

## Regular School Board Meeting

Monday, May 18, 2026 5:15 PM

FHS Library and YouTube Live Stream, 1515 11th Street, International Falls,  
Minnesota 56649

**This School Board Meeting is available to watch via Live Stream by selecting the following link or by going to the "Falls High Journalism" youtube page.**

### Call to Order

#### 1. Roll Call:

- \_\_\_ Jessica Crosby, Vice Board Chair
- \_\_\_ Dale Johnson, Director
- \_\_\_ Toni Korpi, Clerk
- \_\_\_ Tina Sather, Treasurer
- \_\_\_ Roxanne Skogstad-Ditsch, Director
- \_\_\_ JoAnn Smith, Board Chair

#### Non-Voting Members:

- \_\_\_ Beth Shermoen, Superintendent
- \_\_\_ Emmitt Olson, Student Representative

#### 2. Pledge of Allegiance

### Approval of Agenda

#### 1. Approve agenda as presented.

Motion by \_\_\_\_\_, second by \_\_\_\_\_. Motion carried / failed.

### Open Forum

1. Elk's Student's of the Month: May - Tiffany Norby and Ava Werner
2. Public Open Forum

### Committee and Administrative Reports

1. Melissa Tate, Secondary Principal:
2. Lisa West, Elementary Principal:
3. Molly Larson, Community Education Director:
4. Timm Ringhofer, Activities Director:
5. Beth Shermoen, Superintendent:
6. Policy Committee:
7. Athletic Committee:
8. Legislative Committee:

### Consent Agenda

**Approve the Consent Agenda as presented.**

**Motion by \_\_\_\_\_, second by \_\_\_\_\_. Motion carried / failed.**

1. Approve payroll in the amount of \$671,390.49 for pay periods 5/1/26 (Regular and Retro Pay for new L510 contract), and 5/15/26 (Regular and Q-comp payroll).
2. Approve current accounts payable due in the amount of \$2,140,087.14.
3. Approve past meeting minutes for the regular school board meeting on 4/20/2026.
4. Approve Monthly Financial Reports for April 2026
5. Approve the resignation of Justin True as a 5-12 Band Director effective June 30, 2026.
6. Approve the resignation of Trista Haberle as a Paraprofessional effective May 21, 2026.
7. Approve the resignation of Karla Line as the advisor of Minnesota Honor Society effective June 30, 2026.
8. Approve the new position of a 1.0 fte. Full-Service Community School Site Coordinator.
9. Approve the hire of Julian Wilson as the ISD 361 Technology Director beginning June 15, 2026.
10. Approve the hire of Justin Carney as a 1.0 fte. Special Education Teacher for the 26/27 school year.
11. Approve use of the high school track by Voyageurs National Park to conduct their annual Wildland Firefighter Work Capacity Test on 5/13, 5/20, and 5/28, 2026.
12. Approve use of the field by the City of International's for July 4th fireworks.
13. Approve the FHS PBIS fundraiser - Kona Ice Days at FHS on May 15th, 2026.
14. Approve the Bronco Golf Team Booster Fundraiser - Monday Night Golf Range
15. Second Reading of School Board Policy 404FM: Sample Informed Consent Form
16. Second Reading of School Board Policy 406FM: Sample Consent to Release Data Form.
17. Second Reading of School Board Policy 413FM: Harassment and Violence Report Form.
18. Second Reading of School Board Policy 414FM: Confidential Student Maltreatment Reporting Form.
19. Second Reading of School Board Policy 416FM: Form Related to Drug, Alcohol, and Cannabis Testing Policy.
20. Second Reading of School Board Policy 418FM: Drug - Free Workplace Acknowledgment Form.
21. Second Reading of School Board Policy Form: Discipline Complaint Form
22. Second Reading of School Board Policy Form: Participation Guide and Refusal Information Form.
23. Second Reading of School Board Policy Form 530: Immunization Form

24. Second Reading of School Board Policy Form:  
Medical Authorization Form
25. Second Reading of School Board Policy Form:  
Medical Statement Form
26. Second Reading of School Board Policy 210:  
Conflict of Interest–School Board.
27. Second Reading of School Board Policy 423:  
Employee–Student Relationships.
28. Second Reading of School Board Policy 501:  
School Weapons Policy.
29. Second Reading of School Board Policy  
502: Search of Student Lockers, Desks, Personal  
Possessions, and Student’s Person.
30. Second Reading of School Board Policy  
503: Student Attendance.
31. Second Reading of School Board Policy  
504: Student Dress and Appearance.
32. Second Reading of School Board Policy  
505: Distribution of Non-school-Sponsored  
Materials on School Premises by Students and  
Employees.
33. Second Reading of School Board Policy  
506: Student Discipline.
34. Second Reading of School Board Policy 507:  
Corporal Punishment and Prone Restraint.
35. Second Reading of School Board Policy  
508: Extended School Year For Certain Students  
With Individualized Education Programs (IEPS).
36. Second Reading of School Board Policy  
509: Enrollment of Nonresident Students.
37. Second Reading of School Board Policy  
510: School Activities.
38. Second Reading of School Board Policy  
511: School Fundraising.
39. Second Reading of School Board Policy  
512: School-Sponsored Student Publications and  
Activities.
40. Second Reading of School Board Policy  
513: Student Promotion, Retention, and Program  
Design.
41. Second Reading of School Board Policy  
514: Bullying Prohibition Policy.
42. Second Reading of School Board Policy  
515: Protection and Privacy of Pupil Records.
43. Second Reading of School Board Policy  
516: Student Medication and Telehealth.
44. Second Reading of School Board Policy  
516.5: Guidelines for Administration of Student  
Medication.
45. Second Reading of School Board Policy  
517: Student Recruiting.
46. Second Reading of School Board Policy 518: DNR-  
DNI Orders.
47. Second Reading of School Board Policy  
519: Interviews of Students by Outside Agencies.
48. Second Reading of School Board Policy  
520: Student Surveys.

49. Second Reading of School Board Policy  
521: Student Disability Nondiscrimination.
50. Second Reading of School Board Policy 522: Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process.
51. Second Reading of School Board Policy  
523: Policies Incorporated by Reference.
52. Second Reading of School Board Policy  
524: Internet Acceptable Use and Safety Policy.
53. Second Reading of School Board Policy  
525: Violence Prevention.
54. Second Reading of School Board Policy  
526: Hazing Prohibition.
55. Second Reading of School Board Policy  
527: Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches.
56. Second Reading of School Board Policy  
528: Student Parental, Family, and Marital Status Nondiscrimination.
57. Second Reading of School Board Policy  
529: Staff Notification of Violent Behavior by Students.
58. Second Reading of School Board Policy  
530: Immunization Requirements.
59. Second Reading of School Board Policy 531: The Pledge of Allegiance.
60. Second Reading of School Board Policy 532: Use of Peace Officers and Crisis Teams to Remove Students with IEP's From School Grounds.
61. Second Reading of School Board Policy  
533: Wellness.
62. Second Reading of School Board Policy  
534: School Meals Policy.
63. Second Reading of School Board Policy  
535: Service Animals in Schools.
64. Second Reading of School Board Policy 608: Instructional Services – Special Education.
65. Second Reading of School Board Policy 611: Home Schooling.
66. Second Reading of School Board Policy 613: Graduation Requirements.
67. Second Reading of School Board Policy 614: School District Testing & Procedure.
68. Second Reading of School Board Policy 617: School District Ensurance of Preparatory and High School Standards.
69. Second Reading of School Board Policy 618: Assessment of Standard Achievement.
70. Second Reading of School Board Policy 619: Staff Development.
71. Second Reading of School Board Policy 621 – Literacy and the Read Act.
72. Second Reading of School Board Policy 624: Online Instruction.

**Action Items**

1. Improving systems and structures to create a culture where all are welcome and supported.

1.a. Resolution Acceptance of Gifts and Donations.  
Motion by \_\_\_\_\_, second by \_\_\_\_\_. Motion carried / failed.

1.b. Approve acceptance of the award for the MN DNR Grant (No Child Left Inside) supporting the Icebox Explorers in the amount of \$19,292.50.  
Motion by \_\_\_\_\_, second by \_\_\_\_\_. Motion carried / failed.

1.c. Approve acceptance of the Marshall N. Knudson Family Community Fund grant in the amount of \$5,000 to support the purchase of 250 individual calming kits for students.  
Motion by \_\_\_\_\_, second by \_\_\_\_\_. Motion carried / failed.

1.d. Approve acceptance of the Marshall N. Knudson Family Community Fund grant in the amount of \$3,700 to support the 2026 PALS Program at ISD 361 Community Education.  
Motion by \_\_\_\_\_, second by \_\_\_\_\_. Motion carried / failed.

2. Maintain our facilities to be welcoming, safe and efficient for use by students and the community.

2.a. Approve the closure of the school district buildings Falls Elementary School and Falls High School to the general public from June 2, 2026, through August 2, 2026, for internal construction completion.  
Motion by \_\_\_\_\_, second by \_\_\_\_\_. Motion carried / failed.

3. Increasing family and community engagement in student learning and school experiences through improved communication and collaboration.

3.a. Approve the Community Education and Child Care software system Arux.  
Motion by \_\_\_\_\_, second by \_\_\_\_\_. Motion carried / failed.

3.b. Approve the ISD 361 American Indian Parent Advisory Council (AIPAC) and Minnesota Department of Education (MDE) Non-Compliance Response to Action Letter.  
Motion by \_\_\_\_\_, second by \_\_\_\_\_. Motion carried / failed.

### **Adjournment**

1. Motion by \_\_\_\_\_, second by \_\_\_\_\_ to adjourn meeting at \_\_\_\_\_ p.m.  
Motion carried / failed.

Detail Payment Register By Check

Check Number: 0-2147483647 Payment Date: 4/17/26-4/30/26 Period: 202610-202610 Void Status: N

Check No	Vendor	Pmt/Void Date	Pmt Type
	<b>Internal Revenue Service</b>		<b>Wire</b>
	FICA Deduction		\$39,222.33
	FICA Deduction		\$1,596.56
	FICA Deduction		\$2,509.35
	FTA,FTP, FTX Deductions		\$18,670.49
	FTA,FTP,FTX Deductions		\$443.36
	FTA,FTP,FTX Deductions		\$920.63
	MDCR Medicare Deduct		\$9,173.04
	MDCR Medicare Deduction		\$373.36
	Medicare Deduction		\$586.88
<b>PO#:</b>	<b>Invoice No: B2026210</b>	<b>4/17/2026</b>	<b>Paid Amt: \$73,496.00</b>
			<b>Check Amount: \$73,496.00</b>
	<b>MN DEPT OF REVENUE</b>		<b>Wire</b>
	Employee Garnishments		\$200.00
	SITA, SITMN, SITP - MN StateTx		\$11,379.68
	SITA,SITMN,SITP MN State Tax		\$372.35
	SITA,SITMN,SITP MN State Tax		\$606.90
<b>PO#:</b>	<b>Invoice No: B2026210</b>	<b>4/17/2026</b>	<b>Paid Amt: \$12,558.93</b>
			<b>Check Amount: \$12,558.93</b>
	<b>MN TEACHERS RETIREMENT ASSN</b>		<b>Wire</b>
	TRA Deduction		\$39,283.41
	TRA Deduction		\$98.34
	TRA Deduction		\$2,238.44
<b>PO#:</b>	<b>Invoice No: B2026210</b>	<b>4/17/2026</b>	<b>Paid Amt: \$41,620.19</b>
			<b>Check Amount: \$41,620.19</b>
	<b>Public Employees Retirement Association</b>		<b>Wire</b>
	DCP		\$6.00
	DCP Deduction		\$6.00
	PERAB, PERAC, PERA Deduction		\$12,840.06
	PERAB,PERAC PERA Deduction		\$1,764.25
	PERAB,PERAC PERA Deduction		\$1,207.61
<b>PO#:</b>	<b>Invoice No: B2026210</b>	<b>4/17/2026</b>	<b>Paid Amt: \$15,823.92</b>
			<b>Check Amount: \$15,823.92</b>
	<b>Thrivent Financial</b>		<b>Wire</b>
	TSA Contribution		\$188.47

Detail Payment Register By Check

Check Number: 0-2147483647 Payment Date: 4/17/26-4/30/26 Period: 202610-202610 Void Status: N

Check No	Vendor	Pmt/Void Date	Pmt Type		
	<b>Thrivent Financial</b>		<b>Wire</b>		
		TSA Benefit & Deduction		\$115.40	
<b>PO#:</b>	<b>Invoice No:</b> B2026210	<b>4/17/2026</b>	<b>Paid Amt:</b>	<b>\$303.87</b>	
			<b>Check Amount:</b>	<b>\$303.87</b>	
	<b>Ameriprise Financial</b>		<b>Wire</b>		
		TSA Contribution		\$192.32	
		TSA Benefit & Contribution		\$96.16	
		TSA Benefit & Deduction		\$96.16	
		TSA Benefit & Contribution		\$96.16	
<b>PO#:</b>	<b>Invoice No:</b> B2026210	<b>4/17/2026</b>	<b>Paid Amt:</b>	<b>\$480.80</b>	
			<b>Check Amount:</b>	<b>\$480.80</b>	
	<b>ASPIRE</b>		<b>Wire</b>		
		TSA Contribution		\$1,930.91	
		TSA Benefit & Contribution		\$42.00	
		TSA Benefit & Deduction		\$735.55	
<b>PO#:</b>	<b>Invoice No:</b> B2026210	<b>4/17/2026</b>	<b>Paid Amt:</b>	<b>\$2,708.46</b>	
			<b>Check Amount:</b>	<b>\$2,708.46</b>	
	<b>EFS Financial</b>		<b>Wire</b>		
		TSA Contribution		\$2,160.69	
		TSA Benefit & Contribution		\$151.71	
		TSA Benefit & Deduction		\$1,000.60	
		TSA Benefit & Contribution		\$130.06	
<b>PO#:</b>	<b>Invoice No:</b> B2026210	<b>4/17/2026</b>	<b>Paid Amt:</b>	<b>\$3,443.06</b>	
			<b>Check Amount:</b>	<b>\$3,443.06</b>	
	<b>Franklin/Templeton</b>		<b>Wire</b>		
		TSA Contribution		\$1,088.48	
		TSA Benefit & Deduction		\$444.64	
<b>PO#:</b>	<b>Invoice No:</b> B2026210	<b>4/17/2026</b>	<b>Paid Amt:</b>	<b>\$1,533.12</b>	
			<b>Check Amount:</b>	<b>\$1,533.12</b>	
	<b>Horace Mann</b>		<b>Wire</b>		
		TSA Contribution		\$92.31	
		TSA Benefit & Deduction		\$76.94	
<b>PO#:</b>	<b>Invoice No:</b> B2026210	<b>4/17/2026</b>	<b>Paid Amt:</b>	<b>\$169.25</b>	
			<b>Check Amount:</b>	<b>\$169.25</b>	
	<b>Invesco</b>		<b>Wire</b>		
		TSA Contribution		\$1,302.71	

**International Falls #0361**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 4/17/26-4/30/26 Period: 202610-202610 Void Status: N

Check No	Vendor	Pmt/Void Date	Pmt Type		
	<b>Invesco</b>		<b>Wire</b>		
		TSA Benefit & Contribution		\$94.39	
		TSA Benefit & Deduction		\$302.81	
<b>PO#:</b>	<b>Invoice No:</b> B2026210	<b>4/17/2026</b>	<b>Paid Amt:</b>	<b>\$1,699.91</b>	
			<b>Check Amount:</b>	<b>\$1,699.91</b>	
	<b>VALIC</b>		<b>Wire</b>		
		TSA Contribution		\$2,484.73	
		TSA		\$16.37	
		TSA Benefit & Contribution		\$254.23	
		TSA Benefit & Deduction		\$728.77	
		TSAMATCH		\$11.66	
		TSA Benefit & Contribution		\$80.77	
<b>PO#:</b>	<b>Invoice No:</b> B2026210	<b>4/17/2026</b>	<b>Paid Amt:</b>	<b>\$3,576.53</b>	
			<b>Check Amount:</b>	<b>\$3,576.53</b>	
	<b>Vanguard Fidelity Trust</b>		<b>Wire</b>		
		TSA Contribution		\$3,309.24	
		TSA Benefit & Deduction		\$125.00	
<b>PO#:</b>	<b>Invoice No:</b> B2026210	<b>4/17/2026</b>	<b>Paid Amt:</b>	<b>\$3,434.24</b>	
			<b>Check Amount:</b>	<b>\$3,434.24</b>	
	<b>Voya Financial</b>		<b>Wire</b>		
		Deferred Compensation		\$532.88	
		Deferred Compensation		\$175.00	
		H CSP Benefit		\$2,450.31	
		H CSP Benefit		\$32.98	
		H CSP Benefit		\$200.67	
<b>PO#:</b>	<b>Invoice No:</b> B2026210	<b>4/17/2026</b>	<b>Paid Amt:</b>	<b>\$3,391.84</b>	
			<b>Check Amount:</b>	<b>\$3,391.84</b>	
	<b>MG Trust</b>		<b>Wire</b>		
		TSA Benefit & Contribution		\$34.22	
		TSA Benefit & Contribution		\$34.22	
<b>PO#:</b>	<b>Invoice No:</b> B2026210	<b>4/17/2026</b>	<b>Paid Amt:</b>	<b>\$68.44</b>	
			<b>Check Amount:</b>	<b>\$68.44</b>	
	<b>WEX</b>		<b>Wire</b>		
		WEX FY26 Flex Account		\$236.25	
<b>PO#:</b> 1137	<b>Invoice No:</b> 0002350593	<b>4/24/2026</b>	<b>Paid Amt:</b>	<b>\$236.25</b>	
			<b>Check Amount:</b>	<b>\$236.25</b>	

**International Falls #0361**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 4/17/26-4/30/26 Period: 202610-202610 Void Status: N

Check No	Vendor	Pmt/Void Date	Pmt Type		
	<b>MN PEIP</b>		<b>Wire</b>		
		MN PEIP Health Premiums FY26 Employees		\$117,407.30	
		MN PEIP Health Premium FY26 Community E		\$918.92	
		MN PEIP Health Premiums FY26 Food Service		\$918.92	
<b>PO#:</b> 1133	<b>Invoice No:</b> 1622877	<b>4/28/2026</b>	<b>Paid Amt:</b>	<b>\$119,245.14</b>	
			<b>Check Amount:</b>	<b>\$119,245.14</b>	
	<b>DEPT OF EMPLOYEMENT &amp; ECONOMIC DEVELOPMENT</b>		<b>Wire</b>		
		MNPL- quarterly rounding discrepancy		\$0.63	
<b>PO#:</b>	<b>Invoice No:</b> 04/30/2026	<b>4/30/2026</b>	<b>Paid Amt:</b>	<b>\$0.63</b>	
			<b>Check Amount:</b>	<b>\$0.63</b>	
	<b>WEX</b>		<b>Wire</b>		
		Apr 2026 WEX Debits		\$3,216.30	
<b>PO#:</b>	<b>Invoice No:</b> 04.30.2026	<b>4/30/2026</b>	<b>Paid Amt:</b>	<b>\$3,216.30</b>	
			<b>Check Amount:</b>	<b>\$3,216.30</b>	
	<b>Old National Bank</b>		<b>Wire</b>		
		Deposit Slip order		\$128.54	
<b>PO#:</b>	<b>Invoice No:</b> 04.15.26	<b>4/30/2026</b>	<b>Paid Amt:</b>	<b>\$128.54</b>	
			<b>Check Amount:</b>	<b>\$128.54</b>	
<b>101154</b>	<b>AFSCME Council 65</b>		<b>Check</b>		
		ASCME Employee Ded Dues		\$1,031.62	
		ASCME Employee Deduct Dues		\$424.15	
		ASCME Employee Union Dues		\$23.49	
<b>PO#:</b>	<b>Invoice No:</b> B2026210	<b>4/17/2026</b>	<b>Paid Amt:</b>	<b>\$1,479.26</b>	
			<b>Check Amount:</b>	<b>\$1,479.26</b>	
<b>101155</b>	<b>AFSCME People</b>		<b>Check</b>		
		ASCME Employee Ded Dues		\$4.25	
<b>PO#:</b>	<b>Invoice No:</b> B2026210	<b>4/17/2026</b>	<b>Paid Amt:</b>	<b>\$4.25</b>	
			<b>Check Amount:</b>	<b>\$4.25</b>	
<b>101156</b>	<b>AFT Local #331</b>		<b>Check</b>		
		Employee Deduct L331 Union Due		\$3,046.92	
		L331 Employee Union Dues		\$165.60	
<b>PO#:</b>	<b>Invoice No:</b> B2026210	<b>4/17/2026</b>	<b>Paid Amt:</b>	<b>\$3,212.52</b>	
			<b>Check Amount:</b>	<b>\$3,212.52</b>	
<b>101157</b>	<b>Para Local #4798</b>		<b>Check</b>		
		Employee L4798 Union Dues		\$551.72	

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Check No	Vendor	Pmt/Void Date	Pmt Type		
101157	Para Local #4798		Check		
		L4798 Employee Union Dues		\$101.41	
PO#:	Invoice No: B2026210	4/17/2026	Paid Amt:	\$653.13	
			Check Amount:	\$653.13	
101184	BCI Construction, Inc.		Check		
		Bronco Ice Arenda Referendum		\$77,352.80	
PO#: 2618	Invoice No: 03-February	4/22/2026	Paid Amt:	\$77,352.80	
			Check Amount:	\$77,352.80	
101185	Escape Fire Protection, Inc.		Check		
		HS/MS/Stadium/Ice Arena Referendum		\$38,000.00	
PO#: 2620	Invoice No: PF-018270	4/22/2026	Paid Amt:	\$38,000.00	
			Check Amount:	\$38,000.00	
101186	Hanson Electric of Bemidji, Inc.		Check		
		HS/MS/Stadium/Ice Arena Referendum		\$134,025.00	
		HS/MS/Stadium LTFM-Building Hardware/Equi		\$46,000.00	
PO#: 2622	Invoice No: 31911	4/22/2026	Paid Amt:	\$180,025.00	
		HS/MS/Stadium/Ice Arena Referendum		\$154,225.00	
		HS/MS/Stadium LTFM-Building Hardware/Equi		\$22,000.00	
PO#: 2621	Invoice No: 31915	4/22/2026	Paid Amt:	\$176,225.00	
		Elementary School Referendum		\$18,570.00	
		Elementary School LTFM-Building Harware/Eq		\$15,000.00	
		Elementary School LTFM-Electrical		\$100,000.00	
PO#: 2605	Invoice No: 31914	4/22/2026	Paid Amt:	\$133,570.00	
			Check Amount:	\$489,820.00	
101187	KANTOR ELECTRIC INC		Check		
		Elementary School Referendum		\$405.80	
PO#: 2615	Invoice No: 19180	4/22/2026	Paid Amt:	\$405.80	
		Bronco Ice Arena Referendum		\$2,319.65	
		Bronco Ice Arena LTFM-Electrical		\$40,000.00	
PO#: 2616	Invoice No: 19251	4/22/2026	Paid Amt:	\$42,319.65	
			Check Amount:	\$42,725.45	
101188	Nexus Solutions LLC		Check		
		HS/MS/Stadium Referendum - Professional Se		\$35,315.09	
		Elementary School Referendum - Professional		\$28,689.79	

**International Falls #0361**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 4/17/26-4/30/26 Period: 202610-202610 Void Status: N

Check No	Vendor	Pmt/Void Date	Pmt Type		
101188	Nexus Solutions LLC		Check		
		Bronco Ice Arena Referendum - Professional S		\$13,083.53	
PO#: 2608	Invoice No: 2392	4/22/2026		Paid Amt: \$77,088.41	
				Check Amount: \$77,088.41	
101189	Nor-Son Construction		Check		
		HS/MS/Stadium/Ice Arena Referendum		\$187,036.47	
		HS/MS/Stadium LTFM - Interior Surfaces		\$67,041.97	
PO#: 2623	Invoice No: 7	4/22/2026		Paid Amt: \$254,078.44	
				Check Amount: \$254,078.44	
101190	NORTHEAST SERVICE COOPERATIVE		Check		
		Elementary School LTFM-Asbestos Removal		\$2,189.12	
		Bronco Ice Arena Referendum		\$243.23	
PO#: 2609	Invoice No: 62455	4/22/2026		Paid Amt: \$2,432.35	
				Check Amount: \$2,432.35	
101191	SHANNON'S INC		Check		
		Elementary School LTFM-Plumbing		\$4,314.24	
PO#: 2625	Invoice No: 05	4/22/2026		Paid Amt: \$4,314.24	
		HS/MS/Stadium/Ice Arena Referendum		\$126,266.29	
		HS/MS/Stadium LTFM - Mechanical Systems		\$321,716.81	
		HS/MS/Stadium LTFM - Plumbing		\$12,454.65	
PO#: 2627	Invoice No: 07	4/22/2026		Paid Amt: \$460,437.75	
		Bronco Ice Arena Referendum		\$21,261.24	
PO#: 2626	Invoice No: 04	4/22/2026		Paid Amt: \$21,261.24	
				Check Amount: \$486,013.23	
101192	BEMIDJI BUS LINE		Check		
		One way bus to Chisholm for Softball 04-16-26		\$600.00	
PO#: 2619	Invoice No: 12308	4/23/2026		Paid Amt: \$600.00	
				Check Amount: \$600.00	
101193	Bowles, Shawn C		Check		
		Food for state Speech 7 people total 49 meals		\$588.00	
PO#: 2630	Invoice No: State Speech meals	4/23/2026		Paid Amt: \$588.00	
				Check Amount: \$588.00	
101194	BSN SPORTS		Check		
		White Pants for Baseball		\$319.92	

**International Falls #0361**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 4/17/26-4/30/26 Period: 202610-202610 Void Status: N

