the individual has held a driver's license in the previous five (5) years.

If the individual is given a timeframe to obtain a license after hire, the employee's supervisor must ensure that the individual obtains the required license within that time frame. Any job offer for such a position must be made contingent upon successful completion of this driver's license verification and driver's license record review.

Current Employees: At least annually, MSA must verify that employees whose positions require driving as a job function have an active, valid, and applicable driver's license.

If the agency has not previously performed a driver's license record review for the employee, the agency must also obtain and review the individual's driver's license record for any state in which the individual has held a driver's license in the previous five (5) years.

If there are concerns about the driver's license data, Human Resources will work with the employee's department manager/supervisor to determine an appropriate course of action. The Academies require drivers to complete a vehicle use

agreement authorization. After obtaining employees' driver's license and record check authorization data, the Human Resources office will review the driver's license records.

V. TYPE III SCHOOL BUS/VEHICLE DRIVERS

Required Training: Type III School Bus/Vehicle Drivers who transport students in Type III vehicles are mandated to perform the following annually:

- A. Training on proper operation of a Type III school bus/vehicle;
- B. Behind the wheel evaluation;
- C. Evaluation of ability to perform pre-trip inspections;
- D. Certification from a Type III Instructor indicating a passing score on Type III training

VI. DRIVER DISCLOSURE REQUIREMENTS OF DWI, DISQUALIFYING OFFENSES AND MOVING VIOLATIONS

Employees who drive on state business shall inform their supervisor of any status change affecting driver's licenses, including but not limited to suspension, revocation, cancellation, disqualification or expiration, or any license restrictions immediately, or no later than the beginning of the next shift. Employees must also notify their supervisor if they have been arrested or cited for any alcohol/drug related driving offense or a major moving violation within 48 hours.

Type III School Bus/Vehicle Drivers must inform their supervisor of any moving violations in writing within 10 days of conviction.

All Employees must inform their supervisor of all moving violations or citations received while driving state vehicles within 48 hours.

Employees who fail to report moving violations/citations as listed above within required timelines will be subject to disciplinary action, up to and including discharge.

VII. PROCEDURE FOR DRIVER'S LICENSE VERIFICATION AND DRIVER'S LICENSE RECORD REVIEW

Authorization for Driver's License Verification: Prior to obtaining a driver's license record of any individual, MSA HR will receive a signed authorization form from the individual, allowing the employer to obtain a driver's license record. (See Appendix 444-A)

VIII. RELATED EMPLOYMENT ACTIONS

The Academies follows the guidelines in the Statewide Policy on Driver's License and Records Checks when taking employment actions for infractions of this policy and consults with MMB labor relations before taking action.

IX. RESPONSIBILITIES

Employees: Employees whose job duties require an active, valid/appropriate driver's license or who drive a state vehicle must:

- A. Be familiar with the State's and MSA's Driver's License and Records Checks policy.
- B. Maintain an active, valid/appropriate driver's license.
- C. Complete required training as assigned.
- D. Notify their supervisors no later than the beginning of the next shift after losing their driver's license through suspension, revocation, cancellation, disqualification or expiration.
- E. Abstain from driving a state vehicle if the employee does not have a valid/appropriate driver's license.
- F. Abstain from transporting students in personal vehicles without prior approval from their supervisor, with the exception of emergency situations.
- G. Drive responsibly and adhere to all traffic laws.
- H. Maintain liability insurance on their own vehicles if used for work purposes.
- I. Enter data for each driver's license held in the last five years into Self-Service.
- J. Delete data from Self-Service relating to any previously held driver's license which has been invalid for at least five years (includes suspended, revoked, canceled, disqualified or expired).
- K. For Type III Drivers – submit a hard copy of current driver's license to Human Resources

Managers/Supervisors

- A. Be familiar with the State's and Agency's Driver's License and Records Checks Policy.
- B. Prior to hiring an applicant whose job duties require a driver's license, ensure that the individual has the required license and that his/her driving record reviewed.
- C. When an employee who is required to have a driver's license has the license suspended, revoked or canceled, follow the appropriate procedure as provided by this policy and consult with Human Resources before taking appropriate action.

