

Policy Committee Meeting

Tuesday, April 12, 2022 3:15 PM

Tate Hall Conference Room, 615 Olof Hanson Drive, Faribault, MN 55021

1. **Call to Order**
2. **Meeting Minutes Review**
3. **Policies to Review from MSBA**
4. **Policies to Review for a Second Reading**
5. **Policies to Review Before Revision - None**
6. **Policies to Review Prior to a First Reading**
7. **Policies to Review for Reauthorization**
8. **Adjourn**



Minutes of Policy Committee Meeting Minnesota State Academies Board

A Policy Committee Meeting of the Minnesota State Academies Board was held on Tuesday, March 15, 2022, beginning at 3:15pm in the Tate Hall Conference Room or through zoom platform.

Present: Terry Wilding – Superintendent, Nicole Halabi – Board Member, Mary Cashman-Bakken - Board Member, Jamers Speier – Board Member, Anne Grace Donatucci – MSAD Director, Jody Olson, MSAD Assistant Director, Bridget Flier – HR Director, Kerry Vigasaa – HR Specialist 1

Absent: (Names of non-attendees)

1. Call to Order

3:20pm

2. Minutes Review

No changes

3. Policies to Review from MSBA

None

4. Policies to Review for a Second Reading

None

5. Policies to Review Before Revision

A. 423 - Employee-Student Relationships (no changes – revise appendix)

This policy is in place to look at how we manage these relationships. Terry explained that the goal is to protect the student and provide boundaries. It ensures we are protecting both the student and the staff. Anne Grace added that staff need to consider ways to prevent conflict document on the form. Outside parents feel parents who work on campus have access to more information and it is important to have healthy and appropriate boundaries. Jamers: Help students know to look to their teachers in their role and separate that from their parents (those who happen to have parents who are teachers at MSA). HR explained the importance of open ended questions to see how people would respond to a situation in the form.

B. 426 - Nepotism in Employment (no changes – revise appendix)

We do have family members here and we don't have direct family members supervising other family members. We will move supervisors around to avoid nepotism. We did have meetings in the past as we had two Board members with

children attending here at MSA. We asked them to remember to clarify their roles as a parent as opposed to their role as a Board member when having conversations/discussions with our staff.

C. 441- On-Call (no changes)

Additional information: We have on-call staff that rotate every 2 weeks throughout the year. We have a on-call phone with both voice/text and calls are forwarded to Sorenson VP for deaf on-call supervisors. An app for our student information system is on the phone as well.

6. Policies to Review Prior to a First Reading

None

7. Policies to Review for Reauthorization

None

8. Review of Procedure 5200 (for feedback)

Procedure 5200 was included in today's committee discussion to share our proposed procedure which would clarify procedures supporting transgender and gender expansive students in relation to our nondiscrimination policy (#522) The committee was supportive of this new procedure.

9. Adjourn

3:54pm

Adopted: _____

MSBA/MASA Model Policy 722
Orig. 2017

Revised: _____

722 PUBLIC DATA REQUESTS

[Note: School districts are required by statute to establish procedures consistent with the Minnesota Government Data Practices Act for public data requests.]

I. PURPOSE

The school district recognizes its responsibility relative to the collection, maintenance, and dissemination of public data as provided in state statutes.

II. GENERAL STATEMENT OF POLICY

The school district will comply with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13 (MGDPA), and Minn. Rules Parts 1205.0100-1205.2000 in responding to requests for public data.

III. DEFINITIONS

A. Government Data

“Government data” means all recorded information that the school district has, including paper, email, flash drives, CDs, DVDs, photographs, etc.

B. Inspection

“Inspection” means the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the school district, unless printing a copy is the only method to provide for inspection of the data. For data stored in electronic form and made available in electronic form on a remote access basis to the public by the school district, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public’s own computer equipment.

C. Public Data

“Public data” means all government data collected, created, received, maintained, or disseminated by the school district, unless classified by statute, temporary classification pursuant to statute, or federal law, as nonpublic or protected nonpublic; or, with respect to data on individuals, as private or confidential.

D. Responsible Authority

“Responsible authority” means the individual designated by the school board as the individual responsible for the collection, use, and dissemination of any set of data on individuals, government data, or summary data, unless otherwise provided by state law. Until an individual is designated by the school board, the responsible authority is the superintendent.

E. Summary Data

“Summary data” means statistical records and reports derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify an individual is ascertainable.

IV. REQUESTS FOR PUBLIC DATA

- A. All requests for public data must be made in writing directed to the responsible authority.
 - 1. A request for public data must include the following information:
 - a. Date the request is made;
 - b. A clear description of the data requested;
 - c. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
 - d. Method to contact the requestor (such as phone number, address, or email address).
 - 2. A requestor is not required to explain the reason for the data request.
 - 3. The identity of the requestor is public, if provided, but cannot be required by the government entity.
 - 4. The responsible authority may seek clarification from the requestor if the request is not clear before providing a response to the data request.
- B. The responsible authority will respond to a data request at reasonable times and places as follows:
 - 1. The responsible authority will notify the requestor in writing as follows:
 - a. The requested data does not exist; or
 - b. The requested data does exist but either all or a portion of the data is not accessible to the requestor; or
 - (1) If the responsible authority determines that the requested data is classified so that access to the requestor is denied, the responsible authority will inform the requestor of the determination in writing, as soon thereafter as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based.
 - (2) Upon the request of a requestor who is denied access to data, the responsible authority shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.
 - c. The requested data does exist and provide arrangements for inspection of the data, identify when the data will be available for pick-up, or indicate that the data will be sent by mail. If the requestor does not appear at the time and place established for inspection of the data or the data is not picked up within ten (10) business days after the requestor is notified, the school district will conclude that the data is no longer wanted and will consider the request closed.
 - 2. The school district's response time may be affected by the size and complexity of the particular request, including necessary redactions of the data, and also by the number of requests made within a particular period of time.

3. The school district will provide an explanation of technical terminology, abbreviations, or acronyms contained in the responsive data on request.
4. The school district is not required by the MGDPA to create or collect new data in response to a data request, or to provide responsive data in a specific form or arrangement if the school district does not keep the data in that form or arrangement.
5. The school district is not required to respond to questions that are not about a particular data request or requests for data in general.

V. REQUEST FOR SUMMARY DATA

- A. A request for the preparation of summary data shall be made in writing directed to the responsible authority.
 1. A request for the preparation of summary data must include the following information:
 - a. Date the request is made;
 - b. A clear description of the data requested;
 - c. Identify the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
 - d. Method to contact requestor (phone number, address, or email address).
- B. The responsible authority will respond within ten (10) business days of the receipt of a request to prepare summary data and inform the requestor of the following:
 1. The estimated costs of preparing the summary data, if any; and
 2. The summary data requested; or
 3. A written statement describing a time schedule for preparing the requested summary data, including reasons for any time delays; or
 4. A written statement describing the reasons why the responsible authority has determined that the requestor's access would compromise the private or confidential data.
- C. The school district may require the requestor to pre-pay all or a portion of the cost of creating the summary data before the school district begins to prepare the summary data.