Check No	Vendor	Pmt/Void Date	Pmt Type		
101194	BSN SPORTS		Check		
		Freight		\$20.00	
PO#: 2584	Invoice No: 933942669	4/23/2026	Paid Amt:	\$339.92	
			Check Amount:	\$339.92	
101195	Cater For You, LLC		Check		
		Catering Food for Bronco Athletic Hall of Fame		\$4,622.50	
PO#: 2586	Invoice No: 1209	4/23/2026	Paid Amt:	\$4,622.50	
			Check Amount:	\$4,622.50	
101196	CITIZENS FOR BACKUS		Check		
		HOF Private Short Term Rental Agreement HC		\$1,250.00	
PO#: 2568	Invoice No: 5561	4/23/2026	Paid Amt:	\$1,250.00	
			Check Amount:	\$1,250.00	
101197	Hillyard, Inc.		Check		
		HIL15031 Hillyard, Deodorant Urinal Screens,		\$23.02	
		Freight		\$4.27	
PO#: 2569	Invoice No: 90111811	4/23/2026	Paid Amt:	\$27.29	
		HIL443130 Hillyard, Suction Hose D 38 L 1855		\$49.05	
		HIL443130 Hillyard, Suction Hose D 38 L 1855		\$49.05	
		Freight		\$18.20	
PO#: 2569	Invoice No: 90110363	4/23/2026	Paid Amt:	\$116.30	
		HIL9903395 HIL30433, Supply Source, Safety		\$59.90	
		HIL15031 Hillyard, Deodorant Urinal Screens,		\$34.53	
		Freight		\$17.53	
PO#: 2569	Invoice No: 90105434	4/23/2026	Paid Amt:	\$111.96	
			Check Amount:	\$255.55	
101198	KANTOR ELECTRIC INC		Check		
		Repair outlet for Basketball Winch-FHS		\$230.00	
PO#: 2614	Invoice No: 19279	4/23/2026	Paid Amt:	\$230.00	
			Check Amount:	\$230.00	
101199	KING OF THE ROAD ENTERTAINMENT		Check		
		DJ Service for Prom - April 18		\$400.00	
PO#: 2443	Invoice No: 3003	4/23/2026	Paid Amt:	\$400.00	
			Check Amount:	\$400.00	

**International Falls #0361**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 4/17/26-4/30/26 Period: 202610-202610 Void Status: N

Check No	Vendor	Pmt/Void Date	Pmt Type		
101200	KOOCHICHING COUNTY		Check		
		Kooch Co Enviromental-Dump		\$6.00	
PO#: 1094		Invoice No: Mar-26	4/23/2026	Paid Amt:	\$6.00
				Check Amount:	\$6.00
101201	Madison National Life		Check		
		NIS LTD Premiums FY26 Employees		\$174.71	
PO#: 1185		Invoice No: 1768216	4/23/2026	Paid Amt:	\$174.71
		NIS Life Premiums FY26 Retirees COBRA		\$25.08	
		NIS Life Premiums FY26 Community Ed Empl		\$11.40	
		NIS Life Premiums FY26 Food Service Employ		\$25.65	
		NIS Life Premiums FY26 Employees		\$1,245.81	
PO#: 1186		Invoice No: 1768217	4/23/2026	Paid Amt:	\$1,307.94
				Check Amount:	\$1,482.65
101202	MEDTOX LABORATORIES		Check		
		Quarter 2 Drug Screening-Busing		\$66.39	
PO#: 2634		Invoice No: 032026665124	4/23/2026	Paid Amt:	\$66.39
				Check Amount:	\$66.39
101203	MN ENERGY RESOURCES		Check		
		Stadium		\$843.41	
PO#: 1115		Invoice No: 041326 stadium	4/23/2026	Paid Amt:	\$843.41
				Check Amount:	\$843.41
101204	Rainy Lake Oil, Inc.		Check		
		Bulk Gasoline-Bus garage		\$8,475.00	
PO#: 2624		Invoice No: 70931	4/23/2026	Paid Amt:	\$8,475.00
				Check Amount:	\$8,475.00
101205	Riverside Insights		Check		
		RIVERSIDE SCORE ACCESS KEY 2001258		\$180.00	
PO#: 2535		Invoice No: 275944	4/23/2026	Paid Amt:	\$180.00
				Check Amount:	\$180.00
101206	Shermoen, Beth S		Check		
		Crave 1.14.26 MSBA Conference-Food Reimb		\$26.13	
		Hardees 1.16.26 MSBA Conference-Food Reir		\$7.92	
		Hyatt Regency 1.15.26 MSBA Conference-Foc		\$43.00	
PO#: 2610		Invoice No: MSBA Conference 1/26	4/23/2026	Paid Amt:	\$77.05
				Check Amount:	\$77.05

**International Falls #0361**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 4/17/26-4/30/26 Period: 202610-202610 Void Status: N

Check No	Vendor		Pmt/Void Date	Pmt Type		
101207	SOUND NORTH			Check		
		HOF 125 Programs			\$337.50	
PO#: 2593		Invoice No: 7999	4/23/2026		Paid Amt: \$337.50	
					Check Amount: \$337.50	
101208	The McDowell Agency, Inc.			Check		
		Background Check Charges FY26			\$8.80	
		Background Check Charges FY26 Athletics			\$8.80	
PO#: 1876		Invoice No: 168293	4/23/2026		Paid Amt: \$17.60	
					Check Amount: \$17.60	
101209	The Sport Shop			Check		
		Softball/Baseball Scorebook			\$360.00	
		Umpire Ball/Strike Indicator			\$60.00	
		Easton Sapphire - 12 Softball Bat 28"			\$240.00	
		Rawlings Eclipse - 12 Softball Bat 29"			\$136.00	
PO#: 2518		Invoice No: 040726	4/23/2026		Paid Amt: \$796.00	
					Check Amount: \$796.00	
101210	Vestis Group, Inc.			Check		
		Rugs-FHS			\$61.67	
PO#: 1236		Invoice No: 2630542586	4/23/2026		Paid Amt: \$61.67	
		Rugs-FES			\$54.29	
PO#: 1236		Invoice No: 2630542587	4/23/2026		Paid Amt: \$54.29	
					Check Amount: \$115.96	
101211	Walls All Season Equipment, Inc.			Check		
		2017 Van Alignment			\$150.00	
PO#: 2613		Invoice No: 1493	4/23/2026		Paid Amt: \$150.00	
					Check Amount: \$150.00	
101212	West, Lisa M			Check		
		Conference trip to Duluth 326 miles roundtrip			\$185.82	
PO#: 2596		Invoice No: PDT mileage	4/23/2026		Paid Amt: \$185.82	
					Check Amount: \$185.82	
101213	COCA-COLA BOTTLING CO			Check		
		Water			\$56.00	
		Diet Pop			\$154.00	
PO#: 1278		Invoice No: 10012024	4/27/2026		Paid Amt: \$210.00	
		Water			\$84.00	

Detail Payment Register By Check

Check Number: 0-2147483647 Payment Date: 4/17/26-4/30/26 Period: 202610-202610 Void Status: N

Check No	Vendor	Pmt/Void Date	Pmt Type		
101213	COCA-COLA BOTTLING CO		Check		
	Diet Pop			\$224.00	
PO#: 1278	Invoice No: 10012260	4/27/2026	Paid Amt:		\$308.00
			Check Amount:		\$518.00
101214	PAN O GOLD BAKING CO		Check		
	Whole Grain Hamburger Buns			\$90.00	
PO#: 2649	Invoice No: 10009926110012	4/27/2026	Paid Amt:		\$90.00
	Whole Grain Hamburger Buns			\$168.75	
	WG Hot Dogs Buns			\$33.60	
PO#: 2649	Invoice No: 10009926082012	4/27/2026	Paid Amt:		\$202.35
	Whole Grain Hamburger Buns			\$45.00	
	WG Hot Dogs Buns			\$36.40	
	WG Hot Dogs Buns			\$98.00	
PO#: 2649	Invoice No: 10009926103010	4/27/2026	Paid Amt:		\$179.40
	Whole Grain Hamburger Buns			\$90.00	
PO#: 2649	Invoice No: 10009926103009	4/27/2026	Paid Amt:		\$90.00
			Check Amount:		\$561.75
101215	SANDSTROM'S INC		Check		
	Chocolate Milk			\$800.00	
	Skim Milk			\$19.00	
	Half pint 1%			\$222.00	
PO#: 2651	Invoice No: 579830	4/27/2026	Paid Amt:		\$1,041.00
	Chocolate Milk			\$315.00	
	Skim Milk			\$120.00	
	Half pint 1%			\$285.00	
PO#: 2651	Invoice No: 582584	4/27/2026	Paid Amt:		\$720.00
	Chocolate Milk			\$520.00	
	Skim Milk			\$19.00	
	Half pint 1%			\$129.50	
PO#: 2651	Invoice No: 580475	4/27/2026	Paid Amt:		\$668.50
	Chocolate Milk			\$294.00	
	Skim Milk			\$100.00	
	Half pint 1%			\$285.00	
PO#: 2651	Invoice No: 581151	4/27/2026	Paid Amt:		\$679.00
	Chocolate Milk			\$882.00	
	Skim Milk			\$20.00	

Detail Payment Register By Check

Check Number: 0-2147483647 Payment Date: 4/17/26-4/30/26 Period: 202610-202610 Void Status: N

Check No	Vendor	Pmt/Void Date	Pmt Type		
101215	SANDSTROM'S INC		Check		
				Half pint 1%	\$285.00
PO#: 2651	Invoice No: 581152	4/27/2026	Paid Amt:		\$1,187.00
				Chocolate Milk	\$357.00
				Half pint 1%	\$228.00
				Skim Milk	\$100.00
PO#: 2651	Invoice No: 581897	4/27/2026	Paid Amt:		\$685.00
				Chocolate Milk	\$100.00
				Skim Milk	\$38.00
				Half pint 1%	\$148.00
PO#: 2651	Invoice No: 580471	4/27/2026	Paid Amt:		\$286.00
				Chocolate Milk	\$840.00
				Half pint 1%	\$171.00
				Skim Milk	\$20.00
PO#: 2651	Invoice No: 581898	4/27/2026	Paid Amt:		\$1,031.00
			Check Amount:		\$6,297.50
101216	US FOODSERVICE		Check		
				Food for Meal Service	\$36.83
PO#: 2652	Invoice No: 3028193	4/27/2026	Paid Amt:		\$36.83
				Supplies for Meal Service	\$276.36
				Food for Meal Service	\$1,949.44
PO#: 2652	Invoice No: 3040634	4/27/2026	Paid Amt:		\$2,225.80
				FES KINDERGARTEN SNACKS	\$168.13
PO#:	Invoice No: 3040635	4/27/2026	Paid Amt:		\$168.13
				Supplies for Meal Service	\$330.90
				Food for Meal Service	\$1,596.88
PO#: 2652	Invoice No: 3129257	4/27/2026	Paid Amt:		\$1,927.78
				Food for Meal Service	\$39.35
PO#: 2652	Invoice No: 3188325	4/27/2026	Paid Amt:		\$39.35
				Supplies for Meal Service	\$360.12
				Food for Meal Service	\$1,025.19
PO#: 2652	Invoice No: 3323424	4/27/2026	Paid Amt:		\$1,385.31
				Supplies for Meal Service	\$144.65
				Food for Meal Service	\$2,453.41
PO#: 2652	Invoice No: 3433490	4/27/2026	Paid Amt:		\$2,598.06
				FES KINDERGARTEN SNACKS	\$128.81
PO#:	Invoice No: 3433491	4/27/2026	Paid Amt:		\$128.81

Detail Payment Register By Check

Check Number: 0-2147483647 Payment Date: 4/17/26-4/30/26 Period: 202610-202610 Void Status: N

Check No	Vendor	Pmt/Void Date	Pmt Type
101216	US FOODSERVICE		Check
		Supplies for Meal Service	\$203.70
		Food for Meal Service	\$1,064.98
PO#: 2652	Invoice No: 3523669	4/27/2026	Paid Amt: \$1,268.68
		Supplies for Meal Service	\$288.33
		Food for Meal Service	\$1,752.44
PO#: 2652	Invoice No: 3637007	4/27/2026	Paid Amt: \$2,040.77
		allowance	\$17.50
PO#:	Invoice No: 5971834	4/27/2026	Paid Amt: (\$17.50)
		order error	\$14.05
PO#:	Invoice No: 5932552	4/27/2026	Paid Amt: (\$14.05)
		Food for Meal Service	\$1,731.50
		Supplies for Meal Service	\$291.52
PO#: 2652	Invoice No: 3129259	4/27/2026	Paid Amt: \$2,023.02
		FHS ALC 2026 Youth Grant - Blanket PO	\$146.85
PO#: 2375	Invoice No: 3129266	4/27/2026	Paid Amt: \$146.85
		Food for Meal Service	\$48.32
PO#: 2652	Invoice No: 3313312	4/27/2026	Paid Amt: \$48.32
		Food for Meal Service	\$2,243.40
		Supplies for Meal Service	\$128.77
PO#: 2652	Invoice No: 3323423	4/27/2026	Paid Amt: \$2,372.17
		Food for Meal Service	\$1,382.46
		Supplies for Meal Service	\$56.60
PO#: 2652	Invoice No: 3433487	4/27/2026	Paid Amt: \$1,439.06
		FHS ALC 2026 Youth Grant - Blanket PO	\$43.53
PO#: 2375	Invoice No: 3433488	4/27/2026	Paid Amt: \$43.53
		Preschool Snacks	\$197.25
PO#: 1169	Invoice No: 3433492	4/27/2026	Paid Amt: \$197.25
		Food for Meal Service	\$58.53
PO#: 2652	Invoice No: 3512454	4/27/2026	Paid Amt: \$58.53
		Food for Meal Service	\$314.42
PO#: 2652	Invoice No: 3512455	4/27/2026	Paid Amt: \$314.42
		Food for Meal Service	\$1,403.58
		Supplies for Meal Service	\$306.28
PO#: 2652	Invoice No: 3523668	4/27/2026	Paid Amt: \$1,709.86
		Supplies for Meal Service	\$78.38
PO#: 2652	Invoice No: 3624693	4/27/2026	Paid Amt: \$78.38

Detail Payment Register By Check

Check Number: 0-2147483647 Payment Date: 4/17/26-4/30/26 Period: 202610-202610 Void Status: N

Check No	Vendor	Pmt/Void Date	Pmt Type		
101216	US FOODSERVICE		Check		
			Food for Meal Service	\$2,709.34	
			Supplies for Meal Service	\$464.15	
PO#: 2652	Invoice No: 3637005	4/27/2026	Paid Amt:	\$3,173.49	
	adjustment			\$20.29	
PO#:	Invoice No: 3637005	4/27/2026	Paid Amt:	(\$20.29)	
	Preschool Snacks			\$73.73	
PO#: 1169	Invoice No: 3637015	4/27/2026	Paid Amt:	\$73.73	
	Food for Meal Service			\$2,212.06	
	Supplies for Meal Service			\$245.49	
PO#: 2652	Invoice No: 3728277	4/27/2026	Paid Amt:	\$2,457.55	
	Preschool Snacks			\$157.68	
PO#: 1169	Invoice No: 3728278	4/27/2026	Paid Amt:	\$157.68	
	refund			\$42.25	
PO#:	Invoice No: 5941497	4/27/2026	Paid Amt:	(\$42.25)	
	Supplies for Meal Service			\$159.20	
	Food for Meal Service			\$1,192.60	
PO#: 2652	Invoice No: 5806099	4/27/2026	Paid Amt:	\$1,351.80	
			Check Amount:	\$27,371.07	
101221	BEMIDJI BUS LINE		Check		
			Bus Baseball Janesville Waldorf Pemberton	\$1,990.00	
			Bus Baseball Janesville Waldorf Pemberton	\$2,985.00	
PO#: 2583	Invoice No: 12272	4/30/2026	Paid Amt:	\$4,975.00	
			Check Amount:	\$4,975.00	
101222	D ERVASTI SALES CO, LLC, Darrell Ervasti		Check		
			Hilltopper Clay for mounds	\$418.80	
PO#: 2501	Invoice No: 17834	4/30/2026	Paid Amt:	\$418.80	
			Check Amount:	\$418.80	
101223	Flowerchild Floral LLC		Check		
			HOF African violet 4" plants foiled and bowed	\$225.00	
PO#: 2670	Invoice No: 327	4/30/2026	Paid Amt:	\$225.00	
			Check Amount:	\$225.00	
101225	Maximum Promotions Inc		Check		
			Booster 187.00 Banner B Hockey	\$175.34	

Detail Payment Register By Check

Check Number: 0-2147483647 Payment Date: 4/17/26-4/30/26 Period: 202610-202610 Void Status: N

Check No	Vendor	Pmt/Void Date	Pmt Type		
101225	Maximum Promotions Inc		Check		
		Booster 187.00 Banner B Hockey School 187.0		\$175.34	
PO#: 2591	Invoice No: 53011	4/30/2026	Paid Amt:	\$350.68	
			Check Amount:	\$350.68	
101226	MIDCONTINENT COMMUNICATIONS		Check		
		124861501 FHS Fax - Student Lounge/Comm		\$53.04	
PO#: 1156	Invoice No: 12486150115339	4/30/2026	Paid Amt:	\$53.04	
		124755701 Bus Garage Internet Service		\$131.54	
PO#: 1155	Invoice No: 12475570115339	4/30/2026	Paid Amt:	\$131.54	
		124861401 - Stadium and Fields Modem Interr		\$161.54	
PO#: 1479	Invoice No: 12486140115352	4/30/2026	Paid Amt:	\$161.54	
			Check Amount:	\$346.12	
101227	MN ENERGY RESOURCES		Check		
		Garage		\$365.51	
PO#: 1115	Invoice No: 042326 garage	4/30/2026	Paid Amt:	\$365.51	
			Check Amount:	\$365.51	
101228	MN North College		Check		
		MN North - Spring 2026 PSEO Tuition		\$126,668.70	
PO#: 2677	Invoice No: 042226 Spring 2026	4/30/2026	Paid Amt:	\$126,668.70	
		MN North - Fall 2025 PSEO Tuition		\$116,733.90	
PO#: 2678	Invoice No: 112125 Fall 2025	4/30/2026	Paid Amt:	\$116,733.90	
			Check Amount:	\$243,402.60	
101229	NCPERS Group Life Ins.		Check		
		NCPERS Life Insurance FY26		\$64.00	
PO#: 1134	Invoice No: 164913052026	4/30/2026	Paid Amt:	\$64.00	
			Check Amount:	\$64.00	
101230	Pelland-Swenson & Associates LLC		Check		
		Gender Neutral Bathroom-Time & Material Am		\$51,548.33	
PO#: 2680	Invoice No: 2026025	4/30/2026	Paid Amt:	\$51,548.33	
			Check Amount:	\$51,548.33	
101231	Pine Valley Trophy Case, LLC		Check		
		Bronco Hall of Fame Plaques		\$1,150.00	
PO#: 2385	Invoice No: est 1268	4/30/2026	Paid Amt:	\$1,150.00	
			Check Amount:	\$1,150.00	
101232	RAPTOR TECHNOLOGIES		Check		
		Raptor Link API Suite		\$155.00	

**International Falls #0361**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 4/17/26-4/30/26 Period: 202610-202610 Void Status: N

Check No	Vendor	Pmt/Void Date	Pmt Type		
101232	RAPTOR TECHNOLOGIES		Check		
		Raptor Visitor Management Annual Access Fee		\$1,390.00	
PO#: 2682		Invoice No: 195172	4/30/2026	Paid Amt:	\$1,545.00
				Check Amount:	\$1,545.00
101233	SHANNON'S INC		Check		
		Repair water copper elbow/line-insurance		\$199.91	
PO#: 2683		Invoice No: 29998	4/30/2026	Paid Amt:	\$199.91
				Check Amount:	\$199.91
101234	TeamWorks International, Inc.		Check		
		Strategic Planning Implementation Support - F		\$350.00	
		Strategic Planning Implementation Support - F		\$350.00	
PO#: 2643		Invoice No: 14873	4/30/2026	Paid Amt:	\$700.00
				Check Amount:	\$700.00
101235	Tilson Bay Company		Check		
		Sponsor Banners - VFW & IOUE 49 Union Bar		\$96.00	
PO#: 2645		Invoice No: 2119	4/30/2026	Paid Amt:	\$96.00
		Sublimated Major & Minor Jerseys Personalize		\$6,532.00	
		Visors & Hats for all players Printed Player Nui		\$4,170.00	
		T-Ball T-Shirt Jerseys Personalized with name/		\$2,527.00	
		discount		(\$38.00)	
PO#: 2646		Invoice No: 2118	4/30/2026	Paid Amt:	\$13,191.00
		FHS Prom Supplies - Cash Cab Door Door sig		\$146.00	
PO#: 2647		Invoice No: 2116	4/30/2026	Paid Amt:	\$146.00
		Banners		\$96.00	
PO#: 2688		Invoice No: 2119	4/30/2026	Paid Amt:	\$96.00
				Check Amount:	\$13,529.00
101236	US Cellular		Check		
		414-651-5297 / Arena POTS - Elevator Line		\$53.54	
		414-651-5285 / FHS POTS - Elevator Line		\$91.54	
PO#: 1945		Invoice No: 0801961140	4/30/2026	Paid Amt:	\$145.08
				Check Amount:	\$145.08
101237	WATER DEPT		Check		
		Bus Garage Water		\$77.00	
PO#: 1071		Invoice No: 042026 bus garage	4/30/2026	Paid Amt:	\$77.00
		FHS Water		\$2,926.06	
PO#: 1071		Invoice No: 042026 FHS	4/30/2026	Paid Amt:	\$2,926.06

**International Falls #0361**  
**Detail Payment Register By Check**

Check Number: 0-2147483647 Payment Date: 4/17/26-4/30/26 Period: 202610-202610 Void Status: N

Check No	Vendor		Pmt/Void Date	Pmt Type		
101237	WATER DEPT			Check		
		FES Water			\$1,834.06	
PO#: 1071		Invoice No: 042026 FES	4/30/2026	Paid Amt:		\$1,834.06
		Arena Water			\$322.06	
PO#: 1071		Invoice No: 042026 arena	4/30/2026	Paid Amt:		\$322.06
				Check Amount:		\$5,159.18
101238	ISD #2711 MESABI EAST SCHOOLS			Check		
		Track and Field Invite to Mesabi East 04-16-20			\$200.00	
PO#: 2673		Invoice No: 041626	4/30/2026	Paid Amt:		\$200.00
				Check Amount:		\$200.00
				Report Total:		\$2,140,087.14

Regular School Board Meeting  
Monday, April 20, 2026 5:15 PM Central

FHS Library and YouTube Live Stream  
1515 11th Street  
International Falls, Minnesota 56649

Jessica Crosby: Present  
Dale Johnson: Present  
Toni Korpi: Present  
Tina Sather: Present  
Roxanne Skogstad-Ditsch: Present  
Joann Smith: Present  
Present: 6.

This School Board Meeting is available to watch via Live Stream by selecting the following link or by going to the "Falls High Journalism" youtube page.

### **Call to Order**

#### 1. Roll Call:

Jessica Crosby, Vice Board Chair  
 Dale Johnson, Director  
 Toni Korpi, Clerk  
 Tina Sather, Treasurer  
 Roxanne Skogstad-Ditsch, Director  
 JoAnn Smith, Board Chair

#### Non-Voting Members:

Beth Shermoen, Superintendent  
 Emmitt Olson, Student Representative  
Beth Shermoen in attendance  
Emmitt Olson not in attendance

#### 2. Pledge of Allegiance

### **Approval of Agenda**

#### 1. Approve agenda as presented.

Approval of Agenda. Motion by Jessica Crosby, then second by Roxanne Skogstad-Ditsch.  
Motion Carried.

Jessica Crosby: Yea, Dale Johnson: Yea, Toni Korpi: Yea, Tina Sather: Yea, Roxanne Skogstad-Ditsch: Yea, Joann Smith: Yea  
Yea: 6, Nay: 0

### **Open Forum**

1. CESO FY 2025/26 Revised Budget Presentation & Monthly Financial Reports Introduction - Lauren Syrup; Business Manager
- 2 Handouts - FY25-26 Revised Budget & 25-26 Fiscal Year Statement of Revenues, Expenditures and Cash Balance Summary

2. Elk's Student's of the Month: March - Pablo Christianson and Emma Willett. April - Olivia Spry and Camden Deedrick  
Certificates were presented to February Student Charley Swanson, March Students Pablo Christianson & Emma Willett, and April Student Olivia Spry

3. Public Open Forum

- 1) Rebecca Nelson - Speech Language Pathologist
- 2) Leif Larsen - IFalls Rec Hockey Board Member
- 3) Jamie Conat - IFalls Figure Skating Club Board Member

4. Krazy Thompson: Purple Pride Fish Fry  
Fundraiser Request - July 16, 2026 - 2-6pm

**Committee and Administrative Reports**

1. MSBA (Per MDE Guidance) Presentation:  
Tiffany Gustin & Gary Lee - Levy Information

2. Emmitt Olson, Student Representative:  
Not in attendance - no report given

3. Melissa Tate, Secondary Principal:  
FHS & ALC 457 Enrolled (-6 from March)  
May 6th - Career Fair & Scholarship Banquet  
May 13th - Spring Pepfest  
May 20th - Community Service Day

4. Lisa West, Elementary Principal:  
FES & WEE Enrollment - 506 (-1 & -1 from March)  
May 8th - Music Concerts  
May 11th - Band Concert  
May 19th - Bike to Beach (5th Grade Field Trip)  
May 27th - Kindergarten Graduation  
Upcoming: Dare Graduation, 6th Grade Class Trip, FHS Visits and additional Spring Field Trips & Events

5. Molly Larson, Community Education Director:  
Preschool Enrollment - 64  
April 25th - Kerry Park Bike Rodeo  
May 27th - Preschool Graduation  
Currently 62 enrolled for 2026-2027 preschool.  
June 4th - PALS Prom

6. Beth Shermoen, Superintendent:  
Construction Update, Thank you to Staff, Students, Coaches & Families during construction challenges and changes.

7. Policy Committee:

8. Athletic Committee:

May meeting scheduled

9. Legislative Committee:

Roxanne - State Auditors and what their role is.

### **Consent Agenda**

Approve the Consent Agenda as presented.

Approve Consent Agenda. Motion by Tina Sather, then second by Dale Johnson. Motion Carried.

Roxanne Skogstad-Ditsch: Absent, Jessica Crosby: Yea, Dale Johnson: Yea, Toni Korpi: Yea, Tina Sather: Yea, Joann Smith: Yea

Yea: 5, Nay: 0, Absent: 1

1. Approve payroll in the amount of \$733,657.90 for pay periods 3/20/2026, 4/3/2026 (Regular & Retro pay per new FY26 Para Contract), and 4/17/2026.

2. Approve current accounts payable due in the amount of \$1,880,546.27.

3. Approve past meeting minutes for the regular special school board meeting on 4/7/2026 and regular school board meeting on 3/16/2026.

4. Approve the non-renewal of the Rainy Lake Medical Center Services for Occupational Therapy, effective July 1, 2026.

5. Approve the reduction of 4 paraprofessionals positions at the end of the 25/26 school year.

6. Approve the reduction of a Speech-Language Pathologist (SLP) 1.0 fte. position to a .50 fte position for the 26/27 School Year, effective the last day of the 25/26 school year contract agreement.