Human Resources

- A. Confer with agency supervisors and managers to determine appropriate actions when an employee loses his/her license or when the employee's driver's license record is problematic.
- B. Make sure that actions taken are documented and that decisions about similar situations are consistent.
- C. Confer with their labor relations representative at Minnesota Management and Budget (MMB) to make sure actions are consistent with similar situations at other agencies.

- D. Collect and retain a signed authorization form (Appendix 444-A) from employees who drive state vehicles.

Legal References:

M.S. 171.02 Sub. 2b - Driver's Licenses Classification, Endorsements, Exemptions
M.S. 169A - Driving While Impaired

Cross References:

Policy #1419 - MN Department of Administration & Minnesota Management and Budget
Statewide Policy on Driver's License and Records Checks

Appendix:

Appendix 444-A – Driver's License Review Authorization

Policy #: 451
Title: APPROPRIATE USE OF SOCIAL MEDIA
Date of Initial Approval: 11/16/2017
Revision/Re-authorization Dates:
Reviewers: MSA Superintendent; MSAB Director; MSAD Director; MSA Human Resources

I. PURPOSE AND BACKGROUND INFORMATION

The Minnesota State Academies face the challenge of balancing the secure use of social media to enhance communication, collaboration and information exchange for the greater MSA community with the need to protect the privacy of our students as well as protecting the ability of employees' to freely express themselves. This policy establishes MSA's position on the utility and management of social media and provides guidance on the management, administration, and oversight. This policy is not intended to address one particular form of social media, but rather social media in general, as advances in technology will occur and new tools/platforms will emerge. This policy governs the appropriate use of social media at all times, including both work and non-work time, by MSA employees, consultants, and contractors.

II. GENERAL STATEMENT OF POLICY

Social media provides a new and potentially valuable means of assisting the Academies and its employees in meeting community outreach, communication, collaboration, and information exchange with parents, students, and community members. This policy identifies potential uses that may be explored or expanded upon as deemed reasonable by the Superintendent and Directors of MSA. MSA also recognizes the role that these tools play in the personal lives of some employees and that the personal use of social media can have bearing on employees in their official capacity. As such, this policy provides information of a precautionary nature as well as prohibitions on the use of social media by MSA employees.

III. DEFINITIONS

- *Blog/Vlog*: A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments. The term is short for "Web log". Vlog refers to Blogs that are published via video (commonly used by deaf people instead of sharing information via printed media)
- *Page*: The specific portion of a social media website where content is displayed, and managed by an individual or individuals with administrator rights
- *Post*: Content an individual shares on a social media site or the act of publishing content on a site.
- *Profile*: Information that a user provides about themselves on a social networking site.
- *Social Media*: A category of Internet-based resources that integrate user-generated content and user participation. This includes, but is not limited to, social networking sites (Facebook, MySpace), micro-blogging sites (Twitter, Nixle), photo- and video-sharing sites (Flickr, YouTube, Instagram), wikis (Wikipedia), blogs/vlogs, and news sites (Digg, Reddit).
- *Social Networks*: Online platforms where users can create profiles, share information, and socialize with others using a range of technologies.

- *Speech*: Expression or communication of thoughts or opinions in spoken words/sign language, in writing, by expressive conduct, symbolism, photographs, videos, or related forms of communication.
- *Web 2.0*: The second generation of the World Wide Web focused on shareable, user-generated content, rather than static web pages. Some use this term interchangeably with social media.
- *Wiki*: Web page(s) that can be edited collaboratively.

IV. ON-THE-JOB USE OF SOCIAL MEDIA

A. MSA-Approved Social Media: Guiding Principles

1. When possible, each social media page shall include an introductory statement that clearly specifies the purpose and scope of the Minnesota State Academies' presence on that site.
2. When possible, the page/post should link to the Minnesota State Academies' official websites.
3. The Social Media pages/posts should be developed/written for the target audience (such as families, students, or other community members)
4. MSA employees who are assigned the responsibility of representing MSA on social media outlets should ensure accessibility of those pages/posts (audio description, captions, voice-over, ASL, etc. as appropriate).
5. The traditional communication rules of reasonableness, respect, courtesy and common sense, and legal requirements also apply to social media outlets.