VI. COSTS

- A. Public Data
 1. The school district will charge for copies provided as follows:
 - a. 100 or fewer pages of black and white, letter or legal sized paper copies will be charged at 25 cents for a one-sided copy or 50 cents for a two-sided copy.
 - b. More than 100 pages or copies on other materials are charged based upon the actual cost of searching for and retrieving the data and making the copies or electronically sending the data, unless the cost is specifically set by statute or rule.

- (1) The actual cost of making copies includes employee time, the cost of the materials onto which the data is copied (paper, CD, DVD, etc.), and mailing costs (if any).
- (2) Also, if the school district does not have the capacity to make the copies, e.g., photographs, the actual cost paid by the school district to an outside vendor will be charged.

2. All charges must be paid for in cash in advance of receiving the copies.

B. Summary Data

1. Any costs incurred in the preparation of summary data shall be paid by the requestor prior to preparing or supplying the summary data.
2. The school district may assess costs associated with the preparation of summary data as follows:
 - a. The cost of materials, including paper, the cost of the labor required to prepare the copies, any schedule of standard copying charges established by the school district, any special costs necessary to produce such copies from a machine-based record-keeping system, including computers and microfilm systems;
 - b. The school district may consider the reasonable value of the summary data prepared and, where appropriate, reduce the costs assessed to the requestor.

Data Practices Contacts

Responsible Authority:

[Name]
[Location]
[Phone number; email address]

Data Practices Compliance Official:

[Name]
[Location]
[Phone number; email address]

Data Practices Designee(s):

[Name]
[Location]
[Phone number; email address]

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)

Cross References:

MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

Policy #: 303
Title: ACADEMIES ADMINISTRATOR (SUPERINTENDENT) SELECTION
Date of Initial Approval: NEW
Revision/Re-authorization Dates:
Reviewers: MSA Human Resources; MSA Board Personnel Committee

I. PURPOSE

The purpose of this policy is to convey to the Minnesota State Academies (MSA) community that the authority to select and employ an academies administrator (superintendent) is vested in the MSA board.

II. GENERAL STATEMENT OF POLICY

The MSA board shall employ a superintendent to serve as the chief executive officer of the MSA board and to conduct the daily operations of the Minnesota State Academies for the Deaf and the Blind.

III. QUALIFICATIONS

A. The MSA board shall consider applicants who meet or exceed the licensing standards set by the Minnesota Board of School Administrators and qualifications established in the job description for the superintendent position. State and federal equal employment and nondiscrimination requirements shall be observed throughout the recruitment and selection process.

B. The MSA board will consider professional preparation, experience, skill and demonstrated competence of qualified applicants in making a final decision.

IV. SELECTION

A. A process for recruitment, screening, and interviewing of candidates shall be developed by the MSA board. Whenever possible, this process should include the input of the MSA community and stakeholders.

B. The MSA board may contract for assistance in the search for a superintendent.

C. The MSA board shall work with the MSA Human Resources Director to specifically identify all conditions of employment mutually agreed upon with the superintendent. In so doing, the MSA board shall observe all requirements of state and federal law, MMB regulations, and MSA policy.

Legal References:

Minn. Stat. § 123B.143 (Superintendent)

Minn. Rules, Chapter 3512

Policy #: 743
Title: PETTY CASH
Date of Initial Approval: 11-29-2007
Revision/Re-authorization Dates: 03-07-2013; 01-23-2014; 08-23-2018
Reviewers: MSA Fiscal Services Director; MSA Finance Committee

I. POLICY

The Minnesota State Academies (MSA) shall maintain \$200.00 of the Imprest Fund in the **Fiscal Services Office** ~~Petty Cash locations selected by the Superintendent and the Campus Directors, with the advice of the Fiscal Services Director~~, to pay for small incidental expenditures under **\$25.00**, or for items in which the use of an Imprest Fund check is not appropriate or functional. (See MSA Policy #742). The Petty Cash Fund will be replenished through the Imprest Fund.

All petty cash expenditures require pre-approval from the employee's immediate supervisor.

The Petty Cash Fund can only be used for school-related expenses and shall not be used to cash any checks for employees or others. No employees or individuals are allowed to borrow from the Petty Cash Fund for personal use.

The **Fiscal Services Director Business Office** shall conduct unannounced counts of the Petty Cash Fund on a periodic basis.

The Petty Cash Fund shall not be used to reimburse employee for reimbursable expenses, which should be claimed on an employee's expense report.

II. ~~DEFINITIONS~~

~~**Support:** The resources and individual strategies necessary to promote the development, education, interests, and personal well-being of individuals choosing the Minnesota State Academies.~~

III. PROCEDURE

A. The **Fiscal Services Director superintendent** shall appoint and train designees within the **Fiscal Services Department** to serve as custodians of the Petty Cash Fund. ~~at selected locations.~~

B. The Petty Cash Fund will be securely stored in the **Fiscal Services vault**. ~~a locked file, drawer, or non-removable cabinet.~~

C. The designated custodian shall review all requests for use of petty cash, taking into consideration **supervisor approval**, fiscal constraints, state policy, appropriate reimbursement rules and program needs before authorizing the expenditure. This authorization shall be documented.

D. Receipts for petty cash along with sufficient explanation to meet MSA requirements shall be fully completed and stored with the petty cash funds until the next reporting

date. The total of the receipts and the cash must always equal \$200.00 (the established amount of the fund).

- E. The employee must obtain an itemized invoice/receipt from the vendor for each expenditure. In the event that receipts are not available, the employee must complete an affidavit attesting to the use of the funds and the reason that an invoice/receipt was not obtained.
- F. The designated custodian will review the petty cash receipts and the vendors' invoice/receipt for accuracy, adequate completion, and proper authorization. Any discrepancies must be resolved with the employee and missing information completed immediately. In the event that receipts are not available, an affidavit will be completed in accordance with Step E above.
- G. At the end of each quarter, or when needed, the designated custodian shall request replenishment of their Petty Cash Fund by completing a detailed accounting voucher and a requisition form for the Imprest Checking Account Fund. The requisition form and accounting voucher will be reviewed and approved by the Fiscal Services Director and an Imprest check shall be written to reimburse the Petty Cash Fund. The check shall be made payable to Petty Cash Fund, cash or to the bank.
- H. The Petty Cash Fund ~~at all locations~~ may be selected for a surprise count at any time by ~~an authorized individual of the MSA Business Office~~, the Office of the Legislative Auditor, or the Minnesota Management and Budget (MMB).