7. Approve the resignation of Stacey Leseman, paraprofessional, effective June 30, 2026.

8. Approve the hire of Emily Groom for Science Teacher at Falls High School for the 26/27 school year.

9. Approve the hire of Andrea Kappelman as the Art Teacher at Falls High School for the 26/27 school year.

10. Approve the hire of a .80fte School-Based Occupational Therapist for the 26/27 school year.

11. Approve the hire of Jennifer McBride as the Girls Swimming and Diving Head Coach for the 2026-2027 Season.

12. Accept the resignation of Bryan Kershaw as Assistant Softball Coach, effective immediately.

13. Accept the resignation of Bryan Kershaw as Head JV Softball Coach, effective immediately.

14. Accept the resignation of TJ Coulombe as Junior High Softball Coach, effective immediately.

15. Approve the hire of Michelle Koenig as JV Softball Coach for the remainder of the 2025-2026 season.

16. Approve the hire of Emily Groom as Junior High Softball Coach, for the 2025-2026 season.

### **Action Items**

1. Improving systems and structures to create a culture where all are welcome and supported.

1.a. Resolution Acceptance of Gifts and Donations.

Resolution Acceptance of Donations. Motion by Jessica Crosby, then second by Tina Sather. Motion Carried.

Roxanne Skogstad-Ditsch: Absent, Jessica Crosby: Yea, Dale Johnson: Yea, Toni Korpi: Yea, Tina Sather: Yea, Joann Smith: Yea

Yea: 5, Nay: 0, Absent: 1

1.b. Approve the ISD 361 2025/26 Revised Budget as Presented by CESO.

Approved CESO Revised Budget. Motion by Dale Johnson, then second by Jessica Crosby. Motion Carried.

Jessica Crosby: Yea, Dale Johnson: Yea, Toni Korpi: Yea, Tina Sather: Yea, Roxanne Skogstad-Ditsch: Yea, Joann Smith: Yea

Yea: 6, Nay: 0

1.c. Approve the Independent School District 361 Contract Agreement with Americans Federation of State, County, Municipal Employees (AFSCME); Local 510 for July 1, 2025 to June 30, 2027.

AFSCME (Local 510 Agreement). Motion by Jessica Crosby, then second by Roxanne Skogstad-Ditsch. Motion Carried.

Jessica Crosby: Yea, Dale Johnson: Yea, Toni Korpi: Yea, Tina Sather: Yea, Roxanne Skogstad-Ditsch: Yea, Joann Smith: Yea

Yea: 6, Nay: 0

1.d. Approve the Independent School District No. 361 International Falls, Minnesota and Falls Principals' Association Contract Agreement for July 1, 2025 to June 30, 2027.

Principals' Agreement. Motion by Tina Sather, then second by Jessica Crosby. Motion Carried.

Jessica Crosby: Yea, Dale Johnson: Yea, Toni Korpi: Yea, Tina Sather: Yea, Roxanne Skogstad-Ditsch: Yea, Joann Smith: Yea

Yea: 6, Nay: 0

1.e. Approve Friday, May 28, 2027 Graduation Date

2027 Graduation Date. Motion by Tina Sather, then second by Jessica Crosby. Motion Carried.

Jessica Crosby: Yea, Dale Johnson: Yea, Toni Korpi: Yea, Tina Sather: Yea, Roxanne Skogstad-Ditsch: Yea, Joann Smith: Yea

Yea: 6, Nay: 0

7 pm

1.f. Approve acceptance of the Northland Foundation grant in the amount of \$10,000 to support the American Indian Education Quiz Bowl Award.

Northland Foundation Grant/Quiz Bowl Award. Motion by Roxanne Skogstad-Ditsch, then second by Toni Korpi. Motion Carried.

Jessica Crosby: Yea, Dale Johnson: Yea, Toni Korpi: Yea, Tina Sather: Yea, Roxanne

Skogstad-Ditsch: Yea, Joann Smith: Yea  
Yea: 6, Nay: 0

1.g. Approve acceptance of the MDE Native Language Revitalization Competitive Grant in the amount of \$214,941.78 to support expanding instruction in Dakota, Anishinaabe and other Indigenous languages. Funding initiatives that increase student reach, strengthen cultural heritage and improve language proficiency through curriculum development, staff recruitment and materials.

MDE Revitalization Grant. Motion by Toni Korpi, then second by Dale Johnson. Motion Carried.

Jessica Crosby: Yea, Dale Johnson: Yea, Toni Korpi: Yea, Tina Sather: Yea, Roxanne Skogstad-Ditsch: Yea, Joann Smith: Yea  
Yea: 6, Nay: 0

1.h. Approve the new proposed Summer 2026 Bronco Arena rental rate of \$100.00 per hour.

Summer Arena Rental Rates. Motion by Tina Sather, then second by Toni Korpi. Motion Carried.

Jessica Crosby: Yea, Dale Johnson: Yea, Toni Korpi: Yea, Tina Sather: Yea, Roxanne Skogstad-Ditsch: Yea, Joann Smith: Yea  
Yea: 6, Nay: 0

### **Adjournment**

1. Adjournment. Motion by Jessica Crosby, then second by Tina Sather. Motion Carried.

Jessica Crosby: Yea, Dale Johnson: Yea, Toni Korpi: Yea, Tina Sather: Yea, Roxanne Skogstad-Ditsch: Yea, Joann Smith: Yea

Yea: 6, Nay: 0

6:54pm adjourn

### **Approved Minutes:**

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<b>District Clerk</b>	<b>Date</b>	<b>Board Chair</b>	<b>Date</b>
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Christina Dowty &lt;cdowty@isd361.org&gt;

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**Fwd: High School Track**

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**Timm Ringhofer** <tringhofer@isd361.org>  
To: Christina Dowty <cdowty@isd361.org>

Mon, May 4, 2026 at 9:41 AM

Christina,

Please get this onto the next board agenda for approval. The dates will be 5/13, 5/20, and 5/28 from 8-9 am.

----- Forwarded message -----

From: **Carlson, Greg** <Greg\_Carlson@nps.gov>  
Date: Fri, May 1, 2026 at 1:21 PM  
Subject: High School Track  
To: [tringhofer@isd361.org](mailto:tringhofer@isd361.org) <[tringhofer@isd361.org](mailto:tringhofer@isd361.org)>

Timm,

My name is Greg Carlson, and I work with the fire program at Voyageurs national park. I wanted to inquire about using the high school track to conduct our annual wildland firefighter work capacity test. The test involves walking 3 miles in 45 minutes or less with a 45 pound weight vest. I have about 15 people that need to do it. We would like to offer 3-4 separate tests each spring and would schedule in the mornings between 8:00 and 9:00. All participants will have medical clearance from a doctor and will sign and complete a health screen questionnaire prior to the test. We will have an EMT with an AED present for each test. Is this possible? What would we need to do to get permission from the school?

Greg Carlson  
Border Park Zone  
Fire Management Specialist  
Office: (218)-283-6666  
Mobile: (218)-244-3107

*This email message is intended only for the use of the individual, individuals, or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient or an employee or agent responsible for delivering the message to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please delete it immediately. Thank you.*



**INTERNATIONAL FALLS FIRE/RESCUE/EMS**

600 Fourth Street  
International Falls, Minnesota 56649  
Telephone (218) 283-9073  
Fax (218) 283-9151  
adamm@ci.international-falls.mn.us

**FIRE CHIEF**  
**Adam C. Mannausau**

May 1, 2026

**RE: 4<sup>th</sup> of July Fireworks Display**

**VIA EMAIL**

Mrs. Beth Shermoen  
ISD 361 Superintendent  
1515 11<sup>th</sup> Street  
Int'l Falls, MN 56649

Superintendent Shermoen,

The City of International Falls Fire Department again requests the use of ISD #361 property for the purpose of the July 4, 2026 fireworks display. The school district's property (between the track and RRCC) would fulfill our needs because of its large size and proximity to viewing areas. It also satisfies safety distances needed.

We have the appropriate insurance coverage and the school district will be added as an additional insurer on City's Liability Insurance. We also have trained personnel needed for a safe, professional display. Please be assured we won't be rutting the turf and any mess will be cleaned up to your satisfaction. Your prompt consideration and approval of this request would be greatly appreciated.

Sincerely,

Adam C. Mannausau  
Fire Chief/Ambulance Director



COOL TREATS. GREAT DAY. **BIG IMPACT.**

# FALLS HIGH SCHOOL

 **FRIDAY, MAY 15<sup>TH</sup>**

➤ **KONA ICE WILL BE HERE!** ➤



## WHO:

Preschool –  
Grade 12  
students



## LOCATION:

Near the  
**WEST END PLAYGROUND**  
behind the high school



## GIVING BACK:

**25%**  
OF ALL SALES  
WILL BE DONATED TO  
SUPPORT THE  
**PBIS PROGRAM**

## ➤ KONA ICE MENU ➤



**\$5**

**KLASSIC**  
(12oz)



**\$6**

**KING**



**\$7**

**COLOR CHANGE  
CUP**

INCLUDES \$3  
REFILLS FOREVER!



**\$8**

**KOWABUNGA**

INCLUDES \$3  
REFILLS FOREVER!

**BRING CASH  
AND CHOOSE  
YOUR FAVORITE  
SIZE!**

Thank you for  
*supporting our students*  
and *PBIS program!*

**KONA ICE**

**IS GOOD. GIVE BACK.**


THE BRONCO GOLF BOOSTERS FUNDRAISER

MONDAY NIGHT AT THE

# GOLF RANGE

MONDAY 5 - 7 PM - WEATHER PERMITTING

JUNE 8, 15, 22, 29    JULY 6, 13, 20



\$5 PER BUCKET

BEHIND FALLS ELEMENTARY SCHOOL

**Sample 123B.03 Informed Consent**  
**School District Name and Number**  
**Street Address**  
**City, State and Zip Code**  
**Contact Person**  
**Phone**

**We are requesting a federal check pursuant to Minnesota Statutes 299C.62 on this individual as well.**

(Contributor, please check this box if requesting a federal check and attach fingerprint card, the Child Protection Background Check Consent form, and appropriate fee. Please note that the federal check will take one to two weeks to complete.)

The following named individual has made application with this agency for employment:

**Last Name of Applicant** (please print): \_\_\_\_\_

**First Name** (please print): \_\_\_\_\_

**Middle** (full) (please print): \_\_\_\_\_

**Maiden, Alias or Former** (please print): \_\_\_\_\_

**Date of Birth** (Month/Day/Year): \_\_\_\_\_ **Sex** (M or F): \_\_\_\_\_

I authorize the Minnesota Bureau of Criminal Apprehension to disclose criminal history record information to (School or District) pursuant to Minnesota Statutes 123B.03, subdivision 1 for the purpose of employment as a (teacher, bus driver, etc.) with this School District.

**Signature of Applicant or Potential Service Provider:** \_\_\_\_\_

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

This release is valid for one year from the date of my signature

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public

1. Records obtained under the Minnesota State Statute 123B.03, subdivision 1, may be used solely for the purpose requested and cannot be disseminated outside the receiving departments, related agencies, or other authorized entities.
2. Your fingerprints may be used to check the criminal history records of the FBI.
3. You may challenge the accuracy and completeness of any information contained in the report provided (procedures are set forth in Minnesota Statutes §13.04 and Title 28 CFR Section 16.34).
4. You have the right to request and obtain from the school hiring authority a copy of the background check report. A school hiring authority may charge the individual for the actual cost of providing a copy of the report.

*The School District should forward this executed form, along with a check or money order in the amount of \$15.00 payable to the "MN BCA" and a self-addressed, stamped envelope, to:*

*Minnesota Bureau of Criminal Apprehension  
CHA Unit  
1430 Maryland Avenue E.  
St. Paul, MN 55106*

---

## Consent to Release Data – Request from an Individual

*An individual asks the school district to release private data to an outside entity or person. Because the district does not have statutory authority to release the data, it must get the individual's written informed consent.*

### Explanation of Your Rights

If you have a question about anything on this form, or would like more explanation, please talk to

\_\_\_\_\_ before you sign it.  
[name of school district *contact person name and contact information*]

I, \_\_\_\_\_, give my permission for \_\_\_\_\_  
[name of individual] [name of school district]

to release data about me to \_\_\_\_\_ as described on this form.  
[name of other entity/person]

1. The specific data I want \_\_\_\_\_ to release \_\_\_\_\_.  
[name of school district] [explanation of data]

2. I understand that I have asked \_\_\_\_\_ to release the data.  
[name of school district]

3. I understand that although the data are classified as private at \_\_\_\_\_, the  
[name of government entity]

classification/treatment of the data at \_\_\_\_\_ depends on laws or  
[name of other entity or person]

policies that apply to \_\_\_\_\_.  
[name of other entity or person]

This authorization to release expires \_\_\_\_\_.  
[date/time of expiration]

Individual data subject's signature \_\_\_\_\_ Date \_\_\_\_\_

Parent/guardian's signature [if needed] \_\_\_\_\_ Date \_\_\_\_\_

# International Falls School District 361



Bullying <input type="checkbox"/>	Conflict <input type="checkbox"/>
OFFICE USE ONLY	

## BULLYING REFERRAL FORM

Name \_\_\_\_\_ Date \_\_\_\_\_ School/Site \_\_\_\_\_

1. Are you a victim or a bystander(witness)? \_\_\_\_\_
2. Are you a parent/guardian or other who is reporting? \_\_\_\_\_
3. Date/Time the bullying occurred: \_\_\_\_\_
4. Location of incident: \_\_\_\_\_
5. Person(s) doing the bullying? \_\_\_\_\_
6. Describe in detail what happened (use the back if needed). \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. Were there any witnesses to this incident (is so, please list): \_\_\_\_\_

\_\_\_\_\_

8. Has this bullying behavior occurred more than once? \_\_\_\_\_

9. Have you tried to resolve the matter? \_\_\_\_\_

- If yes, what have you tried and/or with whom? \_\_\_\_\_

\_\_\_\_\_

10. Have you previously discussed this incident with someone?

Parent/Guardian: Yes \_\_\_ No \_\_\_ Persons name: \_\_\_\_\_

ISD 361 Staff Member: Yes \_\_\_ No \_\_\_ Persons name: \_\_\_\_\_

Another individual: Yes \_\_\_ No \_\_\_ Persons name: \_\_\_\_\_

An ISD 361 student: Yes \_\_\_ No \_\_\_ Persons name: \_\_\_\_\_

**Signature of person filing the referral form:** \_\_\_\_\_

\*Please turn this referral report in immediately to the counselor's office, main office, or to a teacher in your school.

**Office use only** – Date of receiving bullying referral form: \_\_\_\_\_

School district staff signature and referral recipient: \_\_\_\_\_

Administrator contact signature and date: \_\_\_\_\_

**INTERNATIONAL FALLS PUBLIC SCHOOLS  
INDEPENDENT SCHOOL DISTRICT #361**

**BOARD POLICY 414  
Mandated Reporting of Child Neglect or Physical or Sexual Abuse**

Adopted \_\_\_ By Reference \_\_\_

Revised \_\_\_ October 2023 \_\_\_\_\_

*[Note: This policy reflects the mandatory law regarding reporting of maltreatment of minors and is not discretionary in nature.]*

**I. PURPOSE**

The purpose of this policy is to make clear the statutory requirements of school personnel to report suspected child neglect or physical or sexual abuse.

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to fully comply with Minnesota Statutes chapter 260E requiring school personnel to report suspected child neglect or physical or sexual abuse.
- B. A violation of this policy occurs when any school personnel fails to immediately report instances of child neglect or physical or sexual abuse when the school personnel knows or has reason to believe a child is being neglected or physically or sexually abused or has been neglected or physically or sexually abused within the preceding three years.

**III. DEFINITIONS**

- A. “Accidental” means a sudden, not reasonably foreseeable, and unexpected occurrence or event that:
  - 1. is not likely to occur and could not have been prevented by exercise of due care; and
  - 2. if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the

facility are in compliance with the laws and rules relevant to the occurrence of event.

- B. “Child” means one under age 18 and, for purposes of Minnesota Statutes chapter 260C (Juvenile Safety and Placement) and Minnesota Statutes chapter 260D (Child in Voluntary Foster Care for Treatment), includes an individual under age 21 who is in foster care pursuant to Minnesota Statutes chapter 260C.451 (Foster Care Benefits Past Age 18).
- C. “Immediately” means as soon as possible but in no event longer than 24 hours.
- D. “Mandated Reporter” means any school personnel who knows or has reason to believe a child is being maltreated or has been maltreated within the preceding three years.
- E. “Mental injury” means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child’s ability to function within a normal range of performance and behavior with due regard to the child’s culture.
- F. “Neglect” means the commission or omission of any of the acts specified below, other than by accidental means:
  - 1. failure by a person responsible for a child’s care to supply a child with necessary food, clothing, shelter, health care, medical, or other care required for the child’s physical or mental health when reasonably able to do so;
  - 2. failure to protect a child from conditions or actions that seriously endanger the child’s physical or mental health when reasonably able to do so; including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;
  - 3. failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors as the child’s age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for the child’s own basic needs or safety or the basic needs or safety of another child in his or her care;
  - 4. failure to ensure that a child is educated in accordance with state law, which does not include a parent’s refusal to provide his or her child with sympathomimetic medications;
  - 5. prenatal exposure to a controlled substance as defined in state law used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child’s birth, medical effects, or developmental delays during the child’s first year of life that medically indicate prenatal exposure to a controlled substance, or the presence of a fetal alcohol spectrum disorder;

6. medical neglect as defined by Minnesota Statutes section 260C.007, 4 subdivision 6, Clause (5);
7. chronic and severe use of alcohol or a controlled substance by a person responsible for the care of the child that adversely affects the child's basic needs and safety; or
8. emotional harm from a pattern of behavior that contributes to impaired emotional functioning of the child which may be demonstrated by a substantial and observable effect in the child's behavior, emotional response, or cognition that is not within the normal range for the child's age and stage of development, with due regard to the child's culture.

Neglect does not occur solely because the child's parent, guardian, or other person responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child in lieu of medical care.

- G. "Nonmaltreatment mistake" occurs when: (1) at the time of the incident, the individual was performing duties identified in the center's child care program plan required under Minnesota Rules Part 9503.0045; (2) the individual has not been determined responsible for a similar incident that resulted in a finding of maltreatment for at least seven years; (3) the individual has not been determined to have committed a similar nonmaltreatment mistake under this paragraph for at least four years; (4) any injury to a child resulting from the incident, if treated, is treated only with remedies that are available over the counter, whether ordered by a medical professional or not; and (5) except for the period when the incident occurred, the facility and the individual providing services were both in compliance with all licensing requirements relevant to the incident. This definition only applies to child care centers licensed under Minnesota Rules chapter 9503.
- H. "Person responsible for the child's care" means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employee or agent, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.
- I. "Physical abuse" means any physical injury, mental injury (under subdivision 13), or threatened injury (under subdivision 23), inflicted by a person responsible for the child's care on a child other than by accidental means; or any physical or mental injury that cannot reasonably be explained by the child's history of injuries or any aversive or deprivation procedures, or regulated interventions, that have not been authorized by Minnesota Statutes section 125A.0942 or 245.825.

Abuse does not include reasonable and moderate physical discipline of a child administered by a parent or legal guardian that does not result in an injury. Abuse

does not include the use of reasonable force by a teacher, principal, or school employee as allowed by Minnesota Statutes section 121A.582.

Actions that are not reasonable and moderate include, but are not limited to, any of the following: (1) throwing, kicking, burning, biting, or cutting a child; (2) striking a child with a closed fist; (3) shaking a child under age three; (4) striking or other actions that result in any non-accidental injury to a child under 18 months of age; (5) unreasonable interference with a child's breathing; (6) threatening a child with a weapon, as defined in Minnesota Statutes section 609.02, subdivision 6; (7) striking a child under age one on the face or head; (8) striking a child who is at least age one but under age four on the face or head, which results in an injury; (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances that were not prescribed for the child by a practitioner, in order to control or punish the child, other substances that substantially affect the child's behavior, motor coordination, or judgment or that result in sickness or internal injury, or that subject the child to medical procedures that would be unnecessary if the child were not exposed to the substances; (10) unreasonable physical confinement or restraint not permitted under Minnesota Statutes section 609.379 including, but not limited to, tying, caging, or chaining; or (11) in a school facility or school zone, an act by a person responsible for the child's care that is a violation under Minnesota Statutes section 121A.58.

- J. "Report" means any communication received by the local welfare agency, police department, county sheriff, or agency responsible for child protection pursuant to this section that describes maltreatment of a child and contains sufficient content to identify the child and any person believed to be responsible for the maltreatment, if known.
- K. "School Personnel" means professional employee or professional's delegate of the school district who provides health, educational, social, psychological, law enforcement, or child care services.
- L. "Sexual Abuse" means the subjection of a child by a person responsible for the child's care, by a person who has a significant relationship to the child (as defined in Minnesota Statutes section 609.341, subdivision 15), or by a person in a current or recent position of authority (as defined in Minnesota Statutes section 609.341, subdivision 10) to any act which constitutes a violation of Minnesota statutes prohibiting criminal sexual conduct. Such acts include sexual penetration, sexual contact, solicitation of children to engage in sexual conduct, and communication of sexually explicit materials to children. Sexual abuse also includes any act involving a minor which constitutes a violation of Minnesota statutes prohibiting prostitution or use of a minor in a sexual performance. Sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation that requires registration under Minnesota Statutes section 243.166, subdivision 1b(a) or (b).
- M. "Threatened injury" means a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person

responsible for the child's care who has (1) subjected the child to, or failed to protect a child from, an overt act or condition that constitutes egregious harm; (2) been found to be palpably unfit; (3) committed an act that resulted in an involuntary termination of parental rights; (4) or committed an act that resulted in the involuntary transfer of permanent legal and physical custody of a child to a relative.

#### **IV. REPORTING PROCEDURES**

- A. A mandated reporter shall immediately report the information to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services agency, or tribal police department. The reporter will include his or her name and address in the report.
- B. An oral report shall be made immediately by telephone or otherwise. The oral report shall be followed by a written report within 72 hours (exclusive of weekends and holidays) to the appropriate police department, the county sheriff, local welfare agency, or agency responsible for assessing or investigating the report. Any report shall be of sufficient content to identify the child, any person believed to be responsible for the maltreatment of the child if the person is known, the nature and extent of the maltreatment and the name and address of the reporter.
- C. Regardless of whether a report is made, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident has occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.
- D. A mandated reporter who knows or has reason to know of the deprivation of custodial or parental rights or the kidnapping of a child shall report the information to the local police department or the county sheriff.
- E. With the exception of a health care professional or a social service professional who is providing the woman with prenatal care or other health care services, a mandated reporter shall immediately report to the local welfare agency if the person knows or has reason to believe that a woman is pregnant and has used a controlled substance for a nonmedical purpose during the pregnancy, including, but not limited to, tetrahydrocannabinol, or has consumed alcoholic beverages during the pregnancy in any way that is habitual or excessive.
- F. A person mandated by Minnesota law and this policy to report who fails to report may be subject to criminal penalties and/or discipline, up to and including termination of employment.
- G. An employer of a mandated reporter shall not retaliate against the person for reporting in good faith maltreatment against a child with respect to whom a report is made, because of the report.

- H. Any person who knowingly or recklessly makes a false report under the provisions of applicable Minnesota law or this policy shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, plus costs and reasonable attorney fees. Knowingly or recklessly making a false report also may result in discipline.

***[Note: The Minnesota Department of Education (MDE) is responsible for assessing or investigating allegations of child maltreatment in schools. Although a report may be made to any of the agencies listed in Section IV. A., above, and there is no requirement to file more than one report, if the initial report is not made to MDE, it would be helpful to MDE if schools also report to MDE.]***

## **V. INVESTIGATION**

- A. The responsibility for assessing or investigating reports of suspected maltreatment rests with the appropriate state, county, or local agency or agencies. The agency responsible for assessing or investigating reports of maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged offender, and any other person with knowledge of the maltreatment for the purpose of gathering facts, assessing safety and risk to the child, and formulating a plan. The investigating agency may interview the child at school. The interview may take place outside the presence of the alleged offender or parent, legal guardian, or school official. The investigating agency, not the school, is responsible for either notifying or withholding notification of the interview to the parent, guardian or person responsible for the child's care. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded.
- B. When the investigating agency determines that an interview should take place on school property, written notification of intent to interview the child on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property.
- C. Except where the alleged offender is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school employees when an interview is conducted on school premises.

- D. Where the alleged offender is believed to be a school official or employee, the school district shall conduct its own investigation independent of MDE and, if involved, the local welfare or law enforcement agency.
- E. Upon request by MDE, the school district shall provide all requested data that are relevant to a report of maltreatment and are in the possession of a school facility, pursuant to an assessment or investigation of a maltreatment report of a student in school. The school district shall provide the requested data in accordance with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13, and the Family Educational Rights and Privacy Act, 20 United States Code section 1232g.

**VI. MAINTENANCE OF SCHOOL RECORDS CONCERNING ABUSE OR POTENTIAL ABUSE**

- A. When a local welfare or local law enforcement agency determines that a potentially abused or abused child should be interviewed on school property, written notification of the agency's intent to interview on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct the interview. The notification shall be private data. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notice or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation has been concluded.
- B. All records regarding a report of maltreatment, including any notification of intent to interview which was received by the school as described above in Paragraph A., shall be destroyed by the school only when ordered by the agency conducting the investigation or by a court of competent jurisdiction.

**VII. PHYSICAL OR SEXUAL ABUSE AS SEXUAL HARASSMENT OR VIOLENCE**

Under certain circumstances, alleged physical or sexual abuse may also be sexual harassment or violence under Minnesota law. If so, the duties relating to the reporting and investigation of such harassment or violence may be applicable.

**VIII. DISSEMINATION OF POLICY AND TRAINING**

- A. This policy shall appear in school personnel handbooks.
- B. The school district will develop a method of discussing this policy with school personnel.
- C. This policy shall be reviewed at least annually for compliance with state law.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 121A.58 (Corporal Punishment)

Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)  
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)  
Minn. Stat. § 243.166, Subd. 1b(a)(b) (Registration of Predatory Offenders)  
Minn. Stat. § 245.825 (Use of Aversive or Deprivation Procedures)  
Minn. Stat. § 260C.007, Subd.4 6, Clause (5) (Child in Need of Protection)  
Minn. Stat. § 260C.451 (Foster Care Benefits Past Age 18)  
Minn. Stat. § 260D (Child in Voluntary Foster Care for Treatment)  
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)  
Minn. Stat. § 609.02, Subd.6 (Definitions – Dangerous Weapon)  
Minn. Stat. § 609.341, Subd. 10 (Definitions – Position of Authority)  
Minn. Stat. § 609.341, Subd. 15 (Definitions – Significant Relationship)  
Minn. Stat. § 609.379 (Reasonable Force)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

***Cross References:*** MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)

## **ATTACHMENTS TO DRUG AND ALCOHOL TESTING POLICY**

Attachments A through C are to be used in conjunction with the drug and alcohol testing of bus drivers and driver applicants.