B. Procedures

1. All MSA social media sites or pages shall be approved by the MSA superintendent and shall be administrated by designees selected by the MSA superintendent and/or Directors of the Academies.
2. Social media sites (where possible) shall clearly indicate that they are maintained by MSA and shall have MSA contact information prominently displayed.
3. Social media content shall adhere to applicable laws, regulations and policies, including all privacy requirements for students and all information technology and records management policies. Social media content must also adhere to MSA's website/social media accessibility policy. (Policy # 103) Individuals managing MSA social media outlets must maintain a list of student permission forms regarding media releases and privacy expectations.
4. When possible, social media posts should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the Academies.
 - a. Pages shall clearly indicate that posted comments will be monitored and that the Academies reserve the right to remove obscenities, off-topic comments, and personal attacks.
 - b. Pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure.

C. MSA-Sanctioned Use

1. MSA employees representing the Academies via social media outlets shall follow the guidelines below:

- a. Conduct themselves at all times as representatives of the Minnesota State Academies and, accordingly, adhere to all MSA standards for conduct, and observe conventionally accepted protocols and proper decorum.
 - b. Identify themselves as an employee of the Minnesota State Academies
 - c. Maintain confidentiality, following expectations outlined in the Family Educational Rights and Privacy Act.
 - d. Utilize department computers and/or mobile devices to manage MSA social media activities.
2. Potential Uses of Social Media
- a. Community Outreach and engagement by:
 - i. Providing tips related to education and language development
 - ii. Offering opportunities for communication with school administration
 - iii. Sharing information and announcements about upcoming events open to the community/parents
 - iv. Soliciting input and feedback about school-related projects and/or policies
 - b. Time –sensitive notifications related to:
 - i. Transportation changes and updates
 - ii. Weather emergencies
 - iii. Security and Safety of students
 - iv. Special events, including last-minute scheduling changes
 - c. Recruitment of potential employees or volunteers
 - i. Information about current programs
 - ii. Information about current vacancies
 - iii. Opportunities for volunteers
 - d. Information sharing with potential students and their families
 - i. Information about school programs and extracurricular activities
 - ii. Information about successful students and alumni
 - iii. Family events at the Academies
 - iv. Contact persons for questions about the Academies

V. PERSONAL USE: Precautions and Prohibitions

Barring state law or binding employment contracts to the contrary, MSA employees should be aware of the following considerations and take precautions when using social media.

- A. MSA employees are free to express themselves as private citizens on social media sites but are encouraged to take care that their speech does not impair their positive working relationships with other employees, parents, families, and students at the Minnesota State Academies. Examples of sensitive situations may include the following: Situations in which confidentiality is important; Opinions that may exclude or offend minority groups at work; Comments about co-workers that may impair discipline and harmony among co-workers; or comments that may negatively affect the public perception of the Academies.
- B. As public employees, MSA employees are cautioned that speech on- or off-duty, made pursuant to their official duties – that is, that owes its existence to the employee’s professional duties and responsibilities – is not protected speech under

the First Amendment and may form the basis for discipline if their speech is determined to be a violation of policies of the Minnesota State Academies. MSA employees should assume that their speech and related activities on social media sites will reflect upon their position and MSA. Employees must also maintain confidentiality, following expectations outlined in the Family Educational Rights and Privacy Act.

- C. MSA employees shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without authorization from the Superintendent or the Directors of the Academies.
- D. When using social media, MSA employees should be mindful that their speech becomes part of the worldwide electronic domain. Therefore adherence to MSA's code of conduct is expected in the personal use of social media. In particular, MSA employees should be mindful of the impact of their comments on students and families, particularly with speech containing obscene or sexually explicit language, images or acts; or statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, or any protected class of individuals. Employees also should take caution about speech involving themselves or other employees that reflect behavior that may be reasonably considered as reckless or irresponsible.
- E. MSA employees may not divulge information gained by reason of their authority; make any statements, speeches, appearances and endorsements; or publish materials that could be reasonably considered to represent the views or positions of the Minnesota State Academies without express authorization. This includes pictures, videos, and other materials taken during work time.
- F. MSA employees should be aware that privacy settings and social media sites are constantly in flux and they should never assume that personal information posted on such sites is protected.
- G. MSA employees should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by MSA at any time without prior notice.
- H. MSA employees are prohibited from utilizing work time to access/manage their personal social media sites without express authorization. When using MSA's computer systems, use of social media for business purposes is allowed, but personal use of social media networks or personal blogging of online content may result in disciplinary action.