Policy #: 423
Title: EMPLOYEE-STUDENT RELATIONSHIPS/FRATERNIZATION
Date of Initial Approval: 08-17-2012
Revision/Re-authorization Dates: 11-29-2012; 10-18-2017
Reviewers: MSA Human Resources; MSA Superintendent

I. PURPOSE

The Minnesota State Academies (MSA) is committed to an educational environment in which all students are treated with respect and dignity. Every MSA employee is to provide students with appropriate guidance, understanding, and direction while maintaining a standard of professionalism and acting within accepted standards of conduct. Employees must set appropriate boundaries with students and conduct themselves in a manner that will maintain a professional relationship with students at all times. This policy is designed to protect both staff and students and to assure the safety and well-being of all MSA students and staff. Decisions regarding this policy are subject to the discretion of the Directors and the Superintendent after considering the listed issues below:

1. The student's best interests
2. The school's best interests
3. The employee's safety and liability
4. The school's liability

II. GENERAL STATEMENT OF POLICY

- A. This policy applies to all MSA employees at all times, whether on or off duty and on or off of the MSA campuses. Employees are defined as the following:
1. Any individual employed by MSA, including student teachers, substitutes, interns, and practicum students
 2. Any employees, agents, and owners/partners of contractors or agencies
 3. Any volunteers
- B. At all times, students will be treated by teachers and other MSA employees with respect, courtesy, and consideration and in a professional manner. Each MSA employee is expected to exercise good judgment and professionalism in all interpersonal relationships with students. Such relationships must remain on a teacher-student basis or an employee-student basis. MSA employees must be mindful of personal conduct in situations where students might be present. MSA employees must also be mindful of FERPA expectations for confidentiality and communication with parents, friends, and family members, especially with social media.
- C. Teachers and administrators must be mindful of their inherent positions of authority and influence over students. Similarly, other MSA employees also may hold positions of authority over students and must be mindful of their authority and influence over students.

- D. Employees are prohibited from engaging in any of the following types of conduct, regardless of whether the conduct occurs during or outside of school hours. The following list of prohibited conduct does not, and is not intended to, constitute the entire list of conduct for which discipline may be imposed.
1. Engaging in any romantic, sexual, or intimate relationships between MSA employees and students, without regard to the age of the student, including dating, flirting, sexual contact, inappropriate physical displays of affection, or sexually suggestive comments, regardless of whether staff or student initiates the behavior, whether the relationship is consensual, or whether the student had parent permission, and including any activity that gives the perception of such behaviors or relationships.
 2. Fostering, grooming, encouraging, or participating in inappropriate emotionally or socially intimate relationships in which the relationship is outside the boundaries of the reasonable, professional employee-student relationship and in which the relationship could reasonably cause a student to view the employee as more than an employee or any activity that gives the perception of an inappropriate relationship.
 3. Allowing any student/child to visit their home, or visiting a student/child's home, for reasons other than appropriate visits with approval by parents/legal guardians. (Other professional or educational reasons may require specific approval from the MSA Directors and/or the Superintendent)
 4. Initiating or continuing communications with students for reasons unrelated to any appropriate purpose, including oral, signed, or written communication, telephone and videophone calls, electronic communication (such as texting, instant messaging, e-mail, chat rooms, Facebook, or other social networking sites), webcams, or photographs. Electronic and online communications with students should utilize MSA-established e-mail and other classroom resources that are accessible to supervisors and professional in their content and tone. (The only exceptions to this are emergency situations that may have serious safety ramifications)
 5. Permitting any student or child to reside in their home unless they are parents, relatives, or legal guardians. For unique situations that are in the student's best interests, written permission must be obtained from the Superintendent.
 6. Making presentations of personal gifts, clothing, cash, or meals/snacks to students and/or their families unless through school-sponsored donations and approved by the Director and/or Superintendent. Employees should be cautious about participation in student fundraising, ensuring that they do not favor a particular student when purchasing items during fundraising activities.
 7. Allowing any student to travel in their personal vehicle for school-related or non-school-related matters unless specific approval is given by the Directors or Superintendent to provide for the safety and care of the student.

8. Sharing excessive personal information and or beliefs on non-school related issues (e.g. marriage, dating, sex, mental health, suicide, religion, etc.) Those issues are best handled by professional mental health providers (school counselors, school social workers, personal counselors, psychiatrists, psychologists, and so forth). Staff members may provide support for students in gathering information and resources.
 9. Providing alcohol (regardless of age) or drugs – either prescription or illegal – (except for those provided in accordance with instructions/procedures from the MSA nursing department) to students, including failing to take reasonable steps to prevent such access from occurring. This includes partaking in excessive alcohol consumption and/or illegal drug use when students are present.
 10. Accompanying a student to a non-school-related activity without parent, director, and superintendent approval.
 11. Committing or attempting to induce students to commit an illegal act or act of immoral conduct which may be harmful to others or bring discredit to the Minnesota State Academies.
 12. Participating in excessive informal and social involvement with individual students – this is unprofessional and incompatible with appropriate employee-student relationships.
- E. MSA employees shall, whenever possible, employ safeguards against improper relationships with students and/or claims of such improper relationships. Employees need to be mindful of general standards and boundaries for teaching and working with students. Detailed guidelines have been established in Appendix 423-B to support employees in their work with students. MSA employees who are employed outside of the academies in positions that support students (i.e. Personal Care Attendants, Daycare Providers, or Respite Care Providers) must communicate this with their supervisor so that they may be assigned to different students during their work shifts at MSA. Whenever possible, MSA administrators will establish a rotation of assignments to manage the length of time a staff member is assigned to an individual student.
- [Note: Such safeguards include the following: avoiding or minimizing physical contact; keeping doors open when talking or meeting with students one-on-one; and/or making sure that such meetings with a student take place in rooms with windows and/or others nearby.]***
- F. MSA employees or board members who have children or relatives attending classes at MSA must develop a plan (refer to Procedure #3100) to address how the employee/board member will interact with the child, the child's teacher(s) and support staff, and supervisors. (Appendix 423-A) Employees who have children or relatives that are students at MSA must be mindful about maintaining professional relationships with their children or relatives while at work and with their co-workers and supervisors, including consideration of the appearance of favoritism.
- G. MSA employees will adhere to applicable standards of ethics and professional conduct in Minnesota law.

III. REPORTING AND INVESTIGATION

- A. All MSA employees have a duty to report suspected violations of this policy. Any person with knowledge or suspicion of an improper relationship between employees and a student must immediately report the conduct to their supervisor, the human resources department, or the school social worker. Employees who make a good faith effort to report any suspected fraternization violation, or who cooperate with inquiries or investigations related to the accusation shall be protected from retaliation.