- Attachment A is a "Driver Acknowledgment-Drug and Alcohol Testing Policy Materials" form that should be used to document receipt of the policy and other materials by drivers and driver applicants. It is referred to in Article III., Section C., Paragraph 4. of the policy.
- Attachment B is a "Bus Driver or Driver Applicant-Authorization to Release Information" form. It is referred to in Article III., Section H., Paragraph 1. of the policy.
- Attachment C is a "Bus Driver or Driver Applicant-Refusal to Submit to Testing" form. It is referred to in Article III., Section H., Paragraph 7. of the policy.

Attachments D through G are to be used in conjunction with drug and alcohol testing of non-bus drivers and applicants.

- Attachment D is a "Pretest Notice" that must be provided to non-school bus driver employees or job applicants before requesting that the employee or job applicant undergo drug or alcohol testing. It is referred to in Article IV., Section E., Paragraph 1. of the policy.
- Attachment E is a "Notice of Test Results and Various Rights" which should be used by the District when notifying non-school bus driver employees or job applicants of test results and other rights. It is referred to in Article IV., Section E., Paragraph 6. of the policy.
- Attachment F is an "Explanation of Positive Test Result" form which should be used by the school district to request that the employee or job applicant submit information to the school district relevant to the reliability of, or explanation for, a positive test result. It is referred to in Article IV., Section E., Paragraph 4. of the policy.
- Finally, the District may wish to use Attachment G, entitled "Acknowledgment-Drug and Alcohol Testing Policy," to document that written notice of the policy was given to all affected employees. It is referred to in Article IV., Section J. of the policy.

ATTACHMENT A

( D R A F T )

[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]

**— DRIVER ACKNOWLEDGMENT —  
DRUG AND ALCOHOL TESTING POLICY AND MATERIALS**

I have received a copy of the Drug and Alcohol Testing Policy of Independent School District No. \_\_\_\_\_, \_\_\_\_\_, Minnesota and have read it in its entirety. I understand that I am subject to the provisions of Article III of the policy, entitled Drug and Alcohol Testing for Bus Drivers, because the position involves operating a commercial motor vehicle and requires a commercial driver's license.

The District's policy was provided to me:

- Upon adoption of the policy (employee).
- Upon my hire (job applicant/new employee).
- After receipt of my conditional job offer, before any testing if my job offer is contingent upon my passing of drug and alcohol testing (job applicant).

I also received materials concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or drug problem; and available methods of intervening when an alcohol or drug problem is suspected.

I have been advised that the Alcohol and Controlled Substances Testing Program Manager is \_\_\_\_\_ and that any questions I may have concerning the Policy should be directed to the Program Manager.

Dated: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Employee/Applicant*

\_\_\_\_\_  
*Typed or Printed Name*

**ATTACHMENT B**

**( D R A F T )**

**[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]**

**— BUS DRIVER OR DRIVER APPLICANT —  
AUTHORIZATION TO RELEASE INFORMATION**

Section I. To be completed by the school district, signed by the bus driver, or driver applicant, and transmitted to the previous employer:

Employee Printed or Typed Name: \_\_\_\_\_

Employee SS or ID Number: \_\_\_\_\_

I hereby authorize release of information from my Department of Transportation regulated drug and alcohol testing records by my previous employer, listed in Section I-B, to the employer listed in Section I-A. This release is in accordance with DOT Regulation 49 CFR Part 40, Section 40.25. I understand that information to be released in Section II-A by my previous employer, is limited to the following DOT-regulated testing items:

1. Alcohol tests with a result of 0.04 or higher;
2. Verified positive drug tests;
3. Refusals to be tested;
4. Other violations of DOT agency drug and alcohol testing regulations;
5. Information obtained from previous employers of a drug and alcohol rule violation;
6. Documentation, if any, of completion of the return-to-duty process following a rule violation.

Employee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Section I-A.

School District Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

Designated Employer Representative: \_\_\_\_\_

Section I-B.

Previous Employer Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone #: \_\_\_\_\_

Designated Employer Representative (if known): \_\_\_\_\_

Section II. To be completed by the previous employer and transmitted by mail or fax to the new employer:

Section II-A. In the two years prior to the date of the employee's signature (in Section I), for DOT-regulated testing:

1. Did the employee have alcohol tests with a result of 0.04 or higher? YES \_\_\_\_ NO \_\_\_\_
2. Did the employee have verified positive drug tests? YES \_\_\_\_ NO \_\_\_\_
3. Did the employee refuse to be tested? YES \_\_\_\_ NO \_\_\_\_
4. Did the employee have other violations of DOT agency drug and alcohol testing regulations? YES \_\_\_\_ NO \_\_\_\_
5. Did a previous employer report a drug and alcohol rule violation to you? YES \_\_\_\_ NO \_\_\_\_
6. If you answered "yes" to any of the above items, did the employee complete the return-to-duty process? N/A \_\_\_\_ YES \_\_\_\_ NO \_\_\_\_

NOTE: If you answered "yes" to item 5, you must provide the previous employer's report. If you answered "yes" to item 6, you must also transmit the appropriate return-to-duty documentation (e.g., SAP report(s), follow-up testing record).

Section II-B.

Name of person providing information in Section II-A: \_\_\_\_\_

Title: \_\_\_\_\_

Phone #: \_\_\_\_\_

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

# ATTACHMENT C

**( D R A F T )**

**[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]**

**— BUS DRIVER OR DRIVER APPLICANT —  
REFUSAL TO SUBMIT TO TESTING**

I hereby refuse to submit to drug/alcohol testing by doing the following:

- Failing to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so;
- Failing to remain at the testing site until the testing process is complete;
- Failing to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test;
- Failing to permit the observation or monitoring of any provision of a specimen in the case of a directly observed or monitored collection in a drug test;
- Failing to provide a sufficient breath specimen or sufficient amount of urine when directed and it has been determined that there was no adequate medical explanation for the failure;
- Failing or declining to take a second test as directed;
- Failing to undergo a medical examination or evaluation, as directed by the Medical Review Officer (MRO) or the Designated Employer Representative (DER);
- Failing to cooperate with any part of the testing process (e.g., refusing to empty pockets when so directed by the collector, behaving in a confrontational way that disrupts the collection process, failing to wash hands after being directed to do so by the collector, failing to sign the certification on the form);
- Failing to follow the observer's instructions, in an observed collection, to raise the driver's clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process;
- Possessing or wearing a prosthetic or other device that could be used to interfere with the collection process;
- Admitting to the collector or MRO that the driver adulterated or substituted the specimen; or
- Having a verified adulterated or substituted test as reported by the MRO.

[An applicant who fails to appear for a preemployment test, who leaves the testing site before the preemployment testing process commences, or who does not provide a urine specimen because he or she left before it commences, is not deemed to have refused to submit to testing.]

I recognize that my refusal subjects me to the consequences specified in federal law and regulations. It also constitutes a presumption of a positive result. I further recognize that if I am an applicant, I will be disqualified from consideration for the conditionally-offered position. If I am an employee, I will not be permitted to perform safety-sensitive functions, and will be considered insubordinate and subject to disciplinary action, up to and including dismissal. If the school district offers me an opportunity to return to a DOT safety-sensitive function, I understand I will be evaluated by a substance abuse professional, and will be required to submit to a return-to-duty test prior to being considered for reassignment to safety-sensitive functions.

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

Time: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Employee/Applicant*

Supervisor: \_\_\_\_\_

\_\_\_\_\_  
*Supervisor's Signature*

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Employee refusal to sign

*Supervisor's Initials:* \_\_\_\_\_

**ATTACHMENT D**

**( D R A F T )**

**[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]**

**— PRETEST NOTICE —**

I, the undersigned employee/job applicant of Independent School District No. \_\_\_\_\_, \_\_\_\_\_, Minnesota ("School District") do hereby acknowledge that I have been provided a copy of the School District's Drug and Alcohol Testing Policy.

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

\_\_\_\_\_  
*Signature of Employee/Job Applicant*

\_\_\_\_\_  
*Typed or Printed Name*

# ATTACHMENT E

( D R A F T )

**[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]**

[Employee Name]  
[Employee Address]

**RE: Drug and/or Alcohol Test**  
**[Date of Testing]**

## **NOTICE OF TEST RESULTS AND VARIOUS RIGHTS**

### Test Results:

Independent School District No. \_\_\_\_, \_\_\_\_\_, Minnesota has received the test result report from the testing laboratory:

- G Your initial screening test result was negative.
- G Your confirmatory test result was negative.
- G Your confirmatory test result was positive.

### Test Result Report:

You have the right to request and receive from the school district a copy of the test result on any drug or alcohol test.

### Right to Explain Positive Test Result:

In the case of a positive test result on a confirmatory test, you have the right to explain the results. You may, within three (3) working days after notice of a positive test result on a confirmatory test, submit information to the school district, in addition to any information already submitted, to explain that result. Attached to this Notice is a document entitled "Explanation of Positive Test Result" for this purpose.

### Right to Request Confirmatory Retests:

In the case of a positive test result on a confirmatory test, you have the right to request a confirmatory retest of the original sample at your own expense.

Within five (5) working days after notice of the confirmatory test result, you must notify the school district in writing of your intention to obtain a confirmatory retest.

Within three (3) working days after receipt of the notice, the school district shall notify the original testing laboratory that you have requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minn. Stat. § 181.953, Subd. 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug or alcohol threshold detection levels as used in the

original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against you.

Other Rights:

In the case of a positive test result on a confirmatory test, you may have other rights provided under the sections detailed below.

A. Employee Discharge and Discipline

1. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee whose position does not require a commercial driver's license on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.

In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.

2. The school district may not discharge an employee whose position does not require a commercial driver's license for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test requested by the school district, unless the following conditions have been met:
  - a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical use counselor or a physician trained in the diagnosis and treatment of chemical dependency; and
  - b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.
3. Notwithstanding Paragraph 1., the school district may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.
4. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon, or after hire.
5. An employee must be given access to information in the employee's personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

B. Withdrawal of Applicant's Job Offer

If a job applicant for a position that does not require a commercial driver's license has received a job offer made contingent on the applicant passing drug and alcohol testing, the school district may not withdraw the

**ATTACHMENT F**

offer based on a positive test result from an initial screening test that has not been verified by a confirmatory test. In the case of a positive test result on a confirmatory test, the school district may withdraw the job offer.

**( D R A F T )**

**[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]**

**EXPLANATION OF POSITIVE TEST RESULT**

I, the undersigned employee/job applicant of Independent School District No. \_\_\_\_\_, \_\_\_\_\_, Minnesota acknowledge receipt of a Notice of Test Results and Various Rights. This includes my right to explain the positive test result on a confirmatory test.

I am currently taking or have recently taken:

- no over-the-counter or prescription medications; or
- the following over-the-counter or prescription medications:

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I also offer the following information relevant to the reliability of, or explanation for, a positive test result:

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

\_\_\_\_\_

*Signature of Employee/Job Applicant*

\_\_\_\_\_

*Typed or Printed Name*

**ATTACHMENT G**

**( D R A F T )**

**[TO BE PLACED ON SCHOOL DISTRICT LETTERHEAD]**

**— ACKNOWLEDGMENT —  
DRUG AND ALCOHOL TESTING POLICY**

I have received a copy of the Drug and Alcohol Testing Policy of Independent School District No. \_\_\_\_\_, \_\_\_\_\_, Minnesota and have read it in its entirety.

The District's policy was provided to me:

- Upon adoption of the policy (employee)
- Upon my hire (job applicant/new employee)
- After receipt of my conditional job offer, before any testing if my job offer is contingent upon my passing of drug and alcohol testing. (job applicant)

Dated: \_\_\_\_\_

\_\_\_\_\_

*Signature of Employee/Applicant*

\_\_\_\_\_

*Typed or Printed Name*

**INTERNATIONAL FALLS PUBLIC SCHOOLS  
INDEPENDENT SCHOOL DISTRICT #361**

**BOARD POLICY 416  
Drug, Alcohol, and Cannabis Testing**

Adopted \_\_\_ By Reference \_\_\_

Revised \_\_\_ February 2024 \_\_\_

*[Note: Drug, alcohol, and cannabis testing of school bus drivers and applicants is mandatory under federal law. The mandatory testing is described under Part III. of the policy. Drug and alcohol testing of other employees or drug and alcohol testing of school bus drivers beyond that mandated by federal law is optional and can be done under state law only if a policy containing provisions such as the provisions of Part IV. of this policy are adopted. Cannabis testing of school employees and school bus drivers shall conform to federal and Minnesota law. To preserve the right to request or require school district employees who are not bus drivers and applicants to undergo drug and/or alcohol testing or to require bus drivers to submit to testing that is not federally mandated, a school district should adopt Part IV. as part of its drug and alcohol testing policy.]*

**I. PURPOSE**

- A. The school board recognizes the significant problems created by drug and alcohol use in society in general, and the public schools in particular. The school board further recognizes the important contribution that the public schools have in shaping the youth of today into the adults of tomorrow.
- B. The school board believes that a work environment free of drug, alcohol, and cannabis use will not only be safer, healthier, and more productive but also more conducive to effective learning. To provide such an environment, the purpose of this policy is to provide authority so that the school board may require all employees and/or job applicants to submit to drug, alcohol, and cannabis testing in accordance with the provisions of this policy and as provided in federal law and Minnesota Statutes sections 181.950 - 181.957.

**II. GENERAL STATEMENT OF POLICY**

- A. All school district employees and job applicants whose positions require a commercial driver's license will be required to undergo drug and alcohol and cannabis testing in accordance with federal law and the applicable provisions of this policy. The school district also may request or require that drivers submit to

drug and alcohol and cannabis testing in accordance with the provisions of this policy and as provided in Minnesota Statutes sections 181.950 - 181.957.

- B. The school district may request or require that any school district employee or job applicant, other than an employee or applicant whose position requires a commercial driver's license, submit to drug and alcohol and cannabis testing in accordance with the provisions of this policy and as provided in Minnesota Statutes sections 181.950 - 181.957.
- C. The use, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed, including medical cannabis, whether or not it has been prescribed for the employee, is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of drugs that are not medically prescribed, including medical cannabis, whether or not it has been prescribed for the employee, is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs that are not medically prescribed are prohibited from entering or remaining on school district property.
- D. The use, possession, sale, purchase, transfer, or dispensing of alcohol or cannabis is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of alcohol or cannabis is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of alcohol or cannabis are prohibited from entering or remaining on school district property.
- E. Any employee who violates this section shall be subject to discipline that includes, but is not limited to, immediate suspension without pay and immediate discharge.
- F. The school district may discipline, discharge, or take other adverse personnel action against an employee for cannabis flower, cannabis product, lower-potency hemp edible, or hemp-derived consumer product use, possession, impairment, sale, or transfer while an employee is working, on school district premises, or operating a school district vehicle, machinery, or equipment as follows:
  - 1. if, as the result of consuming cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product, the employee does not possess that clearness of intellect and control of self that the employee otherwise would have;
  - 2. if cannabis testing verifies the presence of cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product following a confirmatory test;
  - 3. as provided in the school district's written work rules for cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products and cannabis testing, provided that the rules are in

writing and in a written policy that contains the minimum information required by section 181.952; or

4. as otherwise authorized or required under state or federal law or regulations, or if a failure to do so would cause the school district to lose a monetary or licensing-related benefit under federal law or regulations.

### **III. FEDERALLY MANDATED DRUG AND ALCOHOL TESTING FOR SCHOOL BUS DRIVERS**

#### **A. General Statement of Policy.**

All persons subject to commercial driver's license requirements shall be tested for alcohol, marijuana (including medical cannabis), cocaine, amphetamines, opiates (including heroin), and phencyclidine (PCP), pursuant to federal law. Drivers who test positive for alcohol or drugs shall be subject to disciplinary action, which may include termination of employment.

#### **B. Definitions.**

1. "Actual Knowledge" means actual knowledge by the school district that a driver has used alcohol or controlled substances based on: (a) direct observation of the employee's use (not observation of behavior sufficient to warrant reasonable suspicion testing); (b) information provided by a previous employer; (c) a traffic citation; or (d) an employee's admission, except when made in connection with a qualified employee self-admission program.
2. "Alcohol Screening Device" (ASD) means a breath or saliva device, other than an Evidential Breath Testing Device (EBT), that is approved by the National Highway Traffic Safety Administration and placed on its Conforming Products List for such devices.
3. "Breath Alcohol Technician" (BAT) means an individual who instructs and assists individuals in the alcohol testing process and who operates the (EBT).
4. "Commercial motor vehicle" (CMV) includes a vehicle that is designed to transport 16 or more passengers, including the driver.
5. "Designated Employer Representative" (DER) means an employee authorized by the school district to take immediate action to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation process. The DER receives test results and other communications for the school district."

6. Department of Transportation” (DOT) means United States Department of Transportation.
7. “Direct Observation” means observation of alcohol or controlled substances use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing.
8. “Driver” is any person who operates a CMV, including full-time, regularly employed drivers, casual, intermittent or occasional drivers, leased drivers, and independent owner-operator contractors.
9. “Evidential Breath Testing Device” (EBT) means a device approved by the National Highway Traffic Safety Administration for the evidentiary testing of breath for alcohol concentration and placed on its Conforming Products List for such devices.
10. “Licensed Medical Practitioner” means a person who is licensed, certified, and/or registered, in accordance with applicable Federal, State, local, or foreign laws and regulations, to prescribe controlled substances and other drugs.
11. “Medical Review Officer” (MRO) means a licensed physician responsible for receiving and reviewing laboratory results generated by the school district’s drug testing program and for evaluating medical explanations for certain drug tests.
12. “Refusal to Submit” (to an alcohol or controlled substances test) means that a driver: (a) fails to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so; (b) fails to remain at the testing site until the testing process is complete; (c) fails to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test; (d) fails to permit the observation or monitoring of the driver’s provision of a specimen in the case of a directly observed or monitored collection in a drug test; (e) fails to provide a sufficient breath specimen or sufficient amount of urine when directed and a determination has been made that no adequate medical explanation for the failure exists; (f) fails or declines to take an additional test as directed by the school district or the collector; (g) fails to undergo a medical examination or evaluation, as directed by the MRO or the DER; (h) fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector, fails to sign the certification on the forms); (i) fails to follow the observer’s instructions, in an observed collection, to raise the driver’s clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process; (j) possesses or wears a prosthetic or other device that could be used to interfere with the collection process; (k) admits to the collector or MRO that the driver adulterated or substituted the specimen;

or (l) is reported by the MRO as having a verified adulterated or substituted test result. An applicant who fails to appear for a pre-employment test, who leaves the testing site before the pre-employment testing process commences, or who does not provide a urine specimen because he or she has left before it commences is not deemed to have refused to submit to testing.

13. “Safety-sensitive functions” are on-duty functions from the time the driver begins work or is required to be in readiness to work until relieved from work and all responsibility for performing work, and include such functions as driving, loading and unloading vehicles, or supervising or assisting in the loading or unloading of vehicles, servicing, repairing, obtaining assistance to repair, or remaining in attendance during the repair of a disabled vehicle.
14. “Screening Test Technician” (STT) means anyone who instructs and assists individuals in the alcohol testing process and operates an ASD.
15. “Stand Down” means the practice of temporarily removing an employee from performing safety-sensitive functions based only upon a laboratory report the MRO of a confirmed positive test for a drug or drug metabolite, an adulterated test, or a substituted test before the MRO completes the verification process.
16. “Substance Abuse Professional” (SAP) means a qualified person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing and aftercare.

C. Policy and Educational Materials.

***[Note: Federal regulations require that school districts provide materials to bus drivers explaining the school district’s policies and procedures and the federal requirements with respect to the mandatory drug and alcohol testing of bus drivers. 49 Code of Federal Regulations section 382.601. Most of the required information is contained within this model policy. Additional materials to be provided to employees are described in Paragraph 2. of Section C.]***

1. The school district shall provide a copy of this policy and procedures to each driver prior to the start of its alcohol and drug testing program and to each driver subsequently hired or transferred into a position requiring driving of a CMV.
2. The school district shall provide to each driver information required under Title 49 of the Code of Federal Regulations, including information concerning the effects of alcohol and controlled substances use on an individual’s health, work, and personal life; signs and symptoms of an alcohol or controlled substance problem (the driver’s or a coworker’s); and available methods of intervening when an alcohol or controlled

substance problem is suspected, including confrontation, referral to an employee assistance program, and/or referral to management.

3. The school district shall provide written notice to representatives of employee organizations that the information described above is available.
4. The school district shall require each driver to sign a statement certifying that the driver received a copy of the policy and materials. This statement should be in the form of Attachment A to this policy. The school district will maintain the original signed certificate and will provide a copy to the driver if the driver so requests.

***[Note: The federal regulations require a school district to obtain a signed statement from each driver certifying that he or she has received a copy of these materials. 49 Code of Federal Regulations section 382.601(d). The original signed certificate must be maintained by the school district and a copy may be provided to the driver.]***

D. Alcohol and Controlled Substances Testing Program Manager.

***[Note: School districts are required by federal regulations to designate a person to answer driver questions about the policy and the education materials described in Section C. above and to notify the drivers of the designation. 49 Code of Federal Regulations section 382.601(b)(1).]***

1. The program manager will coordinate the implementation, direction, and administration of the alcohol and controlled substances testing policy for bus drivers. The program manager is the principal contact for the collection site, the testing laboratory, the MRO, the BAT, the SAP, and the person submitting to the test. Employee questions concerning this policy shall be directed to the program manager.
2. The school district shall designate a program manager and provide written notice of the designation to each driver along with this policy.

E. Specific Prohibitions for Drivers.

***[Note: The specific prohibitions for drivers are contained, in large part, in 49 Code of Federal Regulations sections 382.201-382.215.]***

1. Alcohol Concentration. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. Drivers who test greater than 0.04 will be taken out of service and will be subject to evaluation by a professional and retesting at the driver's expense.
2. Alcohol Possession. No driver shall be on duty or operate a CMV while the driver possesses alcohol.

3. On-Duty Use. No driver shall use alcohol while performing safety-sensitive functions.
4. Pre-Duty Use. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. Use Following an Accident. No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident, or until the driver undergoes a post-accident alcohol test, whichever occurs first.
6. Refusal to Submit to a Required Test. No driver shall refuse to submit to an alcohol or controlled substances test required by post-accident, random, reasonable suspicion, return-to-duty, or follow-up testing requirements. A verified adulterated or substituted drug test shall be considered a refusal to test.
7. Use of Controlled Substances. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to instructions (which have been presented to the school district) from a licensed medical practitioner who is familiar with the driver's medical history and has advised the driver that the substance does not adversely affect the driver's ability to safely operate a CMV. Controlled substance includes medical cannabis, regardless of whether the driver is enrolled in the state registry program.
8. Positive, Adulterated, or Substituted Test for Controlled Substance. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive for controlled substances, including medical cannabis, or has adulterated or substituted a test specimen for controlled substances.
9. General Prohibition. Drivers are also subject to the general policies and procedures of the school district that prohibit possession, transfer, sale, exchange, reporting to work under the influence of drugs or alcohol, and consumption of drugs or alcohol while at work or while on school district premises or operating any school district vehicle, machinery, or equipment.

F. Other Alcohol-Related Conduct.

***[Note: Consequences for drivers engaging in alcohol-related conduct are described in the federal regulations. 49 Code of Federal Regulations section 382.505.]***

No driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform safety-sensitive functions for at least 24 hours following administration of the test. The school district will not take any action under this policy other than removal from safety-sensitive functions based solely on test

results showing an alcohol concentration of less than 0.04 but may take action otherwise consistent with law and policies of the school district.

G. Prescription Drugs/Cannabinoid Products.

A driver shall inform the driver's supervisor if at any time the driver is using a controlled substance pursuant to a physician's prescription. The physician's instructions shall be presented to the school district upon request. Use of a prescription drug shall be allowed if the physician has advised the driver that the prescribed drug will not adversely affect the driver's ability to safely operate a CMV. Use of medical cannabis is prohibited notwithstanding the driver's enrollment in the patient registry. Use of nonintoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for cannabis. MROs will verify a drug test confirmed as positive, even if a driver claims to have only used nonintoxicating cannabinoids or edible cannabinoid product.

H. Testing Requirements.

***[Note: School districts must utilize the U.S. DOT Drug & Alcohol Clearinghouse ("Clearinghouse") to conduct pre-employment queries, annual queries, and reports regarding CDL holders who operate CMVs on public roads (including school bus drivers) and who are covered by the Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Testing Program. In addition to utilizing the Clearinghouse, school districts must continue to comply with the alcohol and controlled substance testing required under Title 49 of the Federal Regulations.]***

1. Pre-Employment Testing

***[Note: 49 Code of Federal Regulations section 382.301 details the requirements for pre-employment testing.]***

- a. A driver applicant shall undergo testing for [alcohol and] controlled substances, including medical cannabis, before the first time the driver performs safety-sensitive functions for the school district.

***[Note: A school district is now permitted, but not required, to conduct pre-employment testing for the use of alcohol. If a school district elects to require pre-employment testing for alcohol, it should include the bracketed text in Subparagraph a., above, and test all applicants uniformly.]***

- b. Tests shall be conducted only after the applicant has received a conditional offer of employment.
- c. To be hired, the applicant must test negative and must sign an agreement in the form of Attachment B to this policy, authorizing former employers to release to the school district all information

on the applicant's alcohol tests with results of blood alcohol concentration of 0.04 or higher, or verified positive results for controlled substances, including medical cannabis, or refusals to be tested (including verified adulterated or substituted drug test results), or any other violations of DOT agency drug and alcohol testing regulations, or, if the applicant violated the testing regulations, documentation of the applicant's successful completion of DOT return-to-duty requirements (including follow-up tests), within the preceding two (2) years.

***[Note: Federal regulations require school districts to inquire about, obtain, and review alcohol and controlled substances information from prior employers pursuant to a driver's written authorization, prior to the time a driver performs safety sensitive functions, if feasible. 49 Code of Federal Regulations section 382.413 and 49 Code of Federal Regulations section 40.25. If not feasible, school districts must not permit the employee to perform safety-sensitive functions for more than thirty (30) days from the date a safety-sensitive function was performed unless the school districts make good faith efforts to obtain the information and to make a record of those efforts to be retained in the driver's qualification file.]***

- d. The applicant also must be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee, during the last two (2) years, applied for, but did not obtain, safety-sensitive transportation work covered by DOT testing rules.
- e. Before employing a driver subject to controlled substances and alcohol testing, the school district must conduct a full pre-employment query of the federal Commercial Driver's License (CDL) Drug and Alcohol Clearinghouse ("Clearinghouse") to obtain information about whether the driver (1) has a verified positive, adulterated, or substituted controlled substances test result; (2) has an alcohol confirmation test with a concentration of 0.04 or higher; (3) has refused to submit to a test in violation of federal law; or (4) that an employer has reported actual knowledge that the driver used alcohol on duty, before duty, or following an accident in violation of federal law or used a controlled substance in violation of federal law. The applicant must give specific, written or electronic consent for the school district to conduct the Clearinghouse full query. (see Attachment C to this policy) The school district shall retain the consent for three (3) years from the date of the query.