VI. REPORTING VIOLATIONS

Any employee becoming aware of or having knowledge of a posting or any website/webpage in violation of the provisions of this policy shall notify their supervisor immediately for follow-up action.

Policy #: 455
Title: EMPLOYEE CODE OF CONDUCT
Date of Initial Approval: 04/19/2018
Revision/Re-authorization Dates:
Reviewers: MSA Superintendent; MSA Fiscal Services Director; MSA Human Resources Director

I. OBJECTIVES

The objectives of this policy and procedure are to:

- A. Promote honest and ethical behavior within the Minnesota State Academies (MSA)
- B. Inform MSA employees of their responsibilities under the Statewide Operating Policy 0103-01, Code of Conduct; and the companion Statewide Procedure 0103-01.1, Code of Conduct and,
- C. Ensure agency-wide compliance with the MSA Employee Code of Conduct (COC) which includes compliance with the codes of conduct listed above.

II. APPLICABILITY

This policy is applicable to all MSA employees and contractors.

III. POLICY

It is the policy of MSA that each employee will conduct themselves and perform their employment duties in an honest and ethical manner. It is also the policy of MSA that each employee, and the organization as whole, will comply with the COC; all other MSA-specific employee conduct and ethics-related policies; and any other applicable statewide employee conduct and ethics rules, laws, and statutes.

Specifically, MSA will:

- A. Train each employee on their duties and responsibilities under this policy/COC. New employees will be trained within 30 days of their start date; and at least once every three years thereafter.
- B. Require every employee to certify their knowledge of, and agreement to abide by, the requirements of this policy/COC within 30 days of their start date and once each fiscal year thereafter.
- C. Provide retaliation-free mechanisms and communication channels for employees to report suspected violations of this policy, the COC, and any other personal conduct and ethics-related policies occurring within MSA or at any other state agency.
- D. Document, investigate when necessary, and resolve all reasonable and good faith reports of suspected violations of this policy, the COC, or any other employee conduct or ethics-related violations, received internally or externally, in a timely manner.
- E. Notify appropriate state and/or federal agencies, law enforcement bodies, and/or the Office of the Legislative Auditor (OLA), as applicable, of suspected violations of law, and/or instances of fraud and abuse.

- F. Take appropriate action, as applicable, against any employee found to be in violation of the requirements of this policy, the COC, or any other personal conduct or ethics-related policies.

IV. EMPLOYEE CONDUCT RESPONSIBILITIES

Each MSA employee, through words and actions, must demonstrate professional and ethical conduct by adhering to the following expectations:

- A. Act honestly and ethically in carrying out one's employment duties and responsibilities;
- B. Comply with all policies and procedures pertinent to one's job duties, and all applicable MSA/state/federal laws, rules, and regulations;
- C. Cooperate fully with internal, legislative, or external auditors in all areas of their examinations;
- D. Report suspected COC and ethics violations, significant internal control weaknesses, evidence of theft, embezzlement, unlawful use of public funds or property or other irregularities/wrongdoings through appropriate agency channels as designated; and
- E. Report any evidence of theft, embezzlement, or unlawful use of public funds or property to the OLA.

V. NEW EMPLOYEE TRAINING AND CERTIFICATION

The MSA New Employee Supervisory Checklist will include a step reminding supervisors of all new employees of the requirement to have the employee(s)

- within 30 days of their start date, read and become familiar with the this policy, the COC, and other applicable statewide employee conduct and ethics policies, procedures, and statutes,
- view the online new employee COC training,
- **and** complete and sign the appropriate COC certification form.

Upon completion of the training and appropriate certification form, the employee must provide their manager/supervisor with the signed certification form which the manager/supervisor will forward to the MSA Human Resources (HR) Office for filing.

This includes all contractors entering into service contracts with MSA.

VI. ANNUAL EMPLOYEE RECERTIFICATION

Once each fiscal year, MSA Managers and supervisors are required to:

- A. Discuss the COC requirements with their staff and determine a refresher COC or ethics-related training is needed;
- B. Ensure all of their staff and contractors complete and sign new COC certification forms; and,
- C. Submit completed certification forms to the MSA HR Office within the timeframes identified.