- B. Complaints and/or concerns regarding alleged violations of this policy shall be handled by the MSA Human Resources Department. Results of the investigation will be shared with the employee's supervisor for follow-up action. Suspected criminal activity will be referred to the local police department for investigation. Suspected child abuse must be reported under the directions outlined in MSA Policy #414.

- C. All employees shall cooperate with any investigation of alleged acts, conduct, or communications in violation of this policy.

IV. MINNESOTA STATE ACADEMIES ACTION

Upon receipt of a report, the Minnesota State Academies will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. It also may include reporting to appropriate state or federal authorities, including the appropriate professional licensing authority and appropriate agencies responsible for investigating reports of maltreatment of minors and/or vulnerable adults. MSA actions in response to violations of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and MSA policies.

V. SCOPE OF LIABILITY

Employees are placed on notice that if an employee acts outside the performance of the duties of the position for which the employee is employed or is guilty of malfeasance, willful neglect of duty, or bad faith, the Minnesota State Academies are not required to defend and indemnify the employee for damages in Minnesota State Academies-related litigation.

VI. EXCEPTION

If any employee feels there should be an exception to this policy, written permission must be obtained from the Superintendent.

Legal References:

Minn. Stat. § 13.43, Subd. 16 (School District or Charter School Disclosure of Violence or Inappropriate Sexual Contact)
Minn. Stat. § 122A.20, Subd 2 (Mandatory Reporting to Minnesota Board of Teaching)
Minn. Stat. § 122A.40, Subds. 5(b) and 13(b) (Mandatory immediate discharge of teachers with license revocations due to child or sex abuse convictions)
Minn. Stat. §§ 609.341-609.352 (Defining “intimate parts” and “position of authority” as well as detailing various sex offenses)
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)
Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)
Minn. Rules Part 8700.7500 (Code of Ethics for Minnesota Teachers)

Cross References:

MSBA/MASA Policy 211 (Criminal or Civil Action against School District, School Board Member, Employee, or Student)
MSBA/MASA Policy 306 (Administrator Code of Ethics)
MSBA/MASA Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Policy 413 (Harassment and Violence)
MSBA/MASA Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
MSBA/MASA Policy 421 (Gifts to Employees)

Appendixes:

Appendix 423 A – Plan to address Employee-Student Familial Relationship(s)
Appendix 423 B – General Standards and Boundaries for Teaching and Working with Students.

**MINNESOTA STATE ACADEMIES
PLAN TO ADDRESS EMPLOYEE-STUDENT FAMILIAL RELATIONSHIP(S)**

Name of Employee:

Name of Student(s):

Relationship between Employee and Student(s) *(How are the employee and student(s) related?)*:

Document how interactions will be handled between the employee and the student(s):

Document how communication will be handled between the employee and the student's teacher(s), service providers, and other staff members:

Document how disciplinary situations related to the student(s) will be handled and/or communicated with the employee:

Document how grievances related to the student(s) will be handled:

Document how the employee will interact with other parents:

Signature of Employee: _____

Date: _____

Signature of Director/Supervisor: _____

Date: _____

**Minnesota State Academies
General Standards and Boundaries for Teaching and Working with Students**

Teachers and other employees in a school setting hold a position of authority and trust in relation to students. Students may be unaware of the need for these boundaries and may at times even initiate behavior or make requests that could constitute boundary violations. Employees are therefore responsible for knowing and managing standards and boundaries, and are held accountable should misconduct or violations occur.

The following standards and boundaries are intended to ensure that relationships with students are professional and that MSA employees are acting in a manner that protects the dignity of students.

Standards:

- Respect the dignity and well-being of students
- Exercise the standard of care of a reasonably careful and prudent parent in the circumstances.
- Work together. Our employees support each other in supporting our students. While we may often work independently, we must be mindful that we create a stronger and more responsible community when we work as a member of a team to share the care of students and to meet standards for professional propriety.
- Act on suspicion of boundary violations. If there is reasonable concern about a boundary violation by a colleague, employees are obligated to act on these concerns in the interest of the student and of the professional integrity of both the employee and the Academies. In acting on concerns, employees must refrain from gossip. Employees should make every effort to address issues directly with the colleague in question. If the employee thinks the resolution is unsatisfactory, they must discuss the matter with an Academies Administrator or the Human Resources office.
- Maintain known, visible, and supported interaction. Contact between employees and students must always be known to, supported by, and visible to others whenever possible.
- Maintain professionalism at all times. Employees continue to influence students beyond the school day and even the school year.
- Report reasonable suspicion or knowledge of unsafe, unhealthy, or prohibited student activities to the Directors. They are responsible for the investigation of major school rule violations. Under no circumstances should employees other than Directors conduct independent investigations or impose consequences outside of the Academies' disciplinary process.

Specific Boundaries Enforced by MSA:

The 'Touch' Boundary

Touching is human, especially as an expression of nurturing at the primary grades. However, inappropriate touching is or may be harmful to the integrity of the student. Never touch a student in a way that is unwanted or that might make the student feel uncomfortable; that you would not do in the presence of other employees; or that is not supportive of positive adult relationships with students. Know that students have different sensitivities, thresholds, and vulnerabilities, both cultural and psychological. Sexual touching or invitation to sexual touching is strictly prohibited. Minnesota Statute 626.556 mandates teachers to report any physical or sexual abuse, or neglect of a child to legal authorities.

The Personal Boundary

Although relationships with students are friendly, students and employees are not friends. The nature of employees' responsibilities creates and requires a professional distance that must always be maintained. Violations of this boundary include communications that invite an intimate relationship or disclosing personal or intimate information that undermines a professional relationship. Similarly, a professional distance must be maintained with parents.

The Secrecy Boundary

Secrecy in a relationship with a student is a boundary violation. For the purposes of this policy, secrecy is distinct from confidentiality, and is defined as a condition designed to conceal or hide a specific activity usually for an illicit or unauthorized purpose, often motivated by the fear of being discovered. Confidentiality, on the other hand, conceals information and bona fide activities due to professional and/or legal obligations and is motivated by respect for others. One-on-one interactions with students must be known to, supported by, and preferably visible to others, to protect the dignity of the student and to prevent the appearance of misconduct. Failure to report suspicion or knowledge of unsafe, unhealthy, or prohibited student activities to the Directors is a violation of the secrecy boundary.

The Influence Boundary

Employees must be cognizant of, and sensitive to, traditions and beliefs of others. Teachers and other employees should respect the pedagogical objective to maintain a learning environment free from partisan influence. To achieve this educational mission, teachers and employees should neither endorse nor denigrate religious or political views and discussion with students regarding religion or politics should be confined to academic and educational purposes. Teachers and other employees should not solicit or proselytize for religious or political causes.