2. Post-Accident Testing

***[Note: 49 Code of Federal Regulations section 382.303 governs post-accident testing of drivers.]***

- a. As soon as practicable following an accident involving a CMV, the school district shall test the driver for alcohol and controlled substances, including medical cannabis, if the accident involved the loss of human life or if the driver receives a citation for a moving traffic violation arising from an accident which results in bodily injury or disabling damage to a motor vehicle.
- b. Drivers should be tested for alcohol use within two (2) hours and no later than eight (8) hours after the accident.
- c. Drivers should be tested for controlled substances, including medical cannabis, no later than thirty-two (32) hours after the accident.
- d. A driver subject to post-accident testing must remain available for testing, or shall be considered to have refused to submit to the test.
- e. If a post-accident alcohol test is not administered within two (2) hours following the accident, the school district shall prepare and maintain on file a record stating the reasons the test was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours.
- f. If a post-accident alcohol test is not administered within eight (8) hours following the accident or a post-accident controlled substances test is not administered within thirty-two (32) hours following the accident, the school district shall cease attempts to administer the test, and prepare and maintain on file a record stating the reasons for not administering the test.
- g. The school district shall report drug and alcohol program violations to the Clearinghouse as required under federal law.

3. Random Testing

***[Note: 49 Code of Federal Regulations section 382.305 governs random testing of drivers.]***

- a. The school district shall conduct tests on a random basis at unannounced times throughout the year, as required by the federal regulations.

***[Note: The Federal Highway Administration [FHWA] set the random alcohol selection and testing rate at 10% of the average number of driver positions and evaluates this minimum percentage each year. School districts can elect to stay at the 1998 level of 25% (or a higher percentage) if they do not want to monitor the minimum annual percentage rate set by the FHWA. The random controlled substances selection and testing rate has remained at 50% each year and has not been lowered to 25% as is possible under the regulations.]***

- b. The school district shall test for alcohol at a minimum annual percentage rate of 10% of the average number of driver positions, and for controlled substances, including medical cannabis, at a minimum annual percentage of 50%.
- c. The school district shall adopt a scientifically valid method for selecting drivers for testing, such as random number table or a computer-based random number generator that is matched with identifying numbers of the drivers. Each driver shall have an equal chance of being tested each time selections are made. Each driver selected for testing shall be tested during the selection period.
- d. Random tests shall be unannounced. Dates for administering random tests shall be spread reasonably throughout the calendar year.
- e. Drivers shall proceed immediately to the collection site upon notification of selection; provided, however, that if the driver is performing a safety-sensitive function, other than driving, at the time of notification, the driver shall cease to perform the function and proceed to the collection site as soon as possible.

4. Reasonable Suspicion Testing

***[Note: 49 Code of Federal Regulations section 382.307 governs reasonable suspicion testing of drivers.]***

- a. The school district shall require a driver to submit to an alcohol test and/or controlled substances, including medical cannabis, test when a supervisor or school district official, who has been trained in accordance with the regulations, has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances, including medical cannabis, on duty or within four (4) hours before coming on duty, or just after the period of the work day. The test shall be done as soon as practicable following the observation of the behavior indicative of the use of controlled substances or alcohol.
- b. The reasonable suspicion determination must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The required observations for reasonable suspicion of a controlled substances violation may include indications of the chronic and withdrawal effects of controlled substances.
- c. Alcohol testing shall be administered within two (2) hours following a determination of reasonable suspicion. If it is not done within two (2) hours, the school district shall prepare and maintain a record explaining why it was not promptly administered and continue to attempt to administer the alcohol test within eight (8)

hours. If an alcohol test is not administered within eight (8) hours following the determination of reasonable suspicion, the school district shall cease attempts to administer the test and state in the record the reasons for not administering the test.

- d. The supervisor or school district official who makes observations leading to a controlled substances reasonable suspicion test shall make and sign a written record of the observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

**[Note: 49 Code of Federal Regulations sections 382.309, 40.23(d), and 40.305 govern return-to-duty testing.]**

5. Return-To-Duty Testing. A driver found to have violated this policy shall not return to work until an SAP has determined the employee has successfully complied with prescribed education and/or treatment and until undergoing return-to-duty tests indicating an alcohol concentration of less than 0.02 and a confirmed negative result for the use of controlled substances. The school district is not required to return a driver to safety-sensitive duties because the driver has met these conditions; this is a personnel decision subject to collective bargaining agreements or other legal requirements.

**[Note: 49 Code of Federal Regulations sections 382.311, 40.307, and 40.309 govern follow-up testing.]**

6. Follow-Up Testing. When an SAP has determined that a driver is in need of assistance in resolving problems with alcohol and/or controlled substances, the driver shall be subject to unannounced follow-up testing as directed by the SAP for up to sixty (60) months after completing a treatment program.

7. Refusal to Submit and Attendant Consequences

***[Note: Consequences for refusals to submit to required drug and alcohol tests are addressed generally in 49 Code of Federal Regulations sections 40.191, 40.261, and 382.211. They are more specifically addressed in 49 Code of Federal Regulations sections 382.501-382.507 and in 49 United States Code section 521(b).]***

- a. A driver or driver applicant may refuse to submit to drug and alcohol testing.
- b. Refusal to submit to a required drug or alcohol test subjects the driver or driver applicant to the consequences specified in federal regulations as well as the civil and/or criminal penalty provisions of 49 United States Code section 521(b). In addition, a refusal to submit to testing establishes a presumption that the driver or driver applicant would test positive if a test were conducted and

makes the driver or driver applicant subject to discipline or disqualification under this policy.

- c. A driver applicant who refuses to submit to testing shall be disqualified from further consideration for the conditionally offered position.
- d. An employee who refuses to submit to testing shall not be permitted to perform safety-sensitive functions and will be considered insubordinate and subject to disciplinary action, up to and including dismissal. If an employee is offered an opportunity to return to a DOT safety-sensitive duty, the employee will be evaluated by an SAP and must submit to a return-to-duty test prior to being considered for reassignment to safety-sensitive functions.
- f. Drivers or driver applicants who refuse to submit to required testing will be required to sign Attachment C to this policy.

I. Testing Procedures.

1. Drug Testing

***[Note: The Federal Drug Testing Custody and Control Form (CCF) must be used to document every urine collection required by the DOT drug testing program. 49 Code of Federal Regulations section 40.45.]***

- a. Drug testing is conducted by analyzing a donor's urine specimen. Split urine samples will be collected in accordance with federal regulations. The donor will provide a urine sample at a designated collection site. The collection site personnel will then pour the sample into two sample bottles, labeled "primary" and "split," seal the specimen bottles, complete the chain of custody form, and prepare the specimen bottles for shipment to the testing laboratory for analysis. The specimen preparation shall be conducted in sight of the donor.
- b. If the donor is unable to provide the appropriate quantity of urine, the collection site person shall instruct the individual to drink up to forty (40) ounces of fluid distributed reasonably through a period of up to three (3) hours to attempt to provide a sample. If the individual is still unable to provide a complete sample, the test shall be discontinued and the school district notified. The DER shall refer the donor for a medical evaluation to determine if the donor's inability to provide a specimen is genuine or constitutes a refusal to test. For pre-employment testing, the school district may elect to not have a referral made, and revoke the employment offer.
- c. Drug test results are reported directly to the MRO by the testing laboratory. The MRO reports the results to the DER. If the results are negative, the school district is informed and no further action is necessary. If the test result is confirmed positive, adulterated,

substituted, or invalid, the MRO shall give the donor an opportunity to discuss the test result. The MRO will contact the donor directly, on a confidential basis, to determine whether the donor wishes to discuss the test result. The MRO shall notify each donor that the donor has seventy-two (72) hours from the time of notification in which to request a test of the split specimen at the donor's expense. No split specimen testing is done for an invalid result.

- d. If the donor requests an analysis of the split specimen within seventy-two (72) hours of having been informed of a confirmed positive test, the MRO shall direct, in writing, the laboratory to provide the split specimen to another Department of Health and Human Service - SAMHSA certified laboratory for analysis. If the donor has not contacted the MRO within seventy-two (72) hours, the donor may present the MRO information documenting that serious illness, injury, inability to contact the MRO, lack of actual notice of the confirmed positive test, or other circumstances unavoidably prevented the donor from timely making contact. If the MRO concludes that a legitimate explanation for the donor's failure to contact him/her within seventy-two (72) hours exists, the MRO shall direct the analysis of the split specimen. The MRO will review the confirmed positive test result to determine whether an acceptable medical reason for the positive result exists. The MRO shall confirm and report a positive test result to the DER and the employee when no legitimate medical reason for a positive test result as received from the testing laboratory exists.
- e. If, after making reasonable efforts and documenting those efforts, the MRO is unable to reach the donor directly, the MRO must contact the DER who will direct the donor to contact the MRO. If the DER is unable to contact the donor, the donor will be suspended from performing safety-sensitive functions.
- f. The MRO may confirm the test as a positive without having communicated directly with the donor about the test results under the following circumstances:
  - (1) The donor expressly declines the opportunity to discuss the test results;
  - (2) The donor has not contacted the MRO within seventy-two (72) hours of being instructed to do so by the DER;
  - (3) The MRO and the DER, after making and documenting all reasonable efforts, have not been able to contact the donor within ten (10) days of the date the confirmed test result was received from the laboratory.

## 2. Alcohol Testing

**[Note: The DOT Alcohol Testing Form (ATF) must be used for every DOT alcohol test. 49 Code of Federal Regulations section 40.225]**

- a. The federal alcohol testing regulations require testing to be administered by a BAT using an EBT or an STT using an ASD. EBTs and ASDs can be used for screening tests but only EBTs can be used for confirmation tests.
- b. Any test result less than 0.02 alcohol concentration is considered a “negative” test.
- c. If the donor is unable to provide sufficient saliva for an ASD, the DER will immediately arrange to use an EBT. If the donor attempts and fails to provide an adequate amount of breath, the school district will direct the donor to obtain a written evaluation from a licensed physician to determine if the donor’s inability to provide a breath sample is genuine or constitutes a refusal to test.
- d. If the screening test results shows alcohol concentration of 0.02 or higher , a confirmatory test conducted on an EBT will be required to be performed between fifteen (15) and thirty (30) minutes after the completion of the screening test.
- e. Alcohol tests are reported directly to the DER.

J. Driver/Driver Applicant Rights.

1. All drivers and driver applicants subject to the controlled substances testing provisions of this policy who receive a confirmed positive test result for the use of controlled substances have the right to request, at the driver’s or driver applicant’s expense, a confirming retest of the split urine sample. If the confirming retest is negative, no adverse action will be taken against the driver, and a driver applicant will be considered for employment.

***[Note: The limitation on discharge in paragraph 2., below, is contained solely in Minnesota law. State law is preempted by federal laws and regulations as it relates to drivers of commercial motor vehicles (such as bus drivers). See Minnesota Statutes section 221.031, subdivision 10. Nevertheless, school districts may decide to comply with the state law requirements for various reasons (such as to treat all school district employees equally since employees subject to testing only under state law are accorded these additional rights). Consultation with the school district’s legal counsel is recommended.]***

2. The school district will not discharge a driver who, for the first time, receives a confirmed positive drug or alcohol test UNLESS:
  - a. The school district has first given the employee an opportunity to participate in, at the employee’s own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or

rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with the SAP; and

- b. The employee refuses to participate in the recommended program, or fails to successfully complete the program as evidenced by withdrawal before its completion or by a positive test result on a confirmatory test after completion of the program.
- c. This limitation on employee discharge does not bar discharge of an employee for reasons independent of the first confirmed positive test result.

K. Testing Laboratory

The testing laboratory for controlled substances will be [Align Chiropractic & Wellness, 1322 Third St., Int'l Falls, MN., 218-283-2243](#), which is a laboratory certified by the Department of Health and Human Services - SAMHSA to perform controlled substances testing pursuant to federal regulations.

L. Confidentiality of Test Results.

All alcohol and controlled substances test results and required records of the drug and alcohol testing program are considered confidential information under federal law and private data on individuals as that phrase is defined in Minnesota Statutes Chapter 13. Any information concerning the individual's test results and records shall not be released without written permission of the individual, except as provided for by regulation or law.

M. Record-keeping Requirements and Retention of Records.

- 1. The school district shall keep and maintain records in accordance with the federal regulations in a secure location with controlled access.

***[Note: The federal recordkeeping requirements for school districts are detailed in the federal regulations 49 Code of Federal Regulations section 382.401 et seq. and 40.331. The DOT publishes a guide to the recordkeeping requirements of mandatory drug and alcohol testing for persons with a commercial driver's license as part of its Alcohol & Drugs: DOT Compliance Manual.]***

- 2. The required records shall be retained for the following minimum periods:

Basic records	5 years
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“Basic records” includes records of: (a) alcohol test results with concentration of 0.02 or greater; (b) verified positive drug test results; (c) refusals to submit to required tests (including substituted or adulterated drug test results); (d) SAP reports; (e) all follow-up tests and schedules for follow-up tests; (f) calibration documentation; (g) administration of the testing programs; and (h) each annual calendar year summary.

Information obtained from previous employers	3 years
Alcohol and controlled substance collection proc.	2 years
Negative and cancelled controlled substance tests	1 year
Alcohol tests with less than 0.02 concentration	1 year
Education and training records	indefinite

“Education and training records” must be maintained while the individuals perform the functions which require training and for the two (2) years after ceasing to perform those functions.

### 3. Personal Information

Personal information about all individuals who undergo any required testing under this policy will be shared with the U.S. DOT Drug & Alcohol Clearinghouse (“Clearinghouse”) as required under federal law, including:

- a. The name of the person tested;
- b. Any verified positive, adulterated, or substituted drug test result;
- c. Any alcohol confirmation test with a BAC concentration of 0.04 or higher;
- d. Any refusal to submit to any test required hereunder;
- e. Any report by a supervisor of actual knowledge of use as follows:
  - i. Any on-duty alcohol use;
  - ii. Any pre-duty alcohol use;
  - iii. Any alcohol use following an accident; and
  - iv. Any controlled substance use.
- f. Any report from a substance abuse professional certifying successful completion of the return-to-work process;
- g. Any negative return-to-duty test; and
- h. Any employer’s report of completion of follow-up testing.

### N. Training.

The school district shall ensure all persons designated to supervise drivers receive training. The designated employees shall receive at least sixty (60) minutes of training on alcohol misuse and at least sixty (60) minutes of training on controlled substances use. The training shall include physical, behavioral, speech, and performance indicators of probable misuse of alcohol and use of controlled

substances. The training will be used by the supervisors to make determinations of reasonable suspicion.

O. Consequences of Prohibited Conduct and Enforcement.

1. Removal. The school district shall remove a driver who has engaged in prohibited conduct from safety-sensitive functions. A driver shall not be permitted to return to safety-sensitive functions until and unless the return-to-duty requirements of federal DOT regulations have been completed.

2. Referral, Evaluation, and Treatment

a. A driver or driver applicant who has engaged in prohibited conduct shall be provided a listing of SAPs readily available to the driver or applicant and acceptable to the school district.

*[Note: Subparagraphs b. and c., below, are based on the provisions of 49 Code of Federal Regulations section 40.289.]*

b. If the school district offers a driver an opportunity to return to a DOT safety-sensitive duty following a violation, the driver must be evaluated by an SAP and the driver is required to successfully comply with the SAP's evaluation recommendations (education, treatment, follow-up evaluations(s), and/or ongoing services). The school district is not required to provide an SAP evaluation or any subsequent recommended education or treatment.

*[Note: School districts are not required to comply with state law governing drug and alcohol testing when the individuals are subject to the federal laws and regulations (i.e., bus drivers). If a school district, after consultation with legal counsel, chooses to comply voluntarily with these requirements, Subparagraph b., above, can be modified as follows:*

*The school district will offer a driver an opportunity to return to a DOT safety-sensitive duty following an employee's first positive test result on a confirmatory test if no reasons independent of the first test result for discharge exist. Otherwise, the school district may choose, but is not required, to provide an SAP evaluation or any subsequent recommended education or treatment.]*

c. Drivers are responsible for payment for SAP evaluations and services unless a collective bargaining agreement or employee benefit plan provides otherwise.

d. Drivers who engage in prohibited conduct also are required to comply with follow-up testing requirements.

3. Disciplinary Action

- a. Any driver who refuses to submit to post-accident, random, reasonable suspicion, or follow-up testing not only shall not perform or continue to perform safety-sensitive functions, but also may be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.
- b. Drivers who test positive with verification of a confirmatory test or are otherwise found to be in violation of this policy or the federal regulations shall be subject to disciplinary action, which may include immediate suspension without pay and/or immediate discharge.
- c. Nothing in this policy limits or restricts the right of the school district to discipline or discharge a driver for conduct which not only constitutes prohibited conduct under this policy but also violates the school district's other rules or policies.

P. Other Testing.

The school district may request or require that drivers submit to drug and alcohol testing other than that required by federal law. For example, drivers may be requested or required to undergo drug and alcohol testing on an annual basis as part of a routine physical examination. Such additional testing of drivers will be conducted only in accordance with the provisions of this policy and as provided in Minnesota Statutes sections 181.950 through 181.957. For purposes of such additional, non-mandatory testing, drivers fall within the definition of "other employees" covered by Section IV of this policy.

***[Note: When the testing of drivers complies with federal testing requirements and procedures, school districts clearly are exempt from the state drug and alcohol testing requirements in Minnesota Statutes sections 181.950-181.957. See Minnesota Statutes section 221.031, subdivision 10. When testing beyond the federally mandated requirements, however, school districts still must comply with state law.]***

Q. Report to Clearinghouse

The school district shall promptly submit to the Clearinghouse any record generated of an individual who refuses to take an alcohol or controlled substance test required under Title 49, Code of Federal Regulations, tests positive for alcohol or a controlled substance in violation of federal regulations, or violates subpart B of Part 382 of Title 49, Code of Federal Regulations (or any subsequent corresponding regulations).

R. Annual Clearinghouse Query

1. The school district must conduct a query of the Clearinghouse record at least once per year for information for all employees subject to controlled substance and alcohol testing related to CMV operation to determine whether information exists in the Clearinghouse about those employees. In lieu of a full query, the school district may obtain the individual driver's

consent to conduct a limited query to satisfy the annual query requirement. The limited query will tell the employer whether there is information about the driver in the Clearinghouse but will not release that information to the employer. If the limited query shows that information exists in the Clearinghouse about the driver, the school district must conduct a full query within twenty-four (24) hours or must not allow the driver to continue to perform any safety-sensitive function until the employee conducts the full query and the results confirm the driver's Clearinghouse record contains no prohibitions showing the driver has a verified positive, adulterated or substitute controlled substance test, no alcohol confirmation test with a concentration of 0.04 or higher, refuses to submit to a test, or was reported to have used alcohol on duty, before duty, following an accident, or otherwise used a controlled substance in violation of the regulations except where the driver completed the SAP evaluation, referral and education/treatment process as required by the regulations. The school district shall comply with the query requirements set forth in 49 Code of Federal Regulations 382.701.

2. The school district may not access an individual's Clearinghouse record unless the school district (1) obtains the individual's prior written or electronic consent for access to the record; and (2) submits proof of the individual's consent to the Clearinghouse. The school district must retain the consent for three (3) years from the date of the last query. The school district shall retain for three (3) years a record of each request for records from the Clearinghouse and the information received pursuant to the request.
3. The school district shall protect the individual's privacy and confidentiality of each Clearinghouse record it receives. The school district shall ensure that information contained in a Clearinghouse record is not divulged to a person or entity not directly involved in assessing and evaluating whether a prohibition applies with respect to the individual to operate a CMV for the school district.
4. The school district may use an individual's Clearinghouse record only to assess and evaluate whether a prohibition applies with respect to the individual to operate a CMV for the school district.

#### **IV. CANNABIS TESTING OR DRUG AND ALCOHOL TESTING FOR OTHER EMPLOYEES**

The school district may request or require drug and alcohol testing or cannabis testing for other school district personnel, i.e., employees who are not school bus drivers, or job applicants for such positions. The school district does not have a legal duty to request or require any employee or job applicant to undergo drug and alcohol testing or cannabis testing as authorized in this policy, except for school bus drivers and other drivers of CMVs who are subject to federally mandated testing. (See Section III of this policy.) If a school bus driver is requested or required to submit to drug or alcohol testing beyond that mandated by federal law, the provisions of Section IV. of this policy will be applicable to such testing.

A. Definitions

1. “Cannabis testing” means the analysis of a body component sample according to the standards established under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1, for the purpose of measuring the presence or absence of cannabis flower, as defined in Minnesota Statutes, section 342.01, subdivision 16, cannabis products, as defined in section 342.01, subdivision 20, lower-potency hemp edibles as defined in section 342.01, subdivision 50, hemp-derived consumer products as defined in section 342.01, subdivision 37, or cannabis metabolites in the sample tested. The definitions in this section apply to cannabis testing unless stated otherwise.
2. “Confirmatory test” and “confirmatory retest” mean a drug or alcohol test that uses a method of analysis allowed under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.
3. “Drug” means a controlled substance as defined in Minnesota Statutes, section 152.01, subdivision 4, but does not include marijuana, tetrahydrocannabinols, cannabis flower as defined in section 342.01, subdivision 16, cannabis products as defined in section 342.01, subdivision 20, lower-potency hemp edibles as defined in section 342.01, subdivision 50, and hemp-derived consumer products as defined in section 342.01, subdivision 37.
4. “Drug and Alcohol Testing”, “Drug or Alcohol Testing”, and “Drug or Alcohol Test” mean analysis of a body component sample by a testing laboratory that meets one of the criteria listed in Minnesota Statutes, section 181.953, subdivision 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested. “Drug and alcohol testing”, “drug or alcohol testing”, and “drug or alcohol test” do not include cannabis or cannabis testing, unless stated otherwise.
5. “Employee” means a person, independent contractor, or person working for an independent contractor who performs services for compensation, in whatever form, for an employer.
6. “Initial screening test” means a drug, alcohol, or cannabis test which uses a method of analysis under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.
7. “Job Applicant” means a person, independent contractor, or person working for an independent contractor who applies to become an employee of the charter school in a position that does not require a commercial driver’s license, and includes a person who has received a job offer made contingent on the person’s passing drug or alcohol testing. Job applicants for positions requiring a commercial driver’s license are governed by the provisions of the charter school’s drug and alcohol testing policy relating to school bus drivers (Section III.).

8. “Other Employees” means any persons, independent contractors, or persons working for an independent contractor who perform services for the charter school for compensation, either full time or part time, in whatever form, except for persons whose positions require a commercial driver’s license, and includes both professional and nonprofessional personnel. Persons whose positions require a commercial driver’s license are primarily governed by the provisions of the charter school’s drug and alcohol testing policy relating to school bus drivers (Section III.). To the extent that the drug and alcohol testing of persons whose positions require a commercial driver’s license is not mandated by federal law and regulations, such testing shall be governed by Section IV. of this policy and the drivers shall fall within this definition of “other employees”.
9. “Positive Test Result” means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.
10. “Random Selection Basis” means a mechanism for selection of employees that:
  - a. results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected; and
  - b. does not give the charter school discretion to waive the selection of any employee selected under the mechanism.
11. “Reasonable Suspicion” means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.
12. “Safety-Sensitive Position” means a job, including any supervisory or management position, in which an impairment caused by drug, alcohol, or cannabis usage would threaten the health or safety of any person.

B. Circumstances Under Which Drug Or Alcohol Testing May Be Requested or Required:

1. General Limitations

- a. The school district will not request or require an employee or job applicant whose position does not require a commercial driver’s license to undergo drug, alcohol, or cannabis testing, unless the testing is done pursuant to this policy; and is conducted by a testing laboratory that meets one of the criteria listed in Minnesota Statutes section 181.953, subdivision 1.
- b. The school district will not request or require an employee or job applicant whose position does not require a commercial driver’s license to undergo drug, alcohol, or cannabis testing on an arbitrary and capricious basis.

2. Cannabis Testing Exceptions

For the following positions, cannabis and its metabolites are considered a drug and subject to the drug and alcohol testing provisions in Minnesota Statutes, sections 181.950 to 181.957:

- a. a safety-sensitive position, as defined in Minnesota Statutes, section 181.950, subdivision 13;
- b. a position requiring face-to-face care, training, education, supervision, counseling, consultation, or medical assistance to children;
- c. a position requiring a commercial driver's license or requiring an employee to operate a motor vehicle for which state or federal law requires drug or alcohol testing of a job applicant or an employee;
- d. a position of employment funded by a federal grant; or
- e. any other position for which state or federal law requires testing of a job applicant or an employee for cannabis.

3. Job Applicant Testing

The school district may request or require any job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing, provided a job offer has been made to the applicant and the same test is requested or required of all job applicants conditionally offered employment for that position. If a job applicant has received a job offer that is contingent on the applicant's passing drug and alcohol testing, the school district may not withdraw the offer based on a positive test result from an initial screening test that has not been verified by a confirmatory test. In the event the job offer is subsequently withdrawn, the school district shall notify the job applicant of the reason for its action.

- a. The school district must not request or require a job applicant to undergo cannabis testing solely for the purpose of determining the presence or absence of cannabis as a condition of employment unless otherwise required by state or federal law.
- b. Unless otherwise required by state or federal law, the school district must not refuse to hire a job applicant solely because the job applicant submits to a cannabis test or a drug and alcohol test authorized by Minnesota law and the results of the test indicate the presence of cannabis.
- c. The school district must not request or require an employee or job applicant to undergo cannabis testing on an arbitrary or capricious basis.

d. Cannabis testing authorized under paragraph (d) must comply with the safeguards for testing employees provided in Minnesota Statutes, sections 181.953 and 181.954.

4. Random Testing

The school district may request or require employees to undergo drug and alcohol or cannabis testing on a random selection basis only if they are employed in safety-sensitive positions.

5. Reasonable Suspicion Testing

The school district may request or require any employee to undergo drug and alcohol or cannabis testing if the school district has a reasonable suspicion that the employee:

- a. is under the influence of cannabis, drugs, or alcohol;
- b. has violated the school district's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products while the employee is working or while the employee is on the school district's premises or operating the school district's vehicles, machinery, or equipment;
- c. has sustained a personal injury, as that term is defined in Minnesota Statutes section 176.011, subdivision 16, or has caused another employee to sustain a personal injury; or
- d. has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

6. Treatment Program Testing

The school district may request or require any employee to undergo cannabis and drug and alcohol testing if the employee has been referred by the school district for chemical dependency treatment or evaluation or is participating in a chemical dependency treatment program under an employee benefit plan, in which case the employee may be requested or required to undergo cannabis and drug and alcohol testing without prior notice during the evaluation or treatment period and for a period of up to two (2) years following completion of any prescribed chemical dependency treatment program.