VII. AGENCY WIDE TRAINING

Once every three years, the MSA HR Office will provide COC training to every MSA employee. At a minimum, this training will include a discussion about the designated, retaliation-free, communication channels employees are to use for reporting suspected COC violations along with outlining what employees' legal obligations are for reporting applicable violations to the OLA and other authorities. The MSA HR Office will determine the type(s) of training to be provided; schedule and coordinate/prepare the training session(s); and maintain documentation of the training sessions, including an attendance record.

VIII. REFUSAL TO SIGN

Any employee who refuses to sign the certification form signifying their agreement to abide by the COC may be subject to disciplinary action, up to and including termination of state employment. Probationary employees may be non-certified.

IX. REPORTING SUSPECTED CODE OF CONDUCT OR OTHER ETHICS VIOLATIONS

A. Reporting to the Office of the Legislative Auditor (OLA): Any employee who discovers evidence of theft, embezzlement, unlawful use of public funds or property, evidence of long-distance telephone misuse, and/or violations of the Code of Ethics for Employees in the Executive branch, at MMB, or any other state agency, must immediately report this information, in writing, to the OLA.

Note: Employees are still required to report evidence of theft, embezzlement or unlawful use of state funds/property to the OLA even if they have made the same report internally through the designated communication channels identified below in step B of this policy section. Similarly, MSA senior staff must immediately report to the OLA, in writing, any evidence of theft, embezzlement, or unlawful use of public funds/property they receive from a MSA employee, even if that employee has already satisfied their legal obligation by reporting the same evidence directly to the OLA.

B. Any employee who witnesses an improper activity; discovers evidence; receives a report from an external source; or has other reasonable basis to suspect **that within MSA** a violation of this policy, the COC, or any other personal conduct or ethics-related policy/procedure must immediately report their suspicions and evidence through one of the following designated communication channels:

- Their direct supervisor/manager;
- Director of MSA Human Resources; or
- MSAB/MSAD Director; Director of Financial Services; or Superintendent.

C. Supervisors/managers who receive a report of suspected COC violation must immediately document the report, collect all relevant information available, and pass the report and supporting information to the Director of MSA Human Resources. If the HR Director is not available or is believed to be party to the suspected violation, the supervisor must pass the report and supporting information directly to an appropriate member of the MSA senior staff.

D. If the HR Director receives a report of a suspected COC violation directly from a staff member, they must document the report and collect all supporting information available. The HR Director is responsible for communicating any report of suspected

COC violations to the MSA senior leadership team, regardless of how and from whom they receive the report.

- E. The HR Director and senior leadership team will determine if and how all reports of COC violations will be investigated and resolved, and make a determination of whether or not the Office of the Legislative Auditor (OLA) or other authorities need to be notified.
- F. Any MSA employee who discovers evidence, personally witnesses, or receives a report from a member of the general public or another state agency employee about a violation of the COC or any other personal conduct or ethics-related policy/procedure that has taken place or is taking place **at a state agency other than MSA**, must immediately report their suspicions/evidence to their direct supervisor. If their supervisor is not available, they must immediately report to the MSA Superintendent. MSA senior staff will document the report, determine the legitimacy of the report, determine how to communicate the information to the applicable state agency, and to which individual(s) at that agency, and make a determination of whether or not the Office of the Legislative Auditor (OLA) or other authorities need to be notified.
- G. MSA senior staff will treat each report of suspected COC violations it receives as a serious matter, and will respond as such by initiating an investigation to determine the legitimacy, scope, and severity of the reported conduct within a reasonable period of time.

X. INVESTIGATION AND RESOLUTION OF SUSPECTED COC VIOLATIONS

- A. MSA senior staff will take steps to document all reports of suspected COC violations and collect all available/applicable evidence, and to the extent possible, to protect that evidence from loss, corruption, and access by unauthorized persons.
- B. The names of the reporting employee and the person(s) accused/suspected of the COC violations will not be disclosed to anyone who does not have a business need to know. The reporting employee is prohibited from discussing the facts of the matter, including the name of the suspected COC violator, except where necessary for the investigation and resolution of the matter. To protect the integrity of the investigation, the nature and specifics of the suspected violation will be shared only with those with a business need to know, such as the OLA, law enforcement and/or those tasked with performing the investigation.
- C. Generally, the MSA HR Director, in consultation with the senior staff, will determine the type of investigation to be performed and the individual(s) who will perform the investigation. The type of investigation and individual(s) involved will be dependent upon the specific nature of the suspected violation. However, depending upon the nature of the reported violation, MSA may be required to follow the directions of, or relinquish control of the investigation to the OLA and/or other law enforcement entities.
- D. At the outcome of an investigation, the MSA HR Director or the lead investigator will provide the MSA Superintendent with written notification of the final resolution of the

matter within 30 days or as soon as possible after the final determination. If applicable and appropriate, the reporting employee may be notified of the final determination.