The Socializing Boundary

Employees should not organize or attend out-of-school social events or meetings with a student or students unless sanctioned by the school in accordance with school policy and procedures.

The Gift Boundary

Employees may accept modest gifts from students and parents when given as a token of appreciation and gratitude. However, a gift should never be invited as a condition of service. Further, a gift should be refused if the intent of the giver is to gain personal favor or to subvert impartial and fair judgment, or if acceptance might reasonably give the appearance of such unethical conduct.

Policy #: 426
Title: NEPOTISM IN EMPLOYMENT
Date of Initial Approval: 10-18-2017
Revision/Re-authorization Dates:
Reviewers: MSA Human Resources; MSA Superintendent

I. PURPOSE

The purpose of this policy is to establish consistent employment guidelines and to prevent situations where an individual may have or be perceived to have unfair influence over the career development, work assignments, work direction, performance reviews, or compensation of a family member who is also employed by the Minnesota State Academies (MSA). As a public entity, MSA must be held to high standards to deserve the public trust. Nepotism, or the appearance of nepotism, diminishes the integrity of MSA in the public's eye and should be avoided at all times. Employing persons who are close family members, but whose work assignments do not bring them into supervisory work relationships, and whose employment was not influenced by the other does not constitute nepotism. Balancing the ability of MSA to attract and keep the best employees for the purposes of MSA's academic mission with a prohibition against nepotism requires the disclosure of potential conflicts with this policy and actions to prevent and arrange placement of related persons within the academies to avoid valid claims of nepotism.

II. GENERAL STATEMENT OF POLICY

MSA may employ family members of current employees. However:

- A. No individual shall be assigned, reassigned, permanently or temporarily employed or issued an independent contract in a department, program, location, or school where close family member will have administrative or supervisory responsibility over that individual.
- B. No employee shall be part of the interviewing, hiring, or contracting process for a close family member.
- C. No employee shall influence or attempt to influence the hiring, transfer, suspension, promotion, discharge, reward, discipline, or adjustment of grievances of a close family member. If the employee has been granted an exception to have a close family member under their administrative or supervisory responsibility, any transfer, suspension, promotion, discharge, reward, discipline, or adjustment of grievances for the excepted close family member shall be handled by the supervisor's superior.
- D. Close family members may work in the same department, location, or school as long as the relationship is disclosed and approved by both individuals' supervisors.
- E. Potential employees are required to disclose their relationship to a MSA employee who is a close family member during the application process to ensure that close family members do not participate in the selection process.

- F. Employees shall disclose any potential conflict with this policy due to a proposed reassignment, transfer, promotion or demotion, to their supervisor.
- G. Willful breaches of this policy may result in employee discipline up to, and including reassignment or termination of employment
- H. This policy does not apply generally to situations where students enroll in or are assigned to classes or activities taught or supervised by close family members. In such cases, the employee shall notify the Director of the relationship and the Director may make reassignments. In the event that no reassignment is possible, the employee shall be responsible for making those academic decisions normally incident to their instructional duties. (See Policy #423)

III. DEFINITIONS

A. Close Family Member

A close family member means the employee's parent, spouse, ex-spouse, child (including adopted child), sibling, grandmother, grandfather, grandchildren, niece, nephew, aunt, uncle, first cousin, all step relatives, including stepchild, stepmother, stepfather, step sister, and step brother, in-law relationships including father- and mother-in-law, daughter-and son-in-law, brother- and sister-in-law, ward of the employee or employee's spouse, domestic partner, or person cohabitating in the employee's household regardless of the degree of the relationship. Half-blood relationships are defined the same as full-blood relationships.

B. Direct or Indirect Supervision

Direct or indirect supervision means the authority to make, participate in, or recommend employment- and/or compensation-related decisions involving a close family member, including, but not limited to, decisions concerning hiring, promotion, transfer, discipline, termination, salary, evaluation, grievance resolution, or other similar personnel actions.

IV. APPLICATION TO BOARD MEMBERS

MSA board members are not considered to have direct or indirect supervision except in situations when they are called upon to act specifically on matters of employment status or compensation for an applicant or employee. In such cases, board members shall abstain from the action when a close family member is involved or might be affected by the action. This includes situations when grievances may be brought before the board regarding decisions made by the superintendent regarding disciplinary action and/or other employment actions that affects the board member's close family member.

V. EXCEPTIONS: SPECIAL CIRCUMSTANCES

In exceptional circumstances, a direct or indirect supervision relationship may exist between employees who are close family members. Such circumstances may be necessitated by factors such as the unique qualifications or responsibilities of the individuals involved, the lack of other available appropriate supervisory personnel, or whether the position for which the close family member is being considered is temporary in nature. Any exception must be reviewed and approved in writing by the Superintendent of MSA. Any direct or indirect supervision relationship approved by the Superintendent must be reported to the MSA board. All employment decisions affecting the subordinate employee, including, but not limited to, selection, hiring, discipline, performance review, compensation, or leave, must be assigned to other supervisory personnel. Exceptions involving the Superintendent of MSA and a close family member of the Superintendent must be approved in writing by the MSA board.

VI. ADDRESSING EXISTING CONFLICTS AND CHANGES IN RELATIONSHIPS BETWEEN EMPLOYEES

Any employee involved in a direct or indirect supervision relationship with a close family member that existed prior to the original approval date of this policy or that arises after the adoption of this policy shall promptly notify the MSA Superintendent of such relationship. The Superintendent shall make suitable arrangements for the transfer of one of the employees, assignment of a different supervisor, or a determination that an exception is necessary under Section V. of this policy. Any direct or indirect supervision relationship approved by the Superintendent under Section V. shall be reported to the MSA board. The Superintendent shall promptly notify the MSA board of any direct or indirect supervision relationship which arises concerning a close family member of the Superintendent. All such direct or indirect supervision relationships involving the Superintendent shall be resolved by the MSA board in accordance with this policy.