7. Routine Physical Examination Testing

The school district may request or require any employee to undergo drug and alcohol testing as part of a routine physical examination provided the drug or alcohol test is requested or required no more than once annually

and the employee has been given at least two weeks' written notice that a drug or alcohol test may be requested or required as part of the physical examination.

C. No Legal Duty to Test.

The school district does not have a legal duty to request or require any employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing.

D. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol Testing and Consequences of Such Refusal.

1. Right of Other Employee or Job Applicant to Refuse Drug and Alcohol Testing

Any employee or job applicant whose position does not require a commercial driver's license has the right to refuse drug and alcohol testing subject to the provisions contained in Paragraphs 2. and 3. of Section IV.D.

2. Consequences of an Employee's Refusal to Undergo Drug and Alcohol Testing

Any employee in a position that does not require a commercial driver's license who refuses to undergo drug and alcohol testing in the circumstances set out in the Random Testing, Reasonable Suspicion Testing, and Treatment Program Testing provisions of this policy may be subject to disciplinary action, up to and including immediate discharge.

3. Consequences of a Job Applicant's Refusal to Undergo Drug and Alcohol Testing

Any job applicant for a position which does not require a commercial driver's license who refuses to undergo drug and alcohol testing pursuant to the Job Applicant Testing provision of this policy shall not be employed.

E. Reliability and Fairness Safeguards.

1. Pretest Notice

Before requesting an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing or requesting cannabis testing, the school district shall provide the employee or job applicant with a Pretest Notice in the form of Attachment D to this policy on which to acknowledge that the employee or job applicant has received the school district's drug and alcohol testing or cannabis testing policy.

2. Notice of Test Results

Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing an employee or job applicant who has undergone drug or alcohol or cannabis testing of a negative test result on an initial screening test or of a negative or positive test result on a confirmatory test.

3. Notice of and Right to Test Result Report

Within three (3) working days after receipt of a test result report from the testing laboratory, the school district shall inform in writing, an employee or job applicant who has undergone drug or alcohol testing of the employee or job applicant's right to request and receive from the school district a copy of the test result report on any drug or alcohol or cannabis test.

4. Notice of and Right to Explain Positive Test Result

a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide the individual with notice of the test results and, at the same time, written notice of the right to explain the results and to submit additional information.

b. The school district may request that the employee or job applicant indicate any over-the-counter or prescription medication that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.

c. The employee may present verification of enrollment in the medical cannabis patient registry or of enrollment in a Tribal medical cannabis program as part of the employee's explanation.

d. Use of intoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for cannabis. MROs will verify a drug test confirmed as positive, even if an employee claims to have only used nonintoxicating cannabinoids or edible cannabinoid product.

e. Within three (3) working days after notice of a positive test result on a confirmatory test, an employee or job applicant may submit information (in addition to any information already submitted) to the school district to explain that result.

5. Notice of and Right to Request Confirmatory Retests

a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide the individual

with notice of the test results and, at the same time, written notice of the right to request a confirmatory retest of the original sample at his or her expense.

- b. An employee or job applicant may request a confirmatory retest of the original sample at his or her own expense after notice of a positive test result on a confirmatory test. Within five (5) working days after notice of the confirmatory test result, the employee or job applicant shall notify the school district in writing of his or her intention to obtain a confirmatory retest. Within three (3) working days after receipt of the notice, the school district shall notify the original testing laboratory that the employee or job applicant has requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minnesota Statutes section 181.953, subdivision 1 to conduct the confirmatory retest. The original testing laboratory shall ensure that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug, alcohol, or cannabis threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against the employee or job applicant.

6. If an employee or job applicant has a positive test result on a confirmatory test, the school district, at the time of providing notice of the test results, shall also provide written notice to inform the individual of other rights provided under Sections F. or G. below, whichever is applicable.

Attachments E and F to this policy provides the Notices described in paragraphs 2. through 6. of this section E.

F. Discharge and Discipline of Employees Whose Positions Do Not Require a Commercial Driver's License.

1. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.
2. In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.
3. The school district may not discharge an employee for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test or cannabis test requested by the school district, unless the following conditions have been met:

- a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug, alcohol, or counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical abuse counselor or a physician trained in the diagnosis and treatment of chemical dependency; and
  - b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.
4. Notwithstanding Paragraph 1., the school district may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.
  5. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information or the employee's status as a patient enrolled in the medical cannabis registry program revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon or after hire, or failing to do so would violate federal law or regulations or cause the school district to lose money or licensing-related benefit under federal law or regulations.
  6. The school district may not discriminate against any employee in termination, discharge, or any term of condition of employment or otherwise penalize an employee based upon an employee registered patient's positive drug test for cannabis components or metabolites, unless the employee used, possessed, or was impaired by medical cannabis on school district property during the hours of employment.
  7. An employee must be given access to information in the individual's personnel file relating to positive test result reports and other information acquired in the drug and alcohol or cannabis testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

G. Withdrawal of Job Offer for an Applicant for a Position That Does Not Require a Commercial Driver's License.

If a job applicant has received a job offer made contingent on the applicant's passing drug and alcohol testing, the school district may not withdraw the offer based on a positive test result from an initial screening test that has not been

verified by a confirmatory test. In the case of a positive test result on a confirmatory test, the school district may withdraw the job offer.

H. Chain-of-Custody Procedures.

The school district has established its own reliable chain-of-custody procedures to ensure proper record keeping, handling, labeling, and identification of the samples to be tested. The procedures require the following:

1. Possession of a sample must be traceable to the employee from whom the sample is collected, from the time the sample is collected through the time the sample is delivered to the laboratory;
2. The sample must always be in the possession of, must always be in view of, or must be placed in a secure area by a person authorized to handle the sample;
3. A sample must be accompanied by a written chain-of-custody record; and
4. Individuals relinquishing or accepting possession of the sample must record the time the possession of the sample was transferred and must sign and date the chain-of-custody record at the time of transfer.

I. Privacy, Confidentiality and Privilege Safeguards.

1. Privacy Limitations

A laboratory may only disclose to the school district test result data regarding the presence or absence of drugs, alcohol or their metabolites in a sample tested.

2. Confidentiality Limitations

With respect to employees and job applicants, test result reports and other information acquired in the drug or alcohol testing process are private data on individuals as that phrase is defined in Minnesota Statutes Chapter 13, and may not be disclosed by the school district or laboratory to another employer or to a third-party individual, governmental agency, or private organization without the written consent of the employee or job applicant tested.

3. Exceptions to Privacy and Confidentiality Disclosure Limitations

Notwithstanding paragraphs 1. and 2., evidence of a positive test result on a confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under Minnesota Statutes chapter 43A or other applicable state or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding; (2) disclosed to any federal agency or other unit of the United States government as required under federal law, regulation or order, or in accordance with compliance requirements of a federal government

contract; and (3) disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment of the employee.

4. Privilege

Positive test results from the school district drug or alcohol testing program may not be used as evidence in a criminal action against the employee or job applicant tested.

J. Notice of Testing Policy to Affected Employees.

The school district shall provide written notice of this drug, alcohol, and cannabis testing policy to all affected employees upon adoption of the policy, to a previously non-affected employee upon transfer to an affected position under the policy, and to a job applicant upon hire and before any testing of the applicant if the job offer is made contingent on the applicant's passing drug and alcohol testing. Affected employees and applicants will acknowledge receipt of this written notice in the form of Attachment H to this policy.

**V. POSTING**

The school district shall post notice in an appropriate and conspicuous location on its premises that it has adopted a drug and alcohol testing policy and that copies of the policy are available for inspection during regular business hours by its employees or job applicants in its personnel office or other suitable locations.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. Ch. 43A (State Personnel Management)  
Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)  
Minn. Stat. § 152.01 (Definitions)  
Minn. Stat. § 152.22 (Definitions; Medical Cannabis)  
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)  
Minn. Stat. § 152.32 (Protections for Registry Program Participation)  
Minn. Stat. § 176.011, subd. 16 (Definitions; Personal Injury)  
Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)  
Minn. Stat. § 221.031 (Motor Carrier Rules)  
49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)  
49 U.S.C. § 31306a (National Clearinghouse for Controlled Substance and Alcohol Test Results of Commercial Motor Vehicle Operators)  
49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)  
49 C.F.R. Parts 40 and 382 (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)  
49 C.F.R. Part 382 (Controlled Substances and Alcohol Use and Testing)

**Cross-References:** MSBA/MASA Model Policy 403 (Discipline, Suspension and Dismissal of School District Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 417 (Chemical Use/Abuse)

MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)

**INTERNATIONAL FALLS PUBLIC SCHOOLS  
INDEPENDENT SCHOOL DISTRICT #361**

**BOARD POLICY 418  
Drug-Free Workplace/Drug-Free School**

Adopted \_\_\_ By Reference \_\_\_

Revised \_\_\_ July 2023 \_\_\_

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

**I. PURPOSE**

The purpose of this policy is to maintain a safe and healthful environment for employees and students by prohibiting the use of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, (edible cannabinoid products), and controlled substances without a physician's prescription.

**II. GENERAL STATEMENT OF POLICY**

- A. Use or possession of alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids, (edible cannabinoid products), and controlled substances before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.
- B. A violation of this policy occurs when any student, teacher, administrator, other school district personnel, or member of the public uses or possesses alcohol, toxic substances, medical cannabis, nonintoxicating cannabinoids (including edible cannabinoid products), or controlled substances in any school location.
- C. An individual may not use or possess cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products in a public school as defined in Minnesota Statutes, section 120A.05, subdivisions 9, 11, and 13, including all facilities, whether owned, rented, or leased, and all vehicles that the school district owns, leases, rents, contracts for, or controls.
- D. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or member of the public who violates this policy.

**III. DEFINITIONS**

- A. “Alcohol” includes any alcoholic beverage containing more than one-half of one percent alcohol by volume.
- B. “Controlled substances” include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code section 812, including analogues and look-alike drugs.
- C. “Edible cannabinoid product” means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug.
- D. “Nonintoxicating cannabinoid” means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed by injection, inhalation, ingestion, or by any other immediate means.
- E. “Medical cannabis” means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; (4) combustion with use of dried raw cannabis; or (5) any other method approved by the commissioner.
- F. “Possess” means to have on one’s person, in one’s effects, or in an area subject to one’s control.
- G. “School location” includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.
- H. “Sell” means to sell, give away, barter, deliver, exchange, distribute or dispose of to another, or to manufacture; or to offer or agree to perform such an act, or to possess with intent to perform such an act.
- I. “Toxic substances” includes (1) glue, cement, aerosol paint, containing toluene, benzene, xylene, amyl nitrate, butyl nitrate, nitrous oxide, or containing other aromatic hydrocarbon solvents, but does not include glue, cement, or paint contained in a packaged kit for the construction of a model automobile, airplane, or similar item; (2) butane or a butane lighter; or (3) any similar substance declared to be toxic to the central nervous system and to have a potential for abuse, by a rule adopted by the commissioner of health.
- J. “Use” means to sell, buy, manufacture, distribute, dispense, be under the influence of, or consume in any manner, including, but not limited to, consumption by injection, inhalation, ingestion, or by any other immediate means.

#### IV. EXCEPTIONS

- A. A violation of this policy does not occur when a person brings onto a school location, for such person's own use, a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, which has a currently accepted medical use in treatment in the United States and the person has a physician's prescription for the substance. The person shall comply with the relevant procedures of this policy.
- B. A violation of this policy does not occur when a person possesses an alcoholic beverage in a school location when the possession is within the exceptions of Minnesota Statutes section 624.701, subdivision 1a (experiments in laboratories; pursuant to a temporary license to sell liquor issued under Minnesota laws or possession after the purchase from such a temporary license holder).
- C. A violation of this policy does not occur when a person uses or possesses a toxic substance unless they do so with the intent of inducing or intentionally aiding another in inducing intoxication, excitement, or stupefaction of the central nervous system, except under the direction and supervision of a medical doctor.

#### V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, must comply with the school district's student medication policy.

*[Note: School districts are required by Minnesota Statutes section 121A.22 to develop procedures for the administration of drugs and medicine. If the school district does not have a student medication policy such as MSBA/MASA Model Policy 516, this Paragraph A. can be modified to provide: "Students who have a prescription from a physician for medical treatment with a controlled substance except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, must provide a copy of the prescription and the medication to the school nurse, principal, or other designated staff member. The school district's licensed school nurse, trained health clerk, principal, or teacher will administer the prescribed medication except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, in accordance with school district procedures."]*

- B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, **nonintoxicating cannabinoids, or edible cannabinoid products**, (*must provide a copy of the prescription and the medication to the school*), are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.
- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.

*[Note: The Drug-Free Workplace Act requires that school district employees be notified by a published statement of the prohibition of the use of controlled substances and actions that will be taken against employees for violations of such prohibition. 41 United States Code section 8103; 34 Code of Federal Regulations Part 84. An acknowledgment will document satisfaction by the school district of this federal requirement.]*

- D. Employees are subject to the school district's drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances, intoxicating cannabinoids, or edible cannabinoid products in a school location except with the express permission of the superintendent.
- F. No person is permitted to possess or use medical cannabis nonintoxicating cannabinoids, or edible cannabinoid products on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility. This prohibition includes (1) vaporizing or combusting medical cannabis on any form of public transportation where the vapor or smoke could be inhaled by a minor child or in any public place, including indoor or outdoor areas used by or open to the general public or place of employment; and (2) operating, navigating, or being in actual physical control of any motor vehicle or working on transportation property, equipment, or facilities while under the influence of medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products.
- G. Possession of alcohol on school grounds pursuant to the exceptions of Minnesota Statutes section 624.701, subdivision 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

## **VI. SCHOOL PROGRAMS**

- A. Starting in the 2026-2027 school year, the school district must implement a comprehensive education program on cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, for students in middle school and high school. The program must include instruction on the topics listed in Minnesota Statutes, section 120B.215, subdivision 1 and must:
  - 1. respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl; and
  - 2. refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, and treatment for a substance use disorder.

- B. School district efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with Minnesota Statutes, sections 120B.10 and 120B.11.
- C. Notwithstanding any law to the contrary, the school district shall have a procedure for a parent, a guardian, or an adult student 18 years of age or older to review the content of the instructional materials to be provided to a minor child or to an adult student pursuant to this article. The district must allow a parent or adult student to opt out of instruction under this article with no academic or other penalty for the student and must inform parents and adult students of this right to opt out.

## **VII. ENFORCEMENT**

### **A. Students.**

- 1. Students may be required to participate in programs and activities that provide education against the use of alcohol, tobacco, marijuana, smokeless tobacco products, electronic cigarettes, and nonintoxicating cannabinoids (and edible cannabinoid products).
- 2. Students may be referred to drug or alcohol assistance or rehabilitation programs; school based mental health services, mentoring and counseling, including early identification of mental health symptoms, drug use, and violence and appropriate referral to direct individual or group counseling service which may be provided by school based mental health service providers; and/or referral to law enforcement officials when appropriate.
- 3. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.

### **B. Employees.**

- 1. As a condition of employment in any federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring in any of the places listed above on which work on a school district federal grant is performed, no later than five (5) calendar days after such conviction. Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
- 2. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, termination, or discharge as deemed appropriate by the school board.

3. In addition, any employee who violates the terms of this policy may be required to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school district. Any employee who fails to satisfactorily participate in and complete such a program is subject to nonrenewal, suspension, or termination as deemed appropriate by the school board.
4. Sanctions against employees, including nonrenewal, suspension, termination, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.

C. The Public.

A member of the public who violates this policy shall be informed of the policy and asked to leave. If necessary, law enforcement officials will be notified and asked to provide an escort.

***Legal References:*** Minn. Stat. § 120B.215 (Education on Cannabis Use and Substance Use)  
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)  
Minn. Stat. § 121A.40-§ 121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)  
Minn. Stat. § 152.01, Subd. 15a (Definitions)  
Minn. Stat. § 152.0264, (Cannabis Sale Crimes)  
Minn. Stat. § 152.22, subd. 6 (Definitions; Medical Cannabis)  
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)  
Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)  
Minn. Stat. § 340A.101 (Definitions; Alcoholic Beverage)  
Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)  
Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)  
Minn. Stat. § 342.09 (Personal Adult Use of Cannabis)  
Minn. Stat. § 342.56 (Limitations)  
Minn. Stat. § 609.684 (Abuse of Toxic Substances)  
Minn. Stat. § 624.701 (Alcohol in Certain Buildings or Grounds)  
20 U.S.C. § 7101-7122 (Student Support and Academic Enrichment Grants)  
21 U.S.C. § 812 (Schedules of Controlled Substances)  
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)  
21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)  
34 C.F.R. Part 84 (Government-wide Requirements for Drug-Free Workplace)

***Cross References:*** MSBA/MASA Model Policy 403 (Discipline, Suspension and Dismissal of School District Employees)  
MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)  
MSBA/MASA Model Policy 417 (Chemical Use/Abuse)  
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 516 (Student Medication)



# International Falls School District 361

1515 11th Street, International Falls, MN 56649-2501 • 218-283-2571 • [www.isd361.k12.mn.us](http://www.isd361.k12.mn.us)

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Adopted \_\_\_ By Reference \_\_\_

Revised \_\_\_ March 2026 \_\_\_

## **Discipline Complaint Form**

Date of Complaint: \_\_\_\_\_

Name of Person Completing Form: \_\_\_\_\_

Email Address: \_\_\_\_\_ Cell Phone: \_\_\_\_\_

Student Name: \_\_\_\_\_ Grade: \_\_\_\_\_

### **Applicable Governing Discipline Documents**

- Minnesota Pupil Fair Dismissal Act
- School District Student Discipline Policy

Describe your complaint(s) and/or allegation(s) regarding improper implementation of the Minnesota Pupil Fair Dismissal Act and/or the school district student discipline policy or how the procedures in these two documents are being discriminately applied.

Provide additional information you request the school district to consider:



## International Falls School District 361

1515 11th Street, International Falls, MN 56649-2501 • 218-283-2571 • [www.isd361.k12.mn.us](http://www.isd361.k12.mn.us)

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Involved persons may submit additional information related to this complaint. A Complainant may appeal the school district's Written Decision by submitting a written notice of appeal to the superintendent or the superintendent's designee within three (3) school days of the date that the Written Decision is provided to the Complainant. The notice shall set forth the grounds upon which the Complainant appeals the Written Decision.

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

### **For Administrative Use (Notes):**

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

Assignment of Investigator: \_\_\_\_\_

Date Investigation Complete: \_\_\_\_\_

Written Decision Sent to Complainant: \_\_\_\_\_

Corrective Action Required: \_\_\_\_\_

Corrective Action Taken: \_\_\_\_\_

Notice of Right to Appeal: \_\_\_\_\_

Matter Closed: \_\_\_\_\_

Data Practices Act Compliance Conducted:

This sample document is for informational use only and is not to be construed as legal advice. If legal advice is needed, legal counsel should be contacted.

## Statewide Assessments:

### Parent/Guardian Participation Guide and Refusal Information

Your student's participation in statewide assessments is important as it allows your school and district to ensure all students have access to a high-quality education. In the past, students with disabilities and English learners were often excluded from statewide assessments. By requiring that all students take statewide assessments, schools and teachers have more information to see how all students are doing. This helps schools to continuously improve the education they provide and to identify groups, grades, or subjects that may need additional support.

#### Assessments Connect to Standards

Statewide assessments are based on the [Minnesota Academic Standards](#) or the [WIDA English Language Development Standards](#). These standards define the knowledge and skills students should be learning in K–12 districts and charter schools. Minnesota prioritizes high-quality education and statewide assessments give educators and leaders an opportunity to evaluate student and school success.

#### Minnesota Comprehensive Assessments (MCA)

MCA and the alternate assessments (Minnesota Test of Academic Skills (MTAS)/Alternate MCA) are the annual assessments in reading, mathematics and science that measure a snapshot of student learning of the Minnesota K–12 Academic Standards.

#### ACCESS and WIDA Alternate ACCESS for English Learners

The ACCESS and WIDA Alternate ACCESS are the annual assessments for English learners that provide information about their progress in learning academic English, based on the WIDA English Language Development Standards.

### Statewide Assessments Help Families and Students

Participating in statewide assessments helps families see a snapshot of their student's learning so they can advocate for their success in school. High school students can use MCA results:

- For Postsecondary Enrollment Options (PSEO) in grade 10.
- For course placement at a Minnesota State college or university. If students receive a college-ready score, they may not need to take a remedial, noncredit course for that subject.

English learners who take the ACCESS or WIDA Alternate ACCESS and meet certain requirements, have the opportunity to exit from English learner programs.

### Taking Statewide Assessments Helps Your Student's School

Statewide assessments provide information to your school and district about how all students are engaging with the content they learn in school. This information helps:

- Educators evaluate their instructional materials.
- Schools and districts identify inequities between groups, explore root causes and implement supports.
- School and district leaders make decisions on how to use money and resources to support all students.

### Student Participation in Statewide Assessments

Student participation in state and locally required assessments is a parent/guardian choice. If you choose to have your student not participate in a statewide assessment, please provide a reason for your decision on the form below. Contact your student's school to learn more about locally required assessments.

## Consequences of Not Participating in Statewide Assessments

- The student will not receive an individual score. For ACCESS and WIDA Alternate ACCESS, the student would not have the opportunity to exit their English learner program.
- School and district assessment results will be incomplete, making it more difficult to have an accurate picture of student learning.
- Since all eligible students are included in some calculations even when they do not participate, school and district accountability results are impacted. This may affect the school's ability to be identified for support or recognized for success.

Explore the [Statewide Testing page](#) for more information.

Check with your local school or district to see if there are any additional consequences for not participating.

(education.mn.gov > Students and Families > Programs and Initiatives > Statewide Testing)

### Additional Information

- On average, students spend less than 1% of instructional time taking statewide assessments each year.
- Minnesota statutes limit the total amount of time students can spend taking other district- or school-wide assessments to 11 hours or less each school year, depending on the grade.
- School districts and charter schools are required to publish an assessment calendar on their website by the beginning of each school year. Refer to your district or charter school's website for more information on assessments.

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## Statewide Assessment: Parent/Guardian Decision Not to Participate

By completing this form, you are acknowledging that your student will not participate in statewide assessments and will not receive individual assessment results.

First Name: \_\_\_\_\_ Middle Initial: \_\_\_\_\_ Last Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Current Grade in School: \_\_\_\_\_ Student ID Number (if known): \_\_\_\_\_

School: \_\_\_\_\_ District: \_\_\_\_\_

Parent/Guardian Name (print): \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Reason for Refusal: \_\_\_\_\_

**Please indicate the statewide assessment(s) you are opting your student out of this school year:**

MCA/MTAS Reading

MCA/Alternate MCA Science

MCA/MTAS Mathematics

ACCESS/WIDA Alternate ACCESS

Contact your school or district for more information on how to opt out of local assessments.

(Note: This form is only applicable for the 20\_\_\_\_ to 20\_\_\_\_ school year.)

**SAMPLE LETTER A**

[TO BE PLACED ON SCHOOL DISTRICT STATIONERY]

[date]

[Parent(s)]

[Address]

Re: Immunizations

Dear Parent:

As you know, school begins on [date]. Before your child, [name of child], can be enrolled, however, we must receive proof that he/she has received immunization against a number of diseases as required by state law or is excepted therefrom. To date, we have no immunization records for your child nor a claim of exception.

Please complete the enclosed form verifying that [name of child] has received the required immunizations, consistent with medically acceptable standards and return the form to [name of school official], *before school begins*. By state law, we cannot allow [name of child] to stay in school longer than thirty days unless we have received proof that he/she has had the required immunizations or is excepted therefrom.

If you cannot submit a statement from a physician or public clinic regarding your elementary or secondary school child, you may submit your own statement on the enclosed form detailing the precise dosages given for each required immunization and the month and year each immunization was given. If you elect to submit your own statement in lieu of one from a health care provider, please contact [name of school official] at [telephone number] to determine the precise vaccinations required for your child, as the requirements vary according to the child's age.

If you are claiming an exception for medical reasons that an immunization is contraindicated or because of your conscientiously held beliefs, you must either submit a statement from a physician stating the immunization is contraindicated or you must submit a notarized statement, signed by you as the parent/guardian, or if the student is an emancipated person, by the emancipated person, stating that the student has not been immunized because of conscientiously held beliefs. The enclosed form may be used for this purpose.

If we do not receive proof of immunization or exception by [date], your child will be sent home from school and discharged from enrollment. It will then be necessary for you to re-enroll the child after immunization requirements have been met before the child can return to school. If you have any questions, please contact [name of school official] at [telephone number].

Thank you for your cooperation.

Very truly yours,

[School District Official]

**SAMPLE LETTER B**

[TO BE PLACED ON SCHOOL DISTRICT STATIONERY]

[date]

[Parent(s)]

[Address]

Re: Immunizations

Dear Parent:

As you know, school began today. To date, we have no immunization records for your child nor any record of a request for an exception. In order for your child, [name of child], to remain enrolled, we must receive proof that he/she has received immunization against a number of diseases as required by state law or that he/she qualifies for one of the statutory exceptions. By this letter, we wish to verify that our records concerning your child are accurate and complete.

Please submit a statement on the enclosed form to [name of school official] from a physician or a public clinic verifying that [name of child] has received the required immunizations, consistent with medically acceptable standards. By state law, we cannot allow [name of child] to stay in school unless we have received proof that he/she has had the required immunizations or has satisfied one of the statutorily recognized exceptions.

If you cannot submit a statement from a physician or public clinic regarding your elementary or secondary school child, you may submit your own statement on the enclosed form detailing the precise dosages given for each required immunization and the month and year each immunization was given. If you elect to submit your own statement in lieu of one from a health care provider, please contact [name of school official] at [telephone number] to determine the precise vaccinations required for your child, as the requirements vary according to the child's age.

If you are claiming an exception for medical reasons that an immunization is contraindicated or because of your conscientiously held beliefs, you must either submit a statement from a physician stating the immunization is contraindicated or you must submit a notarized statement, signed by you as the parent/guardian, or if the student is an emancipated person by the emancipated person, stating that the student has not been immunized because of conscientiously held beliefs. The enclosed form may be used for this purpose.

If you have already submitted a statement to us, please indicate how the statement was submitted (i.e. hand-delivered, mailed), when it was delivered and to whom. It may be necessary for you to obtain a duplicate statement if the original cannot be found. If additional time to obtain a duplicate is required, please so indicate in your response.