XI. MISCELLANEOUS

- A. If an employee leaving the employment of MSA agrees to an exit interview, the employee's direct supervisor, HR staff, Campus Director, or the Superintendent (whomever is conducting the interview) will make the following COC -related inquiries of the departing employee:
- Is the departing employee aware of any significant internal control weaknesses that present an increased risk of fraud, waste, or abuse?
 - Is the departing employee aware of any unlawful or suspicious activities taking place within MSA, or at any other state agency, that should be investigated?
 - Did the departing employee feel they received adequate training and guidance on the COC while employed at MSA?
 - Did the departing employee know what the designated communication channels were for reporting suspected COC violations?
- B. The above questions will be added to the MSA "Separation Questionnaire," along with a request to the departing employee to anonymously report any suspected/known COC violations or other improprieties.

References:

MMB Statewide Operating Policy 0103-01, Code of Conduct
MMB Statewide Procedure 0103-01.1, Code of Conduct
The Internal Control & Accountability Unit (MMB)- code of conduct information and training
The Office of the Legislative Auditor - reporting suspected wrongdoing
MMB-specific policies and procedures (Chapters 2, 3, 4, 5, and Fiscal & Payroll)
Minnesota Statute 10.47
Minnesota Statute 43A.39, subdivision 2

Appendices:

455-A: Code of Conduct certification form for agency heads
455-B: Code of Conduct certification form for managers, supervisors, employees

Policy #: 751
Title: MSA LIBRARY COLLECTIONS MANAGEMENT
Date of Initial Approval: NEW
Revision/Re-authorization Dates:
Reviewers: MSA Superintendent; MSA Campus Directors; MSA Director of Student Support Services; MSA Librarian; MSA Library Committee

I. PURPOSE

The purpose of this policy is to act as a guide for Minnesota State Academies (MSA) libraries, primarily the MSAD student library, the MSA curriculum/resource library, and other resources within the library software system, to assign responsibilities and develop strategies that foster literacy development at MSA, and to ensure school community participation in decisions regarding selection, purchase, and as needed, removal of library books, resources, media, and materials. Other libraries may be added to the scope of this policy as determined by the MSA Library Committee (i.e., curriculum libraries, subject-specific libraries). This policy does not include the Minnesota Resource Libraries' collection (refer to MSA Policy #750).

II. MISSION STATEMENT OF THE MSA LIBRARIES

The mission of the MSA libraries is to foster language development and growth within a supportive learning environment that includes all aspects of informational resources in multiple formats and accessibility. Through culturally responsive material, the MSA libraries encourage students to become critical thinkers, innovative learners, and lifelong readers.

III. GENERAL STATEMENT OF POLICY.

The MSA board recognizes that MSA libraries are a vital component of student success. The MSA board also assigns the responsibility of selection, purchase, and removal of library books, resources, media, and materials to the MSA Library Committee.

The MSA Libraries have five primary roles:

1. Deliver current, accessible materials of high interest in a variety of formats for students of all ages and their families.
2. Maintain collaboration between library staff and educational staff by providing timely, accurate information and instruction.
3. Maximize use of resources which are technologically advanced to foster language development and academic growth.
4. Provide access to learning for students by promoting enjoyment of reading, curiosity for information, and space for innovation.
5. Collaborate with the Minnesota Resource Libraries and other agencies to obtain resources for students and staff.

IV. DEFINITIONS

A. MSA Library Committee - composed of librarian(s), one administrator, and at least one educational staff member. The committee will invite additional participants as needed to reflect the current library needs (i.e., elementary teachers for purchasing elementary level books). The committee will meet once a month. The Library

Committee members, other than the librarian, will serve a two-year term for consistency purposes.