VII. COMPLIANCE WITH EQUAL OPPORTUNITY AND DISCRIMINATION LAWS

Nothing in this policy shall be construed as discouraging the employment of close family members for positions that do not involve direct or indirect supervision. Nothing in this policy shall be construed to otherwise limit the employment opportunities of any person employed by MSA. Any employee involved in a direct or indirect supervision relationship with a close family member that existed prior to the original approval date of this policy or that arises after the adoption of this policy shall promptly notify the MSA Superintendent of such relationship. The Superintendent shall make suitable arrangements for the transfer of one of the employees, assignment of a different supervisor, or a determination that an exception is necessary under Section V. of this policy. Any direct or indirect supervision relationship approved by the Superintendent under Section V. shall be reported to the MSA board. The Superintendent shall promptly notify the

MSA board of any direct or indirect supervision relationship which arises concerning a close family member of the Superintendent. All such direct or indirect supervision relationships involving the Superintendent shall be resolved by the MSA board in accordance with this policy

Legal References:

Minn. Stat. § 124E.07, Subd 6 (Charter Schools)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
42 U.S.C. §2000e et seq. (Title VII of the Civil Rights Act)

Cross References:

MSBA/MASA Model Policy 210.1 (Conflict of Interest – Charter School Board Members)
MSBA/MASA Model Policy 401 (Equal Employment Opportunity)
MSBA/MASA Model Policy 426 (Nepotism in Employment)
Minneapolis Public Schools Policy 3003 (Nepotism)

Appendix:

Appendix 424 A – Plan to address Direct or Indirect Supervisory Responsibility for a Close Family Member

MINNESOTA STATE ACADEMIES

**PLAN TO ADDRESS SUPERVISORY RESPONSIBILITY
FOR A CLOSE FAMILY OR HOUSEHOLD MEMBER
WITHIN THE SAME DEPARTMENT**

Names of Employee and Supervisor:

Nature of Relationship between Employee and Supervisor (*How are the employees related?*):

Document how interactions will be handled between the employee and the supervisor:

Document how communication will be handled between the employee and the supervisor:

Document how the employee will be supervised, evaluated, disciplined, and/or promoted. Also, document how work assignments will be determined:

Document how grievances related to the employee will be handled:

Document how the employee will interact with colleagues who are supervised by the supervisor:

Signature of Employee: _____

Date: _____

Signature of Supervisor/Director: _____

Date: _____

Signature of Superintendent: _____

Date: _____

Policy #: 709
Title: TRANSPORTATION
Date of Initial Approval: NEW
Revision/Re-authorization Dates:
Reviewers: MSA Instructional Leadership Team; MSA Director of Physical Plant Operations; MSA Superintendent

I. PURPOSE

The purpose of this policy is to establish safe transportation for students at the Minnesota State Academies (MSA), including education for students on safety issues and the responsibilities of riding on school transportation.

II. GENERAL STATEMENT OF POLICY

The determination as to whether to provide transportation for students, spectators, and/or other participants to and from all MSA-sponsored activities shall be made solely by the MSA administration. This determination shall include, but is not limited to, the decision to provide transportation, the persons to be transported, the type or method to be utilized, all transportation scheduling and coordination, and any other transportation arrangements or decisions. Employees who are involved in those activities shall be advised by the administration as to the transportation arrangements made, if any. In its discretion, MSA administrators may charge fees for the transportation of students to and from extracurricular activities conducted at locations other than the MSA campuses, where attendance is optional.

III. ARRANGEMENTS FOR TRANSPORTATION

MSA employees shall not undertake independent arrangement, scheduling, or coordination of transportation for extracurricular activities unless specifically directed or approved by their supervisor. All transportation arrangements must be approved, following the process outlined in MSA Procedure #7501.

IV. PROHIBITIONS

MSA employees are prohibited from using their personal vehicle to transport one or more students except as described below. However, in an emergency or other unforeseen circumstances, employees may make appropriate transportation arrangements, including use of a personal vehicle for students as necessary.

In a nonemergency situation, an employee must get prior approval (preferably written) from their supervisor and/or the on-call supervisor before transporting a student in a personal vehicle. If a school vehicle is available, the employee will be directed to use the school vehicle. The MSA administrator in charge of the situation has the sole discretion to make a final determination as to the appropriate use of a personal vehicle to transport one or more students.

If any emergency transportation arrangements are made by employees pursuant to this section, the relevant facts and circumstances shall be reported to their supervisor as soon thereafter as practicable.

All vehicles used to transport students shall be properly registered and insured.

[Note: This policy provides that employees may use a personal vehicle to transport students in an emergency or other unforeseeable circumstance. An "emergency or other unforeseeable circumstance" does not include situations where regular transportation is available or scheduled.

For example, if a scheduled extracurricular event occurs outside of MSA campuses and MSA provides transportation for a team or group of students to and from the event, an employee would be prohibited by law from using a personal vehicle to transport some students to the event. In contrast, if a student attending this same event became ill or injured and required immediate transportation home or to a health care facility, the exigent need to transport one student would not constitute regular or scheduled transportation. An employee would have authority to transport the student in a personal vehicle under these circumstances, if using a vehicle that is properly registered and insured. The expectation of MSA is that the employee would immediately contact their supervisor and/or the on-call supervisor about these circumstances to ensure oversight of the employee's use of this exception.

Nonregular and nonscheduled transportation also would include situations where some notice may be provided of the need for transportation to a nonscheduled event for which transportation generally is not provided by MSA. For example, a group of students may participate in a scheduled debate competition for which regular MSA transportation is provided. Two students advance to a regional competition the following day. Transportation would not have been scheduled to the regional competition as the students' advancement was not predicted. These circumstances may justify an employee's use of a personal vehicle to transport the two students to the regional competition (if the vehicle is properly registered and insured). Because the employee has sufficient time to contact an administrator, advance written permission by an administrator would be expected for the purpose of overseeing that the reasons for an employee using a personal vehicle comply with the requirements of the law.]

V. PLAN FOR STUDENT TRANSPORTATION SAFETY TRAINING

A. School Bus Safety Week:

MSA may designate a school bus safety week. The National School Bus Safety Week is the third week in October

B. Student Training:

MSA Campus Directors shall ensure that all students receive annual, age-appropriate school bus/transportation safety training, including the following concepts:

1. Transportation provided by MSA is a privilege, not a right
2. Appropriate conduct and safety while on the bus/vehicle (refer to the MSA Parent/Student Handbook)
3. Danger zones around school buses
4. Procedures for safely boarding and leaving a school bus/vehicle
5. Procedures for safe vehicle lane crossing
6. Bicycling and Pedestrian Safety
7. School bus/vehicle evacuation and other emergency procedures

All training must be completed by the end of the third week of school. Students who enroll at MSA after the third week of school and have not received training from their previous school district shall receive this training within 4 weeks of their first day of attendance.

C. Drills:

A school bus evacuation drill must be conducted with all age groups at least once during the school year. Drills for students with additional disabilities who cannot participate in evacuation drills independently may be conducted with employees providing support to those students.

D. Record Keeping:

Campus Directors are responsible for maintaining records about each student's participation in bus safety training and certifying their participation to the MSA Health/Safety chairpersons.