If we do not receive proof of immunization or exception by [ten school days], your child will be sent home from school and discharged from enrollment. It will then be necessary for you to re-enroll the child after immunization requirements have been met before the child can return to school. If you have any questions, please contact [name of school official] at [telephone number].

Thank you for your cooperation.

Very truly yours,

[School District Official]

530-6F

**SAMPLE LETTER C**

[TO BE PLACED ON SCHOOL DISTRICT STATIONERY]

[date]

[Parent(s)]  
[Address]

Re: Non-Enrollment for Lack of Immunization Proof

Dear Parent:

We are sending your child, [name of child], home today because we have not yet received proof that he or she has received appropriate immunizations or is excepted therefrom. Minnesota law does not allow us to enroll an elementary or secondary school student without proof that the student has received the required immunizations or is excepted therefrom.

As we advised earlier, State law and School District policy allow for a thirty-day grace period and a ten-day due process period during which your child may attend school. Those grace periods have now expired.

[Name of child] may re-enroll as soon as we have received appropriate proof of immunizations. If you have any questions about the proof or the immunizations required, please contact [name of school official] at [telephone number] as soon as possible.

We look forward to having [name of child] back in school soon.

Very truly yours,

[School District Official]

*DISTRICT NOTES:*

Previous notices sent on \_\_\_\_\_ by \_\_\_\_\_

Phone contacts on \_\_\_\_\_ by \_\_\_\_\_

\_\_\_\_\_ by \_\_\_\_\_

\_\_\_\_\_ by \_\_\_\_\_



# FALLS SCHOOLS

(218) 283-2571 ~ FAX (218) 283-8104 1515 – 11<sup>th</sup> Street ~ International Falls, MN  
Nurse ext. 1231

## Medication Permit Form

Student's Name: \_\_\_\_\_ Birthdate: \_\_\_\_\_ Grade: \_\_\_\_\_

School Year: \_\_\_\_\_ Teacher: \_\_\_\_\_

Parents of students requesting prescription medication to be given to their child during school hours by school personnel are **required** to provide the school with the following information:

1. Written doctor's order
2. Written parent's consent
3. Medication **must** be supplied in the **original** pharmacy-labeled bottle; ask for prescription medication to be divided into two bottles completely labeled—one for home and one for at school.

All medication must be provided by the parent/guardian. All medications should be delivered to the school by the parent/guardian or parent/guardian-designated responsible adult. Medication **should not** be sent on the school bus.

*Please have your physician complete this part of this form and return it to the health office.*

### PHYSICIAN ORDER

I have prescribed the following medication for this child and request this dosage be given during school hours.

Medication	Dosage	Time	Route	Possible side effects

Diagnosis: \_\_\_\_\_

Other medications student is taking: \_\_\_\_\_

Start date: \_\_\_\_\_ End date: \_\_\_\_\_ (All authorizations expire at end of school year.)

- \_\_\_\_\_ Student is knowledgeable about the medication(s) and how to self administer
- \_\_\_\_\_ Student may self-administer the medication(s). (Not applicable for controlled substances).

Special Instructions: \_\_\_\_\_

Physician signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print or Type Name of Physician or Licensed Provider: \_\_\_\_\_

Phone #: \_\_\_\_\_ Fax #: \_\_\_\_\_

Health Care Facility Name and Address: \_\_\_\_\_

**PARENTS: PLEASE READ AND SIGN BACK OF THIS FORM**

## PARENT REQUEST FOR ADMINISTRATION OF MEDICATION

*Parents please complete this area of form and return to health office.*

1. \_\_\_ I request that the above medication(s) be given during school hours as ordered by this student's physician/ licensed health care provider.
2. I release school personnel from liability in the event adverse reactions result from taking medication(s).
3. I will notify the school nurse of any changes in medication(s) such as dosage changes, time changes, discontinuations, etc. and obtain the appropriate health care provider order.
4. I give permission for the school nurse to communicate with the student's teachers, coaches, and necessary school staff about the student's health care condition(s) and the action and side effect of the medication(s).
5. I give permission for the school nurse to consult with the above-named student's physician/licensed prescriber and/or pharmacist regarding questions that arise with regard to the medication(s) or medical condition(s) being treated by the medication.
6. I give permission for the medications(s) to be given designated school personnel as delegated by the school nurse.
7. Field trips and Extra Curricular Activities. I give permission for the assigned teacher or other responsible adult to dispense the medication(s) on a field trip and/or extracurricular activity as arranged by the school nurse.
8. I agree to provide the medication(s) in a container labeled by the pharmacy or physician/health care provider with current prescription number and date or in the original over the counter medication bottle.
9. \_\_\_ I request that my child be allowed to carry and self-administer asthma treatment medication(s) as ordered by the physician and arranged with the school nurse.
10. \_\_\_ I request that my child be allowed to carry and self-administer \_\_\_\_\_ medication(s) as arranged with the school nurse. (Applicable to high school students for over the counter pain medications only).

Name of medication \_\_\_\_\_ Dosage: \_\_\_\_\_ How often: \_\_\_\_\_

Parent/ Guardian signature: \_\_\_\_\_ Date: \_\_\_\_\_

Phone number: \_\_\_\_\_



# FALLS SCHOOLS

(218) 283-2571 ~ FAX (218) 283-2384  
Nurse ext. 1231

1515 – 11<sup>th</sup> Street ~ International Falls, MN

## Over the Counter Medication Authorization Form

Lisa West - FHS Principal

Melissa Tate - FES Principal

Beth Shermoen - Superintendent

Leah Bacon- School Nurse

\_\_\_\_\_ has my permission to take \_\_\_\_\_  
(student's name) (medication and dosage)

while at school. The reason this student is to take the above listed medication is \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
Students must supply their own medication in the original packaging. Medication that comes to school loose in a ziploc bag cannot be administered. Students and parents understand that the medication will be locked in the nurse's cabinet and that he/she may come and request it for the above stated reason only. The school nurse or staff will assess the student and based on her judgment, may choose not to allow the student access to the medication.

\_\_\_\_\_  
(parent or guardian's signature)

\_\_\_\_\_  
(phone number)

\_\_\_\_\_  
(date)

## MEDICAL STATEMENT FOR STUDENT REQUIRING SPECIAL MEALS

Name of Student:	Date of Birth:
Name of Parent(s):	Telephone:
School District:	School Telephone
School Attending:	

**For Completion By Medical Authority: *Physician (M.D. or D. O.), Physician Assistant, Assistant Physicians or Nurse Practitioners***

Identify and describe disability or medical condition, including allergies that requires the student to have a special diet. Describe the major life activities affected by the student's disability (see back of form).

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**Diet Prescription** (Check all that apply):

- Diabetic (include calorie level or attach meal plan)     Modified Texture and/or Liquids  
 Reduced Calorie                       Food Allergy (describe):  
 Increased Calorie                       Other (describe): \_\_\_\_\_

**Food Omitted and Substitutions:**

Use space to list specific food(s) to be omitted and food(s) that may be substituted. You may attach an additional sheet if necessary.

OMITTED FOODS

SUBSTITUTIONS

_____	_____
_____	_____
_____	_____

**Indicate Texture:**

- Regular             Chopped             Ground             Pureed

**Indicate thickness of liquids:**

- Regular             Nectar             Honey             Pudding

- Special Feeding Equipment \_\_\_\_\_

Additional Comments: \_\_\_\_\_

I certify that the above named student needs special school meals as described above, due to the student's disability or chronic medical condition.

<b>Medical Authority Signature</b>	<b>Telephone Number</b>	<b>Date</b>
<b>Signature of Preparer or Other Contact</b>	<b>Telephone Number</b>	<b>Date</b>

I hereby give my permission for the school staff to follow the above stated nutrition plan.

Signature of Parent	Date
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# MEDICAL STATEMENT FOR STUDENT REQUIRING SPECIAL MEALS

**Definition of Disability:**

Under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA), a “person with a disability” means “any person who has a physical or mental impairment which substantially limits one or more major life activity, has a record of such impairment, or is regarded as having such an impairment.”

Major life activities covered by this definition include caring for one’s self, eating, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working and major bodily functions. The term “physical or mental impairment” includes, but is not limited to, such diseases, conditions, and functions as:

- Orthopedic, visual, speech and hearing impairments
- Cerebral Palsy, Epilepsy, Muscular Dystrophy and Multiple Sclerosis
- Digestive, bowel and bladder
- Neurological and brain
- Respiratory
- Cancer
- Cardiovascular, circulatory and heart
- Metabolic and endocrine
- Food anaphylaxis (severe food allergy)
- Mental retardation
- Emotional illness
- Drug addiction and alcoholism

Individuals who take mitigating measures to improve or control any of the conditions recognized as a disability are still considered to have a disability and require an accommodation.

The Department of Elementary and Secondary Education does not discriminate on the basis of race, color, religion, gender, national origin, age, or disability in its programs and activities. Inquiries related to Department programs and to the location of services, activities, and facilities that are accessible by persons with disabilities may be directed to the Jefferson State Office Building, Office of the General Counsel, Coordinator – Civil Rights Compliance (Title VI/Title IX/504/ADA/Age Act), 6<sup>th</sup> Floor, 205 Jefferson Street, P.O. Box 480, Jefferson City, MO 65102-0480; telephone number 573-526-4757 or TTY 800-735-2966; fax number 573-522-4883; email [civilrights@dese.mo.gov](mailto:civilrights@dese.mo.gov).

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (566) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture  
Office of the Assistant Secretary for Civil Rights  
1400 Independence Avenue, SW  
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov).

This institution is an equal opportunity provider.

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY        210  
Conflict of Interest – School Board Members**

Adopted \_\_\_\_\_ By Reference \_\_\_\_  
Revised **February 2023** \_\_\_\_\_

**: The provisions of this policy substantially reflect legal requirements.]**

**PURPOSE**

The purpose of this policy is to observe state statutes regarding conflicts of interest and to engage in school district business activities in a fashion designed to avoid any conflict of interest or the appearance of impropriety.

**GENERAL STATEMENT OF POLICY**

It is the policy of the school board to contract for goods and services in conformance with statutory conflict of interest laws and in a manner that will avoid any conflict of interest or the appearance thereof. Accordingly, the school board will contract under the statutory exception provisions only when it is clearly in the best interest of the school district because of limitations that may exist on goods or services otherwise available to the school district.

**GENERAL PROHIBITIONS AND RECOGNIZED STATUTORY EXCEPTIONS**

A school board member who is authorized to take part in any manner in making any sale, lease, or contract in his or her official capacity shall not voluntarily have a personal financial interest in that sale, lease, or contract or personally benefit financially therefrom.

In the following circumstances, however, the school board may as an exception, by unanimous vote, contract for goods or services with a school board member of the school district:

In the designation of a bank or savings association, in which a school board member is interested, as an authorized depository for school district funds and as a source of borrowing, provided such deposited funds are protected in accordance with Minnesota Statutes chapter 118A. Any school board member having said interest shall disclose that interest and the interest shall be entered upon the school board minutes. Disclosure shall be made when such bank or savings association is first designated as a depository or source of borrowing, or when such school board member is elected, whichever is later. Disclosure serves as notice of the interest and need only be made once;

The designation of an official newspaper, or publication of official matters therein, in which the school board member is interested when it is the only newspaper complying with statutory requirements relating to the designation or publication;

A contract with a cooperative association of which the school board member is a shareholder or stockholder but not an officer or manager;

A contract for which competitive bids are not required by law. A contract made under this exception will be void unless the following procedures are observed:

The school board shall authorize the contract in advance of its performance by adopting a resolution setting out the essential facts and determining that the contract price is as low as or lower than the price at which the goods or services could be obtained elsewhere.

In the case of an emergency when the contract cannot be authorized in advance, payment of the claims must be authorized by a like resolution wherein the facts of the emergency are also stated.

Before a claim is paid, the interested school board member shall file with the

clerk of the school board an affidavit stating:

The name of the school board member and the office held;

An itemization of the goods or services furnished;

The contract price;

The reasonable value;

The interest of the school board member in the contract; and

That to the best of the school board member's knowledge and belief, the contract price is as low as, or lower than, the price at which the goods or services could be obtained from other sources.

A school board member may contract with the school district to provide construction materials or services, or both, when the sealed bid process is used. When the contract comes before the school board for consideration, the interested school board member may not vote on the contract.

**: This section applies only when the school district has a population of 1,000 or less according to the last federal census.)**

A school board member may rent space in a public facility at a rate commensurate with that paid by other members of the public.

In the following circumstances, the school board may as an exception, by majority vote at a meeting at which all school board members are present, contract for services with a school board member of the school district: A school board member may be newly employed or may continue to be employed by the school district as an employee only if there is a reasonable expectation on July 1, or at the time the contract is entered into or extended, that the amount to be earned by that school board member under that contract or employment relationship, will not exceed \$20,000 in that fiscal year. If the school board member does not receive majority approval to be initially employed or to continue in employment at a meeting at which all school board members are present that employment is immediately terminated and that school board member has no further rights to employment while serving as a school board member in the school district.

**[: The \$8,000 figure increased to \$20,000 effective July 1, 2022]**

The school board may contract with a class of school district employees, such as teachers or custodians, when the spouse of a school board member is a member of the class of employees contracting with the school board and the employee spouse receives no special monetary or other benefit that is substantially different from the benefits that other members of the class receive under the employment contract. For the school board to invoke this exception, it must have a majority of disinterested school board members vote to approve the contract, direct the school board member spouse to abstain from voting to approve the contract, and publicly set out the essential facts of the contract at the meeting in which the contract is approved.

#### **LIMITATIONS ON RELATED EMPLOYEES**

The school board must hire or dismiss teachers only at duly called meetings. When a husband and wife, brother and sister, or two brothers or sisters, constitute a quorum, no contract employing a teacher may be made or authorized except upon the unanimous vote of the full school board.

The school board may not employ any teacher related by blood or marriage to a school board member, within the fourth degree as computed by the civil law, except by a unanimous vote of the full school board.

#### **CONFLICTS PRIOR TO TAKING OFFICE**

A school board member with personal financial interest in a sale, lease, or contract with the school district which was entered before the school board member took office and presents an actual or potential conflict of interest, shall immediately notify the school board of such

interest. It shall thereafter be the responsibility of the school board member to refrain from participating in any action relating to the sale, lease, or contract. At the time of renewal of any such sale, lease, or contract, the school board may enter into or renew such sale, lease, or contract only if it falls within one of the enumerated exceptions for contracts relating to goods or services provided above and if the procedures provided in this policy are followed.

**DETERMINATION AS TO WHETHER A CONFLICT OF INTEREST EXISTS**

The determination as to whether a conflict of interest exists is to be made by the school board. Any school board member who has an actual or potential conflict shall notify the school board of such conflict immediately. The school board member shall thereafter cooperate with the school board as necessary for the school board to make its determination.

**Legal References:** Minn. Stat. § 122A.40, Subd. 3 (Employment; Contracts; Termination) Minn. Stat. § 123B.195 (Board Member's Right to Employment) Minn. Stat. § 471.87 (Public Officers; Interest in Contract; Penalty) Minn. Stat. § 471.88, Subds. 2, 3, 4, 5, 12, and 13, and 21 (Exceptions) Minn. Stat. § 471.89 (Contract, When Void)  
Op. Atty. Gen. 437-A-4, March 15, 1935 Op. Atty. Gen 90-C-5, July 30, 1940  
Op. Atty. Gen. 90-A, August 14, 1957

**Cross References:** MSBA/MASA Model Policy 101 (Legal Status of the School Board) MSBA/MASA Model Policy 209 (Code of Ethics)

**INTERNATIONAL FALLS PUBLIC SCHOOLS  
INDEPENDENT SCHOOL DISTRICT #361**

**BOARD POLICY 423  
Employee-Student Relationships**

Adopted \_\_\_ By Reference \_\_\_

Revised \_\_\_ May 2023 \_\_\_

**I. PURPOSE**

The school district is committed to an educational environment in which all students are treated with respect and dignity. Every school district employee is to provide students with appropriate guidance, understanding and direction while maintaining a standard of professionalism and acting within accepted standards of conduct.

**II. GENERAL STATEMENT OF POLICY**

- A. This policy applies to all school district employees at all times, whether on or off duty and on or off of school district locations.
- B. At all times, students will be treated by teachers and other school district employees with respect, courtesy, and consideration and in a professional manner. Each school district employee is expected to exercise good judgment and professionalism in all interpersonal relationships with students. Such relationships must be and remain on a teacher-student basis or an employee-student basis.
- C. Teachers must be mindful of their inherent positions of authority and influence over students. Similarly, other school district employees also may hold positions of authority over students of the school district and must be mindful of their authority and influence over students.
- D. Sexual relationships between school district employees and students, without regard to the age of the student, are strictly forbidden and may subject the employee to criminal liability.
- E. Other actions that violate this policy include, but are not limited to, the following:
  - 1. Dating students.

2. Having any interaction/activity of a sexual nature with a student.
  3. Committing or attempting to induce students or others to commit an illegal act or act of immoral conduct which may be harmful to others or bring discredit to the school district.
  4. Supplying alcohol or any illegal substance to a student, allowing a student access to such substances, or failing to take reasonable steps to prevent such access from occurring.
- F. School district employees shall, whenever possible, employ safeguards against improper relationships with students and/or claims of such improper relationships.

*[Note: Such safeguards may include the following: avoiding altogether 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.]*

- G. Excessive informal and social involvement with individual students is unprofessional, is not compatible with employee-student relationships, and is inappropriate.
- H. School district employees will adhere to applicable standards of ethics and professional conduct in Minnesota law.

### **III. REPORTING AND INVESTIGATION**

- A. Complaints and/or concerns regarding alleged violations of this policy shall be handled in accordance with MSBA/MASA Model Policy 103 (Complaints– Students, Employees, Parents, Other Persons) unless other specific complaint procedures are provided within any other policy of the school district.
- B. All employees shall cooperate with any investigation of alleged acts, conduct, or communications in violation of this policy.

### **IV. SCHOOL DISTRICT ACTION**

Upon receipt of a report, the school district 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 Minnesota Professional Educator Licensing and Standards Board or the appropriate licensing authority and appropriate agencies responsible for investigating reports of maltreatment of minors and/or vulnerable adults. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and school district 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 school district is not required to defend and indemnify the employee for damages in school-related litigation.

**Legal References:** Minn. Stat. § 13.43, Subd. 16 (Personnel Data)  
Minn. Stat. § 122A.20, Subd. 2 (Suspension or Revocation of Licenses)  
Minn. Stat. § 122A.40, Subds. 5(b) and 13 (b) (Employment; Contracts; Termination)  
Minn. Stat. §§ 609.341–609.352 (Definitions)  
Minn. Stat. Ch. 260E (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 8710.2100 (Code of Ethics for Minnesota Teachers)

**Cross References:** MSBA/MASA Model Policy 103 (Complaints - Students, Employees, Parents, Other Persons)  
MSBA/MASA Model Policy 211 (Criminal or Civil Action Against School District, School Board Member, Employee or Student)  
MSBA/MASA Model Policy 306 (Administrator Code of Ethics)  
MSBA/MASA Model Policy 403 (Discipline, Suspension and Dismissal of School District Employees)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
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 421 (Gifts to Employees)  
MSBA/MASA Model Policy 507 (Corporal Punishment)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY      501  
School Weapons Policy**

Adopted \_\_\_\_\_ By Reference \_\_\_\_\_

Revised **March 2024**

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

**PURPOSE**

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

**GENERAL STATEMENT OF POLICY**

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

**DEFINITIONS**

"Weapon"

A "weapon" means any object, device or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any firearm, whether loaded or unloaded; airguns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; numchucks; throwing stars; explosives; fireworks; mace and other propellants; stunguns; ammunition; poisons; chains; arrows; and objects that have been modified to serve as a weapon.

No person shall possess, use or distribute any object, device or instrument having the appearance of a weapon and such objects, devices or instruments shall be treated as weapons including, but not limited to, weapons listed above which are broken or non-functional, look-alike guns; toy guns; and any object that is a facsimile of a real weapon.

No person shall use articles designed for other purposes (i.e., lasers or laser pointers, belts, combs, pencils, files, scissors, etc.), to inflict bodily harm and/or intimidate and such use will be treated as the possession and use of a weapon.

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

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

"Dangerous Weapon" means any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm, or any fire that is used to produce death or great bodily harm. As used in this definition, "flammable liquid" means any liquid having a flash point below 100 degrees Fahrenheit but does not include

**EXCEPTIONS**

A student who finds a weapon on the way to school or in a school location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the principal's office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the principal's office, a student shall not be considered to possess a weapon if he or she immediately turns the weapon over to an administrator, teacher or head coach, or immediately notifies an administrator, teacher or head coach of the weapon's location.

It shall not be a violation of this policy if a nonstudent (or student where specified) falls within one of the following categories:

active licensed peace officers;

military personnel, or students or nonstudents participating in military training, who are on duty performing official duties;

persons authorized to carry a pistol under Minnesota Statutes, section 624.714, while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle; persons who keep or store in a motor vehicle pistols in accordance with Minnesota Statutes, section 624.714 or 624.715, or other firearms in accordance with Minnesota Statutes, section 97B.045;

624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Section 624.715 defines an exception to the pistol permit requirements for "antique firearms which are carried or possessed as curiosities or for their historical significance or value."

97B.045 generally provides that a firearm may not be transported in a motor vehicle unless it is (1) unloaded and in a gun case without any portion of the firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in compliance with sections 624.714 and 624.715.

firearm safety or marksmanship courses or activities for students or nonstudents conducted on school property;

possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;

a gun or knife show held on school property;

possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center; or

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

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

#### Policy Application to Instructional Equipment/Tools

While the school district does not allow the possession, use or distribution of weapons by students, or nonstudents, such a position is not meant to interfere with instruction or the

use of appropriate equipment and tools by students or nonstudents. Such equipment and tools, when properly possessed, used and stored, shall not be considered in violation of the rule against the possession, use, or distribution of weapons. However, when authorized instructional and work equipment and tools are used in a potentially dangerous or threatening manner, such possession and use will be treated as the possession and use of a weapon.

#### Firearms in School Parking Lots and Parking Facilities

A school district may not prohibit the lawful carry or possession of firearms in a school parking lot or parking facility. For purposes of this policy, the "lawful" carry or possession of a firearm in a school parking lot or parking facility is specifically limited to nonstudent permit-holders authorized under Minnesota Statutes, section 624.714 to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle. Any possession or carry of a firearm beyond the immediate vicinity of a permit-holder's vehicle shall constitute a violation of this policy.

#### **CONSEQUENCES FOR STUDENT WEAPON POSSESSION /USE /DISTRIBUTION**

The school district does not allow the possession, use, or distribution of weapons by students. Consequently, the minimum consequence for students possessing, using, or distributing weapons shall include:

immediate out-of-school suspension;

confiscation of the weapon;

immediate notification of police;

parent or guardian notification; and

recommendation to the superintendent of dismissal for a period of time not to exceed one year.

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

The building principal shall, as soon as practicable, refer to the criminal justice or juvenile delinquency system, as appropriate, a student who brings a firearm to school unlawfully.

#### Administrative Discretion

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

#### **CONSEQUENCES FOR WEAPON POSSESSION/USE/DISTRIBUTION BY NONSTUDENTS**

##### Employees

An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, or discharge as deemed appropriate by the school board.

Sanctions against employees, including nonrenewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.

When an employee violates the weapons policy, law enforcement may be notified, as appropriate.

**[: An employer may establish policies that restrict the carry or possession of firearms by its employees while acting in the course and scope of employment. Employment-related sanctions may be invoked for a violation. Thus, for example, reasonable limitations may be imposed on the method of storing firearms**

**by permit- holding employees while at work or performing employment-related duties. Reasonable limitations may include requiring firearms to have trigger locks and to be stored in a locked container or locked compartment of the vehicle.]**

Other Nonstudents

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

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

**REPORTS OF DANGEROUS WEAPON INCIDENTS IN SCHOOL ZONES**

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

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

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

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY 502  
Search of Student Lockers, Desks, Personal Possessions, and Student's Person**

Adopted \_\_\_\_\_ By Reference \_\_\_  
Revised **March 2024**

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

**PURPOSE**

The purpose of this policy is to provide for a safe and healthful educational environment by enforcing the school district's policies against contraband.

**GENERAL STATEMENT OF POLICY**

Lockers and Personal Possessions Within a Locker

Pursuant to Minnesota statutes, school lockers are the property of the school district. At no time does the school district relinquish its exclusive control of lockers provided for the convenience of students. Inspection of the interior of lockers may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant. The personal possessions of students within a school locker may be searched only when school officials have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school officials must provide notice of the search to students whose lockers were searched unless disclosure would impede an ongoing investigation by police or school officials.

Desks

School desks are the property of the school district. At no time does the school district relinquish its exclusive control of desks provided for the convenience of students. Inspection of the interior of desks may be conducted by school officials for any reason at any time, without notice, without student consent, and without a search warrant.

Personal Possessions and Student's Person

The personal possessions of students and/or a student's person may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law or school rules. The search will be reasonable in its scope and intrusiveness.

A violation of this policy occurs when students use lockers and desks for unauthorized purposes or to store contraband. A violation occurs when students carry contraband on their person or in their personal possessions.

**DEFINITIONS**

"Contraband" means any unauthorized item possession of which is prohibited by school district policy and/or law. It includes, but is not limited to, weapons and "look-alikes," alcoholic beverages, controlled substances and "look-alikes," overdue books and other materials belonging to the school district, and stolen property.

"Personal possessions" includes, but is not limited to, purses, backpacks, bookbags, packages, and clothing.

"Reasonable suspicion" means that a school official has grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law. Reasonable suspicion may be based on a school official's personal observation, a report from a student, parent or staff member, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.

"Reasonable scope" means that the scope and/or intrusiveness of the search is reasonably

related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g. to prevent violence, serious and immediate risk of harm or destruction of evidence), and the age of the student.

## **PROCEDURES**

School officials may inspect the interiors of lockers and desks for any reason at any time, without notice, without student consent, and without a search warrant.

School officials may inspect the personal possessions of a student and/or a student's person based on a reasonable suspicion that the search will uncover a violation of law or school rules. A search of personal possessions of a student and/or a student's person will be reasonable in its scope and intrusiveness.

As soon as practicable after a search of personal possessions within a locker pursuant to this policy, the school officials must provide notice of the search to students whose possessions were searched unless disclosure would impede an ongoing investigation by police or school officials.

Whenever feasible, a search of a person shall be conducted in private by a school official of the same sex. A second school official of the same sex shall be present as an observer during the search of a person whenever feasible.

A strip search is a search involving the removal of coverings or clothing from private areas. Mass strip searches, or body cavity searches, are prohibited. Strip searches will be conducted only in circumstances involving imminent danger.