- B. Materials** - print and non-print items that are available for teachers, educational staff, and students and their families. This includes materials such as classroom book sets, supplemental resources, and magazine subscriptions (i.e. Scholastic Weekly Reader).
- C. Curriculum and Related Materials** – print and non-print items related to classroom curriculum content (i.e., textbooks, workbooks, supplemental books, videos)
Note: The Library Committee is not responsible for the curriculum or assessment selection process as that is managed by the School Accountability Committee (MSA Policy #616).
- D. Digital Media** – digital files and resources, including DVD, CDs, or any pre-recorded materials available to the public via the Library database and MSA-approved website(s).
- E. Multiple formats** – Resources and activities that the library provides should be available in multiple formats, including but not limited to: print and non- print materials, Braille, digital media, read aloud groups, family activities, and group & independent reading.
- F. Resources** – Resources other than books, printed material, or media which support technology-related skill development, including but not limited to 3-D printing, ASL lab, interactive monitors/panels, interactive tables, video editing programs, projectors, Visio books, Braille readers, eBooks, makerspace, and similar equipment/tools.

V. **SELECTION CRITERIA FOR LIBRARY MATERIALS**

The Library Committee is responsible for the review, evaluation, and selection of materials for the school library collection. Decisions made by the committee will be guided by the philosophy and criteria set forth in this policy. The committee works cooperatively with administrators and educational staff to provide resources that represent diverse points of view, stimulate growth in language and critical thinking skills, and promote the overall educational program. The collection of library materials is developed to meet both curricular and individual needs. To ensure that these needs are met, the committee is responsible for the application of selection criteria and use of recommended selection tools. All purchases, including gifts and donations, should meet the same selection standards.

The selection criteria below reflect the MSA libraries mission statement and supports the principles of intellectual freedom described in the Library Bills of Rights (ALA), Students' Right to Read (NCTE), and other position statements on intellectual freedom from the American Library Association and the American Association of School Libraries. The following is the book selection criteria:

- A. Appropriate for students with diverse needs:** Library materials and media should be provided to meet curricular needs and the individual needs, interests, and learning

styles of all students at all levels. Materials will be made accessible as much as possible for students as required by MSA Policy #121.

- B. Appropriate for recommended levels:** Library materials and media should be accessible to students of varied abilities and meet informational and interest needs of all students.
- C. Appropriate format to effectively teach the curriculum:** Library materials and media should be available in a variety of formats, e.g. print, nonprint, electronic, multimedia, to meet the needs and learning styles of a diverse student population.
- D. Accurate in terms of content:** Library materials and media should present facts in an objective manner. Authority of the author, organization, publisher/producer should be a consideration in selection.
- E. Cost effective in terms of use:** Library materials and media should be evaluated for cost effectiveness in terms of accessibility, projected use, and durability.
- F. Free of bias and stereotypes:** Library materials and media should reflect the basic humanity of all people and be free of stereotypes, caricatures, distorted dialect, sexual bias, and other offensive characteristics. Library materials and media concerning religious, social, and political content should inform rather than indoctrinate.
- G. Pertinent to the curriculum and the objectives of the instructional program:** Library materials and media should reflect the curriculum utilized by MSA and support the objectives of MSA's instructional programs. Materials and media should be purchased to support learning that is happening within MSA classrooms.
- H. Recent copyright date as appropriate to the subject:** Library materials and media should be assessed for currency and relevance of the information as it relates to the content and purpose of the item.
- I. Reflective of the pluralistic nature of a global society:** Library materials and media should provide a global perspective and promote diversity as a positive attribute of our society. It is important to include materials by authors and illustrators of all cultures.
- J. Representative of differing viewpoints on controversial subjects:** Students have the right to information on both sides of a controversial issue. By having access to a variety of resources, students will have the knowledge base to develop critical thinking and problem-solving skills. The school library must provide free and equitable access to all information.

VI. SELECTION TOOLS

The Library Committee will consider recommendations from teachers, students, and parents. Communication with teachers to assess curriculum needs and recommendations for purchase is an important part of the selection process. Suggestions from students and parents are crucial to the selection process as well. The following

professional resources are available to assist the Library Committee in the selection process; however, selection is not limited to the use of these tools.