VI. SCHOOL BUS AND TYPE III DRIVERS DUTIES AND RESPONSIBILITIES

All employees providing transportation for MSA must adhere to the requirements outlined in MSA Policy #444 and MSA Procedure #7501. All drivers are required to complete Type III drivers training prior to transporting any students for any reason. Employees are responsible for all vehicle checks, following all safety procedures and regulations, and ensuring that all passengers follow the rules of conduct while being transported.

VII. EMERGENCY PROCEDURES

In emergency situations, drivers, chaperones, and/or their supervisor should call 911 for emergency assistance. Drivers should move passengers to a safe location to await emergency responders as appropriate/necessary. When emergency responders arrive, employees should share any relevant medical information with them (name, address, disabling conditions; emergency health care information, contact information for guardians, allergies, and so forth)

Legal References:

Minn. Stat. § 123B.36 (Authorized Fees)
Minn. Stat. § 169.011, Subd. 71(a) (Definition of a School Bus)
Minn. Stat. § 169.454, Subd. 13 (Type III Vehicle Standards – Exemption)
Minn. Stat. § 122A.18, Subd. 8 (Board to Issue Licenses)
Minn. Stat. § 123B.03 (Background Check)
Minn. Stat. § 123B.88 (Independent School Districts; Transportation)
Minn. Stat. § 123B.885 (Diesel School Buses; Operation of Engine; Parking)
Minn. Stat. § 123B.90 (School Bus Safety Training)
Minn. Stat. § 123B.91 (School District Bus Safety Responsibilities)
Minn. Stat. § 144.057 (Background Studies on Licensees and Other Personnel)
Minn. Stat. Ch. 169 (Traffic Regulations)
Minn. Stat. § 169.011, Subds. 15, 16, and 71 (Definitions)
Minn. Stat. § 169.02 (Scope)
Minn. Stat. § 169.443 (Safety of School Children; Bus Driver's Duties)
Minn. Stat. § 169.446, Subd. 2 (Driver Training Programs)

Minn. Stat. § 169.451 (Inspecting School and Head Start Buses; Rules; Misdemeanor)
Minn. Stat. § 169.454 (Type III Vehicle Standards)
Minn. Stat. § 169.4582 (Reportable Offense on School Buses)
Minn. Stat. §§ 169A.25-169A.27 (Driving While Impaired)
Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)
Minn. Stat. §§ 169A.50-169A.53 (Implied Consent Law)
Minn. Stat. § 171.02, Subds. 2, 2a, and 2b (Licenses; Types, Endorsements, Restrictions)
Minn. Stat. § 171.168 (Notification of Conviction for Violation by a Commercial Driver)
Minn. Stat. § 171.169 (Notification of Suspension of License of Commercial Driver)
Minn. Stat. § 171.321 (Qualifications of School Bus Driver)
Minn. Stat. § 171.3215, Subd. 1(c) (Canceling Bus Endorsement for Certain Offenses)
Minn. Stat. §181.951 (Authorized Drug and Alcohol Testing)
Minn. Stat. Ch. 245C (Human Services Background Studies)
Minn. Stat. § 609.02 (Definitions)
Minn. Rules Parts 7470.1000-7470.1700 (School Bus Inspection)
49 C.F.R. § 383.31 (Notification of Convictions for Driver Violations)
49 C.F.R. § 383.33 (Notification of Driver's License Suspensions)
49 C.F.R. § 383.5 (Transportation Definitions)

Policy #: 441
Title: ON-CALL COVERAGE
Date of Initial Approval: 05-31-2001
Revision/Re-authorization Dates: 11-21-2013; 05-19-2016; 04-25-2019
Reviewers: MSA Superintendent; MSA On-Call Supervisors

I. PURPOSE

The purpose of this policy is to allow staff members at the Minnesota State Academies (MSA) to access a supervisor at any hour of the day or night. The challenges of operating a statewide agency with a residential component require 24-hour accessibility to supervisors. Emergencies, whether student-related, weather-related, or facilities-related require immediate action and attention. (See Appendix A for appropriate uses of the on-call system.) This on-call policy will address these needs. If there is an emergency or if the support of a supervisor is needed, the on-call number may be used to reach the on-call supervisor.

II. GENERAL PROCEDURES

- A. The on-call phone number will be listed in the “Guide to Emergency Procedures” booklet posted in all areas. Supervisors responsible for the on-call system will include select administrators assigned by the superintendent and the director of health services. A schedule will be developed and shared with all supervisors at the beginning of each school year.
- B. Administrators who serve as on-call supervisors will have access to MSA’s on-call phone, informational packets, and master keys necessary to handle situations on campus. They will also have access to student information systems and resources necessary to respond to parents, emergency responders, and other staff members.
- C. Administrators will receive training/updates at the beginning of each school year to ensure consistency in our responses. The superintendent is responsible for establishing training content and dates in August of each school year.

III. ON-CALL SUPERVISOR RESPONSIBILITIES

- A. The on-call supervisor has responsibility for the overall operation of the agency and for making decisions ordinarily made by supervisors (or in some situations, by the superintendent).
- B. The on-call supervisor manages responses to situations that require assistance of an administrator (situations beyond the capabilities of on-site staff members). If the situation warrants it, it may mean the physical presence of the on-call supervisor on campus or contacting another supervisor to be on campus to manage the situation.

- C. The on-call supervisor is the first point of contact for staff with questions or concerns when the direct supervisor is off duty or not on-campus (usually during non-working hours). If the on-call supervisor needs additional support in making a decision, the on-call supervisor contacts the appropriate supervisor for assistance. The superintendent will be made aware if a major incident occurs, i.e., when the police are called, when a student needs to be transported to the hospital, etc.
- D. During weather emergencies, the on-call supervisor will determine school closings in the absence of the superintendent.
 - On student return days:
 - i. Staff members who receive information from parents or schools regarding weather-related absences will contact the on-call supervisor if it is necessary to make staffing changes.
 - ii. The on-call supervisor will contact dormitory staff/supervisors with cancellation information, transportation plans, and updated arrival times.
 - iii. The on-call supervisor will contact MSAB/MSAD kitchens and health clinics with student numbers.

IV. STAFF RESPONSIBILITIES

Staff members have the responsibility to contact the on-call supervisor when supervisory support is necessary. Staff members are expected to follow all instructions given by the on-call supervisor. The on-call supervisor will communicate with the staff member's usual supervisor if overtime hours were required or if assignments changed.

See Appendix A for guidance regarding possible situations that require an on-call contact.

POSSIBLE SITUATIONS REQUIRING AN ON-CALL CONTACT
(when immediate supervisor is off duty or not available)

1. When student's immediate safety/well-being is of concern.
2. Suicidal ideation/attempt
3. Use, sale, distribution of drugs, alcohol or other chemicals by students/staff
4. Possession of firearms, weapons, explosives, etc.
5. Medical situations requiring more than basic first aid or those situations beyond the scope of the health services staff, or in the absence of the health services staff
6. Parent issues requiring immediate attention. (serious incidents or discussions requiring knowledge/expertise beyond evening staff's capabilities)
7. Guest housing issues requiring immediate attention (urgent needs such as lack of access to rooms or buildings; need for additional rooms or furnishings; etc.)
8. Emergencies (e.g. fire, power outage, weather, utilities failure)
9. Facility issues that require intervention (fire/trouble alarms, leaking roofs, keycard issues/building access, etc.)
10. Unauthorized person(s) on campus
11. Any time 911 or police are called
12. Incidents involving suspected physical/sexual abuse or neglect
13. An acting-out student (physically) when CPI or other interventions are not working or if staff on duty need assistance to manage or control the situation
14. Staff person is suspected of being impaired or unable to perform work while on duty
15. Community crisis (e.g. prison escape, hostage situations, shooting)

Policy #: 516
Title: STUDENT MEDICATION
Date of Initial Approval: 11-12-2015
Revision/Re-authorization Dates: 1-21-2016; 04-25-2019
Reviewers: MSA Director of Health Services

I. PURPOSE

The purpose of this policy is to establish the guidelines for medication administration at the Minnesota State Academies (MSA).

II. GENERAL STATEMENT OF POLICY

MSA acknowledges that some students may require medication while attending school, participating in school-sponsored events, and/or staying in the dormitories at MSA. MSA's licensed nurses or trained staff will administer medications in accordance with law and MSA procedures.

III. REQUIREMENTS

A. DOCTOR'S ORDERS

A written doctor's order is required for all medications. In addition, doctor's orders are required when a medication is discontinued or the dose is changed. The doctor's order must include the date, name of medication, dose, route, times to be given, and a physician's signature. Medication orders are good for one year. The term "medication" is not limited to prescription medication, but includes over-the-counter drugs (excluding those on MSA's "Over-the-Counter Medication" form).

The health office may supply some over-the-counter medications as listed on the "Over-the-Counter Standing Medication" form. The medications supplied by MSA are given per standing health office orders which are reviewed and signed by a local physician annually. The over-the-counter medications listed on the "Over-the-Counter Standing Medication" form may be administered as needed only if the parent or guardian has signed the "Over-the-Counter Standing Medication" form.

B. MEDICATION SUPPLY

When possible, all medications should be brought to the health office by the parent/guardian. When this is not possible, parents must notify the Director of Health Services or nursing staff that medication is coming with the student and where it can be found (suitcase, backpack, etc.).

Medication must be sent in the original pharmacy-labeled container and the name, medication, dose and frequency must match the written physician order on file for the medication.

Parents are responsible for ensuring there is a supply of medication for their student. Health office staff will assist with the refill process as needed (such as notifying parent when refill is needed - as arranged between health office staff and parent). In special situations, a prescription can be refilled at a local pharmacy and nursing staff will pick up the medication (if arranged by parents/guardians). If a student should be receiving

medication and there is no supply, nursing staff may determine that it is not safe for the student to remain at school and the student will be sent home until the medication is available.

C. MEDICATION STORAGE

ALL medication must be kept in the Health Office except in special circumstances as authorized by the health office staff. Students may not self-administer medication without a specific doctor's order to do so, or unless authorized by health office staff.

Asthma medications: Drugs or medicines that are prescription asthma or reactive airway disease medications can be self-carried and self-administered by a student with an asthma inhaler if:

1. MSA has received a written authorization from the student's parent/guardian permitting the student to self-administer the medication;
2. the inhaler is properly labeled for that student; and
3. the parent/guardian has not requested school personnel to administer the medication to the student.

The parent/guardian must submit written authorization for the student to self-administer the medication each school year. The student's parent/guardian must submit written verification from the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed. Otherwise, the school nursing staff may evaluate the student and validate and document that the student has the knowledge and skills to self-administer the inhaler.

Epinephrine Auto Injectors: At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent/guardian, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for students who are prescribed epinephrine auto-injectors that enables the student to:

1. possess epinephrine auto-injectors; or
2. if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to epinephrine auto-injectors in close proximity to the student at all times during the instructional day.

The plan must designate the school staff responsible for implementing the student's health plan, including recognizing anaphylaxis and administering epinephrine auto-injectors when required, consistent with state law.

MSA may obtain and possess epinephrine auto-injectors to be maintained and administered by school personnel to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine auto-injector. MSA has a limited supply of epinephrine auto-injectors which may be administered per standing orders and per the epinephrine auto-injectors procedure.

Students who are found to be in possession of any medication, either prescription or over-the-counter which has not been authorized for self-carry, may be subject to discipline, including possible suspension.

Students residing in the Academy Plus house at MSAB who have completed the “Self Medication Assessment” protocol may self-administer their medications with supervision following the Academy Plus guidelines.

D. PHYSICIAN CONTACT

All contact with parents/guardians or physicians regarding medication is to originate with the health office. Staff may contact the nursing staff and discuss concerns in regard to medications at any time. The nursing staff may request further information about a prescription, if needed, prior to administration of the substance.

E. MEDICATION ADMINISTRATION

All medication will be administered by licensed nurses or a delegated trained school employee (i.e.; during athletic events, field trips etc.). Staff who are delegated to administer medication must have completed the medication training which is held annually and/or as needed. The training will be conducted by a Registered Nurse. After administration of medication, delegated staff are to complete and sign the medication administration labels and return completed labels to the health office. Delegated staff must personally pick up, administer, and return medication, labels, and medical plans from the health offices.

F. CONTROLLED SUBSTANCES

The preferred method of receiving medications which are controlled substances is to have the parent/guardian deliver the medication directly to the nurse in the health office. Because MSA is a residential facility, we understand that is not always possible. If medication is sent with a student, the medication must be put in an envelope, the envelope sealed, parent’s/guardian’s signature written across the seal, and a note written on the envelope stating how many tablets are being sent. Parents/guardians should call the health office and inform nursing staff that the medication was sent with the student. Students should be instructed to deliver all medication directly to the office as they arrive on campus.

Legal References:

- Minn. Stat. § 13.32 (Student Health Data)*
- Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)*
- Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)*
- Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine Auto-Injectors; Model Policy)*
- Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine Auto-Injectors)*
- Minn. Stat. § 151.212 (Label of Prescription Drug Containers)*
- 20 U.S.C. § 1400 et seq. (Individuals with Disabilities Education Improvement Act of 2004)*
- 29 U.S.C. § 794 et seq. (Rehabilitation Act of 1973, § 504)*

Cross References:

- MSBA/MASA Model Policy 516 (Medication Policy)*
- Minnesota Guidelines for Medication Administration in Schools*