- Booklist
- School Library Journal
- Horn Book
- Book Wire
- Caldecott Medal Home Page
- Coretta Scott King Award Home
- Junior Library Guild
- Newbery Medal Home Page
- Pura Belpre Award Homepage
- Voice of Youth Advocates (VOYA)
- MultiCultural Review
- Publishers Weekly
- Children's Literature Review
- Library Media Connection

VII. PURCHASE PROCESS

The Library Committee will follow MSA policies and procedures for all purchases. The librarian will work with our business office to determine the best vendors and costs to acquire materials and media that are selected by the committee.

VIII. GIFTS AND DONATIONS

Aligned with MMB Statewide Operating Procedure 602-12 (Gift Acceptance), members of the school community are encouraged to support the mission of the MSA libraries through gifts in the form of materials or financial support. Monetary gifts are welcome and will be used to enhance programs and services. Items not added to the collection are recycled or donated to other organizations. The MSA librarian will ensure that all gifts and donations are acknowledged and approved by the MSA board, following established procedures.

NON-CASH GIFTS AND DONATIONS: Gifts of books and/or other materials are gratefully accepted with the understanding that the Library Committee has the final authority to approve materials that will be added to the library collection. The MSA libraries will not accept items that are obsolete, unauthorized, and/or otherwise not needed. Please consult with the MSA librarian prior to any donations.

- **HOW TO DONATE**
 - All donations must be arranged in advance with the MSA librarian. Donations must be in good condition and delivered in boxes. Donations that are not in acceptable condition as determined by the MSA librarian will not be returned to the donor and will be donated, recycled, or discarded.
 - Checks for monetary gifts to the library should be made out to the Minnesota State Academies with the memo listing the MSA Libraries.

IX. INVENTORY PROCEDURE

1. Reviewing Library Materials

The Minnesota State Academies Libraries recognize the importance of maintaining a collection of relevant, accurate, and useful materials. A good collection development plan must include reviewing inventory and determining items to be removed. This process is a key part of assessing the collection. The following guidelines have been developed to help in the review/removal process; however, the final decision concerning the removal or replacement of materials rests with the Library Committee.

B. Guidelines

The Library Committee will attempt to re-introduce unused/unpopular books that have not been checked out for a long time into a special exhibit to try to garner interest. If certain books have not been checked out for a lengthy period of time, the librarian will remove the books from circulation and go through the review/removal process. To determine which library materials should be removed, the Library Committee will make decisions based on the following guidelines:

- Are they in poor physical condition?
- Are they outdated in content, use, or accuracy?
- Are they poor in quality?
- Are they biased or portray stereotypes?
- Are they inappropriate in reading level?
- Do they duplicate information no longer in heavy demand?
- Are they not compatible with general selection criteria?

C. Removing Library Materials

Withdrawn materials may be distributed to classrooms (only if appropriate), recycled, donated, or discarded.

D. Materials/equipment other than books and curriculum resources

Library inventory systems may be utilized to inventory materials/equipment other than books and curriculum resources. (i.e., technology accessories; adaptive equipment; etc.) Decisions about use of library inventory systems will be reviewed by MSA's Instructional Leadership Team.

V. RECONSIDERATION OF MATERIALS

The MSA Libraries abide by the philosophy expressed in the American Library Association's Library Bill of Rights and the American Association of School Librarians' School Library Bill of Rights for School Library Media Programs.

If a requested purchase is declined by the librarian's supervisor for reasons other than financial constraints, the Library Committee may review the reasons given, and if appropriate/desired, appeal the decision to the superintendent's office. This appeal should be in written form and include reasons for the appeal. A copy of the reasons given for the declined purchase should also accompany this request. The superintendent's office will respond within 5 working days.

Declined purchases will be kept on record in the library for future reference and utilized in response to future requests for the same item.

The Library Committee also recognizes that materials or media selected for the MSA Libraries may be challenged or questioned, despite the care taken in selecting them. Complaints about materials or media purchased by the MSA libraries should be made to the librarian and brought to the MSA Library Committee for review and response.

Legal References:

Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)

Minn. Stat. Ch. 363A (Minnesota Human Rights Act)

42 U.S.C. § 12101 et seq. (Americans with Disabilities Act)

Cross References:

TSD Model Policy (Library Collection Development Procedures)

American Library Association. (October 2008). Workbook for selection policy writing.

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