A school official conducting any other search may determine when it is appropriate to have a second official present as an observer.

A copy of this policy will be printed in the student handbook or disseminated in any other way which school officials deem appropriate. The school district shall provide a copy of this policy to a student when the student is given use of a locker.

## **DIRECTIVES AND GUIDELINES**

School administration may establish reasonable directives and guidelines which address specific needs of the school district, such as use of tape in lockers, standards of cleanliness and care, posting of pin-ups and posters which may constitute sexual harassment, etc.

## **SEIZURE OF CONTRABAND**

If a search yields contraband, school officials will seize the item and, where appropriate, turn it over to legal officials for ultimate disposition.

## **VIOLATIONS**

A student found to have violated this policy and/or the directives and guidelines implementing it shall be subject to discipline in accordance with the school district's Student Discipline Policy, which may include suspension, exclusion, or expulsion, and the student may, when appropriate, be referred to legal officials.

**Legal References:** U.S. Const., amend. IV  
Minn. Const., art. I, §10  
Minn. Stat. §121A.72 (School Locker Policy)  
*New Jersey v. T.L.O.*, 469 U.S. 325, (1985)  
*G.C. v. Owensboro Public Schools*, 711 F.3d 623 (6<sup>th</sup> Cir. 2013)

**Cross References:** MSBA/MASA Model Policy 417 (Chemical Use/Abuse) MSBA/MASA Model Policy 418 (Drug-Free Workplace / Drug-Free School)  
MSBA/MASA Model Policy 501 (School Weapons) MSBA/MASA Model Policy 506 (Student Discipline)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY      503  
Student Attendance**

Adopted\_\_\_\_\_By Reference\_\_

Revised\_ **August 2021**

**: The provisions of this policy substantially reflect statutory requirements.]**

**PURPOSE**

The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.

This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher, and administrators. This policy will assist students in attending class.

**GENERAL STATEMENT OF POLICY**

Responsibilities:

Student's Responsibility

It is the student's right to be in school. It is also the student's responsibility to attend all assigned classes and study halls every day that school is in session and to be aware of and follow the correct procedures when absent from an assigned class or study hall. Finally, it is the student's responsibility to request any missed assignments due to an absence.

Parent or Guardian's Responsibility

It is the responsibility of the student's parent or guardian to ensure the student is attending school, to inform the school in the event of a student absence, and to work cooperatively with the school and the student to solve any attendance problems that may arise.

Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility to provide any student who has been absent with any missed assignments upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

Administrator's Responsibility

It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.

In accordance with the Minnesota Compulsory Instruction Law, Minnesota Statutes, section 120A.22, the students of the school district are

REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

### Attendance Procedures

Attendance procedures shall be presented to the school board for review and approval. When approved by the school board, the attendance procedures will be included as an addendum to this policy.

### Excused Absences

To be considered an excused absence, the student's parent or legal guardian may be asked to verify, in writing, the reason for the student's absence from school. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.

The following reasons shall be sufficient to constitute excused absences:

- (1) Illness.
- (2) Serious illness in the student's immediate family.  
death or funeral in the student's immediate family or of a close friend or relative.
- (3) Medical, dental, or orthodontic treatment, or a counseling appointment.
- (4) Court appearances occasioned by family or personal action.
- (5) Religious instruction not to exceed three hours in any week.
- (6) Physical emergency conditions such as fire, flood, storm, etc.
- (7) Official school field trip or other school-sponsored outing.
- (8) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
- (9) Family emergencies.  
duty in any military branch of the United States.  
condition that requires ongoing treatment for a mental health diagnosis.

**law provides that a school board may include other exemptions in the school district's attendance policy. See Minnesota Statutes, section 120A.22, subdivision 12. When considering whether to add other**

**exemptions, school boards should consider the intent of the compulsory attendance law, which recognizes the educational value of regular attendance and class participation, and whether the proposed exemption is consistent with the intent of the law.]**

#### Consequences of Excused Absences

Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher.

Work missed because of absence must be made up within \_\_\_\_ days from the date of the student's return to school. Any work not completed within this period shall result in "no credit" for the missed assignment. However, the building principal or the classroom teacher may extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

#### Unexcused Absences

The following are examples of absences which will not be excused:

Truancy. An absence by a student which was not approved by the parent and/or the school district.

Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.

Work at home.

Work at a business, except under a school-sponsored work release program.

Vacations with family.

Personal trips to schools or colleges.

Absences resulting from cumulated unexcused tardies (tardies equal one unexcused absence).

Any other absence not included under the attendance procedures set out in this policy.

#### Consequences of Unexcused Absences

Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.

Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.

In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.

Students with unexcused absences shall be subject to discipline in the following manner:

From the first through the \_\_\_\_ cumulated unexcused absence in a [quarter or semester] the student will not be allowed to make up work missed due to such absence.

After the \_\_\_\_ cumulated unexcused absence in a [quarter or semester], a student's parent or guardian will be notified by certified mail that IS or her child is nearing a total of \_\_\_\_\_ unexcused absences and that, after the \_\_\_\_\_

\_\_\_\_\_unexcused absence, the student's grade shall be reduced by one increment for each unexcused absence thereafter.

After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences and the prescribed discipline. The notification will state that the school strongly urges the student's parent or guardian to request such a conference.

After \_\_cumulative unexcused absences in a [quarter or semester] the teacher will reduce the student's letter grade by one increment for each unexcused absence thereafter (i.e A to A-). However, prior to reducing the student's grade, an administrative conference must be held among the principal, student, and parent.

After \_\_cumulated unexcused absences in a [quarter or semester], the administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative conference must be held among the principal, student, and parent.

If the result of a grade reduction or loss of credit has the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair Dismissal Act, Minnesota. Statutes, sections 121A.40-121A.56.

## Tardiness

Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness.

### Procedures for Reporting Tardiness

Students tardy at the start of school must report to the school office for an admission slip.

Tardiness between periods will be handled by the teacher.

### Excused Tardiness

Valid excuses for tardiness are:

Illness.

Serious illness in the student's immediate family.

A death or funeral in the student's immediate family or of a close friend or relative.

Medical, dental, orthodontic, or mental health treatment.

Court appearances occasioned by family or personal action.

Physical emergency conditions such as fire, flood, storm, etc.

Any tardiness for which the student has been excused in writing by an administrator or faculty member.

### Unexcused Tardiness

An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.

Consequences of tardiness may include detention after \_\_\_\_\_ unexcused tardies. In addition \_\_\_unexcused tardies are equivalent to one unexcused absence.

#### Participation in Extracurricular Activities and School-Sponsored On-the-Job Training Programs

This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school- sponsored on-the-job training programs.

School-initiated absences will be accepted and participation permitted.

A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.

If a student is suspended from any class, he or she may not participate in any activity or program that day.

2. If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

#### **RELIGIOUS OBSERVANCE**

Reasonable efforts will be made by the school district to accommodate any student who wishes to be excused from a curricular activity for a religious observance. Requests for accommodations should be directed to the building principal.

#### **DISSEMINATION OF POLICY**

- A. Copies of this policy shall be made available to all students and parents at the commencement of each school year. This policy shall also be available upon request in each principal's office.

The school district will provide annual notice to parents of the school district's policy relating to a student's absence from school for religious observance.

#### **REQUIRED REPORTING**

##### Continuing Truant

Minnesota Statutes, section 260A.02 provides that a continuing truant is a student who is subject to the compulsory instruction requirements of Minnesota Statutes, section 120A.22 and is absent from instruction in a school, as defined in Minnesota Statutes, section 120A.05, without valid excuse within a single school year for:

Three days if the child is in elementary school; or

Three or more class periods on three days if the child is in middle school, junior high school, or high school.

##### Reporting Responsibility

When a student is initially classified as a continuing truant, Minnesota Statutes, section 260A.03 provides that the school attendance officer or other designated school official shall notify the student's parent or legal guardian, by first class mail or other reasonable means, of the following:

That the child is truant;

That the parent or guardian should notify the school if there is a valid excuse for the child's absences;

That the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minnesota Statutes, section 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minnesota

Statutes, section 120A.34;

That this notification serves as the notification required by Minnesota Statutes, section 120A.34;

That alternative educational programs and services may be available in the child's enrolling or resident district;

That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;

That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minnesota Statutes, chapter 260C;

That if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to Minnesota Statutes, section 260C.201; and

That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

**[ truancy services and programs under Minnesota Statutes, chapter 260A are available within the school district, the following provisions should also be included in the policy.]**

Habitual Truant

A habitual truant is a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school, junior high school, or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school.

A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minnesota Statutes, chapter 260A.

*II. PROCEDURES APPLICABLE TO FALLS HIGH SCHOOL ABSENTEEISM AND TARDINESS*

- B. Attendance Requirement for Course Credit - Maximum Absence Rule:  
Course credit requirements include not only completion of all required course work, but also participation and interaction through regular and prompt attendance. Regular school attendance is a necessary part of the learning process. It is the key to a good education, graduating, and securing steady employment. Frequent absences lead to disruption of the educational process for the individual student, the classroom teacher, and the other students in the class.
- C. Dismissal for Truancy and Unexcused Tardiness:
1. A student having more than two (2) truanancies per class or four (4) unexcused tardies per class in a semester, will be considered as being in willful violation of this policy.
  2. He/she will be dropped from the course, given a grade of no credit (NC) and assigned to a study hall, subject to the review and appeal procedures set forth in this policy.
- D. Participation in Extracurricular Activities and School-Sponsored On-the-Job Training Programs:
1. This policy applies to all students involved in any extra curricular activity scheduled either during or outside the school day and any school- sponsored on-the-job training programs.
  2. School-initiated absences will be accepted and participation permitted.

3. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
4. If a student is suspended from any class, he or she may not participate in any activity or program that day.

If a student is absent from school due to medical reasons, he or she must present a physician's statement or a statement from the student's parent or guardian clearing the student for participation that day. The note must be presented to the coach or advisor before the student participates in the activity or program.

E. Notice:

1. A condensed version of this policy shall be included in the student handbook which is given to each student on the first day of school. A complete version shall be located under the School Board Policy Link on the school website. Students should take the policy home to review with his/her parent/guardian.
2. The student and parent/guardian will receive a written notification on the fifth (5th) absence and will be dropped from the course with a NC on the seventh (7th) absence. Students may appeal. Notification in one class will serve as notification in all classes that there may be an attendance problem.
3. The student and parent/guardian will receive a written notification on the third (3rd) unexcused tardy and will be dropped from the course with a NC on the fifth (5th) unexcused tardy. Notification in one class will serve as a notification in all classes that there may be a punctuality problem.  
\*see III-4 for excused absences that are exempt.
4. The student and parent/guardian will receive a written notification on the second (2nd) truancy, and will be dropped from the course with a NC on the third (3rd).
5. Students under the age of 16 are required by Minnesota Statute to be in school. Any student under the age of 16 who loses credit in a class because of lack of attendance, will be reported to the Koochiching County Attorney's Office for the filing of truancy charges.

F. Request for Review/Appeal:

1. At such time as a student has accumulated six (6) absences in a semester, four (4) unexcused tardies and two (2) truantries prior to the loss of credit, the student and parent/guardian shall be notified that the application of this policy will result in the loss of credit for the class or classes from which he/she is absent, tardy or truant. The student and/or guardian have a right to request a review to explain why literal application of the policy would be unjust or unreasonable. An advocate may appear on behalf of a student with the student's consent. A request for review (appeal) must be made in writing to the Principal or within 3 days of notification of the pending loss of credit.
2. Pending the review, the student must continue attending the class or classes in question.
3. The review shall be made by a building review board appointed by

the Principal, consisting of an administrator and one teacher. A minority member will be included if requested and the affected student is of a minority. If upon preliminary review of the student's records and written request, the building review board cannot grant the relief requested, those requesting the review shall be notified of a time and a place when additional facts or argument can be presented in person to the building review board. The building review board, based upon evidence, shall have the power to correct errors, and in the interest of justice to change the literal application of this policy if it finds such application to be unreasonable, or so harsh as to be not in the best interest of the student. The decision of the review board shall be in writing and delivered to the student, parent/guardian, and teacher(s) affected. A copy shall be placed in the student's folder.

G. Extenuating Circumstances:

The Principal shall determine whether there are extenuating circumstances affecting a student which justify waiving this policy. The Principal shall conduct the review without request from the parents. It is the intent of this provision to prevent parents from having to appeal the loss of credit for situations involving extenuating circumstances.

**Legal References:**

Minn. Stat. § 120A.05 (Definitions)  
Minn. Stat. § 120A.22 (Compulsory Instruction) Minn. Stat. § 120A.24 (Reporting)  
Minn. Stat. § 120A.26 (Enforcement and Prosecution) Minn. Stat. § 120A.34 (Violations; Penalties)  
Minn. Stat. § 120A.35 (Absence from School for Religious Observance) Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 260A.02 (Definitions)  
Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is a Continuing Truant)  
Minn. Stat. § 260C.007, subd. 19 (Habitual Truant Defined)  
Minn. Stat. § 260C.201 (Dispositions; Children in Need of Protection or Services or Neglected and in Foster Care)  
*Goss v. Lopez*, 419 U.S. 565, (1975)  
*Slocum v. Holton Bd. of Educ.*, 429 N.W.2d 607 (Mich. App. Ct. 1988)  
*Campbell v. Bd. of Educ. of New Milford*, 475 A.2d 289 (Conn. 1984) *Hamer v. Bd. of Educ. of Twp. High Sch. Dist. No. 113*, 66 Ill. App.3d 7, 383 N.E.2d 231 (1978)  
*Gutierrez v. Sch. Dist. R-1*, 585 P.2d 935 (Co. Ct. App. 1978)  
*Knight v. Bd. of Educ.*, 38 Ill. App. 3d 603, 348 N.E.2d 299 (1976)  
*Dorsey v. Bale*, 521 S.W.2d 76 (Ky. 1975)  
**Cross References:** MSBA/MASA Model Policy 506 (Student Discipline)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT**  
**#361**  
**BOARD POLICY 504**  
**Student Dress and Appearance**

Adopted\_\_\_\_By Reference\_

Revised\_July 2023

**PLEASE NOTE: MINNESOTA SCHOOL DISTRICTS AND CHARTER SCHOOLS ARE NOT REQUIRED TO REVISE THEIR DRESS CODE POLICIES AT THIS TIME.**

For the past year, the Minnesota School Boards Association (MSBA) has engaged in a deep review of Model Policy 504—*Student Dress and Appearance*.

The updates offered below reflect the key goals of permitting students to engage in their First Amendment right to express themselves while maintaining a positive school environment in which learning is promoted and students are protected from harm.

In updating Model Policy 504, MSBA seeks to promote and support local discussion and decision-making. Alternative provisions are offered, such as on head wear and hats, in order to assist board members as they create a policy that best fits their schools and their communities.

As Minnesota school districts review and revise their dress code policies, MSBA anticipates that it will learn valuable lessons that can be shared with other schools throughout the state. The revisions offered here are a starting point and are likely to be augmented in the future.

This model policy uses the term “dress code” to refer to the policy itself because of the longstanding practice and community familiarity with the term. A school board can choose to use a different term, such as “clothing,” to replace dress.

Minnesota school boards have considerable authority to decide whether to have a dress code policy at all. Boards can choose the provisions the policy contains. School boards might choose to retain their current dress code policy. Boards may opt to change some provisions and to keep others. Boards may include language that does not appear in Model Policy 504.

The Minnesota legislature passed two laws in 2023 that are relevant to dress codes. These changes are highlighted below.

School boards may choose to engage with students, staff, parents and guardians, and others to craft a dress code for the school district.

In light of the many local decision points that a dress code invites, MSBA decided to not attempt to create a redline version that could be universal across the state.

#### **PURPOSE**

The purpose of this policy is to enhance the education of students by establishing expectations that support educational goals. Students and their families have the primary and joint responsibility for student clothing and appearance. Teachers and other district staff should exemplify and reinforce student clothing and appearance standards and help students develop an understanding of appropriate appearance in the school environment.

The school board is encouraged to draft a purpose statement that reflects the school district’s mission and goals.

The dress code provisions offered below recognize that clothing is an expressive activity protected under the First Amendment. The policy seeks to promote fair treatment of all students and to reduce staff time spent monitoring student clothing.

**School boards may choose to adopt all, some, or none of the suggested provisions.**

## **GENERAL STATEMENT OF POLICY**

The policy of the school district is to encourage students to be dressed suitably [or appropriately] for school activities and in keeping with community standards.

**As school boards create a school dress code, they often encounter challenges related to subjective terms—such as appropriate, suitable, or community standards—that can be vague and can vary from one person’s interpretation to another. School boards may choose to provide more explicit provisions, such as are presented below.**

A student’s clothing or appearance may not materially and substantially disrupt or interfere with the educational mission, school environment, classwork, or school activities. A student’s dress or appearance may not incite or contribute to substantial disorder or invasion of the rights of others or pose a threat to the health or safety of the student or others.

**Unlike Paragraph A above, Paragraph B focuses upon potential effects upon learning, discipline, and safety as it balances students’ right to express themselves. The standards stated in Paragraph B draw upon the U.S. Supreme Court decision in *Tinker v. Des Moines Independent Community School District* and subsequent decisions (see Legal References below).**

Students’ rights to choose their dress and appearance for school and school- related activities will be protected provided that the clothing:

- does not injure people or damage property;

- does not materially and substantially disrupt or interfere with the educational process or classwork;

- does not interfere with the requirements of discipline in the operation of the school or school activities, materially disrupt classwork;

- does not involve substantial disorder or invasion of the rights of others.

Such clothing includes, but is not limited to, the following:

- Clothing for the weather.

- Clothing that does not create a health or safety hazard.

- Clothing for the activity (i.e., physical education or the classroom).

- Footwear that does not present a safety hazard.

Headwear, including hats or head coverings, are allowed provided that it does not cover the student’s face to the extent that the student is not identifiable. Headgear must not interfere with the educational process. Hoodies must allow the face and ears to be visible from the front and sides and must not interfere with the line of sight to any student or staff including while the student wearing the hoodie is seated. Students may wear headgear for a medical or religious reason.

**Across the nation, school boards have been encouraged to reconsider rules regarding hats and other headwear. In recent years, Minnesota school districts have developed a range of policies regarding hats and related headgear. Some districts have chosen to maintain a prohibition. Others have created grade/building specific rules. Some boards have permitted hats while prohibiting hoods.**

**A school board could choose to direct school building-level administration to work with staff, students, and others to develop building-specific rules regarding headwear.**

- Hair, including but not limited to hair texture and hair styles such as braids, locks, and twists.

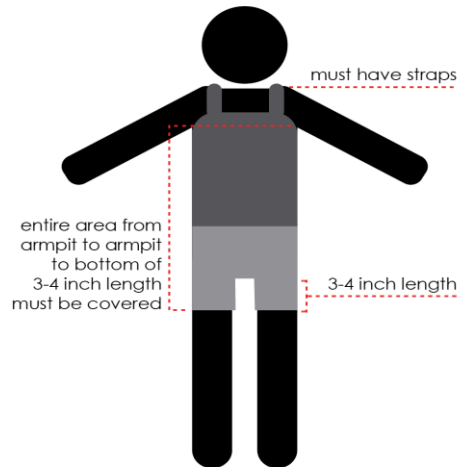
**In 2023, the Minnesota legislature enacted the CROWN Act, which adds Subparagraph 6 to the protections under the Minnesota Human Rights Act.**

Student clothing may not include the following:

Option 1: Students may not wear inappropriate clothing.

Option 2: Extremely brief garments and see-through garments may not be worn.

Option 3: Clothing must cover areas from one armpit across to the other armpit, down to approximately 3 to 4 inches in length on the upper thighs (see image).



**MSBA is grateful to the Roanoke County Public Schools (Virginia) for its permission to incorporate this image in Model Policy 504.**

**The previous Model Policy 504 prohibited “inappropriate” clothing and then presented a short list of examples. Creating a comprehensive, clear definition of “inappropriate” clothing presents significant challenges, as does reliance upon a small list of examples of “inappropriate” clothing.**

**MSBA encourages school boards to consider moving away from “appropriate” standards to an approach that focuses upon impacts upon other students and the educational process. A school board may decide to focus upon the prohibition upon clothing that “materially and substantially disrupts or interferes with” the educational process and related standards set out in Article II.B above rather than invoking a general ‘inappropriate’ standard.**

**MSBA understands that school boards may wish to establish expectations regarding clothing that covers one’s body. To this end, MSBA offers some examples a school board could adapt or adopt. Other options can be considered. Subparagraphs 2-4 below could be retained regardless of how a school board chooses to proceed under Subparagraph 1.**

Clothing (including emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry) bearing a message that is lewd, vulgar, obscene, libelous, or denigrates, harasses, discriminates against others on the basis of protected class status under the Minnesota Human Rights Act, or violates school district policies prohibiting discrimination, violence, harassment, or other harmful activities.

**Subparagraph 2 seeks to encourage understanding of the ways in**

**which expression through clothing can communicate messages that create harm or a hostile learning environment for others.**

Apparel promoting products or activities that are illegal for use by minors.

Communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals as defined in Policy 413.

The intention of this policy is not to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing clothing on which such messages are stated. Such messages are acceptable as long as they are not lewd; vulgar; obscene; libelous; do not denigrate, harass, or discriminate against others on the basis of protected class status under the Minnesota Human Rights Act; or do not violate school district policies prohibiting discrimination, bullying, violence, harassment, or other harmful activities.

**Paragraph D confirms the right that students possess to express themselves within the general standards established in this policy. A school board could choose to combine this with Subparagraph 2 above.**

## **PROCEDURES**

Enforcement of a student dress code will be approached with careful consideration and sensitivity, with the goals of supporting students as they express themselves and pursue their full potential, of not shaming students, and of minimalizing loss of instructional time. When possible, dress code matters should be addressed privately with students, should seek to determine whether factors exist that impact the student's ability to comply with the dress code, and should seek to address such issues.

When, in the reasonable judgment of the administration, (1) a student's clothing or appearance may materially and substantially disrupt or interfere with the educational mission, school environment, classwork, or school activities; (2) may incite or contribute to substantial disorder or invasion of the rights of others; or Parents or guardians will be notified. Other consequences may be enforced in line with Policy 506 (Student Discipline).

The administration may recommend a form of clothing considered appropriate for a specific event and communicate the recommendation to students and parents or guardians. A school district or charter school must not prohibit an American Indian student from wearing American Indian regalia, Tribal regalia, or objects of cultural significance at a graduation ceremony.

**In 2023, the Minnesota legislature enacted the second sentence in Paragraph C above.**

Likewise, an organized student group may recommend a form of clothing for students considered appropriate for a specific event and bring such recommendation to the administration for approval.

### **Legal References:**

U. S. Const., amend. I

*Tinker v. Des Moines Indep. Sch. Dist.*, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)

*B.W.A. v. Farmington R-7 Sch. Dist.*, 554 F.3d 734 (8<sup>th</sup> Cir.2009) *Lowry v. Watson Chapel Sch. Dist.*, 540 F.3d 752 (8<sup>th</sup> Cir. 2008)

*Stephenson v. Davenport Community School District*, 110 F.3d 1303 (8<sup>th</sup> Cir. 1997)

*B.H. ex rel. Hawk v. Easton Area School Dist.*, 725 F.3d 293 (3<sup>rd</sup> Cir. 2013)

*D.B. ex rel. Brogdon v. Lafon*, 217 Fed.Appx. 518 (6<sup>th</sup> Cir. 2007) *Hardwick v. Heyward*, 711 F.3d 426 (4<sup>th</sup> Cir. 2013)

*Madrid v. Anthony*, 510 F.Supp.2d 425 (S.D. Tex. 2007)

*McIntire v. Bethel School, I.S.D. No. 3*, 804 F. Supp. 1415, (W.D. Okla. 1992)

*Hicks v. Halifax County Board of Educ.*, 93 F.Supp.2d 649 (E.D.N.C. 1999)

*Olesen v. Board of Educ. of Sch. Dist. No. 228*, 676 F. Supp. 820 (N.D. Ill. 1987)

**Cross References:** MSBA/MASA Model Policy 413 (Harassment and Violence) MSBA/MASA Model Policy 506 (Student Discipline) MSBA/MASA Model Policy 525 (Violence Prevention)

**INTERNATIONAL FALLS PUBLIC SCHOOLS  
INDEPENDENT SCHOOL DISTRICT #361**

**BOARD POLICY 505  
Distribution of Non-school-Sponsored Materials on School Premises  
by Students and Employees**

Adopted \_\_\_ By Reference \_\_\_

Revised \_\_\_ March 2024 \_\_\_

**I. PURPOSE**

The purpose of this policy is to protect the exercise of students' and employees' free speech rights, taking into consideration the educational objectives and responsibilities of the school district.

**II. GENERAL STATEMENT OF POLICY**

- A. The school district recognizes that students and employees have the right to express themselves on school property. This protection includes the right to distribute, at a reasonable time and place and in a reasonable manner, non-school-sponsored material.
- B. To protect First Amendment rights, while at the same time preserving the integrity of the educational objectives and responsibilities of the school district, the school board adopts the following regulations and procedures regarding distribution of non-school-sponsored material on school property and at school activities.

**III. DEFINITIONS**

- A. "Distribute" or "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, or placing material in internal staff or student mailboxes.
- B. "Non-school-sponsored material" or "unofficial material" includes all materials or objects intended for distribution, except school newspapers, employee newsletters, literary magazines, yearbooks and other publications funded and/or sponsored or authorized by the school. Examples of non-school-sponsored materials include, but are not limited to, leaflets, brochures, buttons, badges, flyers, petitions, posters, and underground newspapers whether written by students or employees or others, and tangible objects.

- C. “Obscene to minors” means:
1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
  2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
  3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.
- D. “Minor” means any person under the age of eighteen (18).
- E. “Material and substantial disruption” of a normal school activity means:
1. Where the normal school activity is an educational program of the district for which student attendance is compulsory, “material and substantial disruption” is defined as any disruption which interferes with or impedes the implementation of that program.
  2. Where the normal school activity is voluntary in nature (including school athletic events, school plays and concerts, and lunch periods) “material and substantial disruption” is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.
- In order for expression to be considered disruptive, specific facts must exist upon which the likelihood of disruption can be forecast including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.
- F. “School activities” means any activity sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.
- G. “Libelous” is a false and unprivileged statement about a specific individual that tends to harm the individual’s reputation or to lower that individual in the esteem of the community.

#### IV. GUIDELINES

- A. Students and employees of the school district have the right to distribute, at reasonable times and places as set forth in this policy, and in a reasonable manner, non-school-sponsored material.
- B. Requests for distribution of non-school-sponsored material will be reviewed by the administration on a case-by-case basis. However, distribution of the materials listed below is always prohibited. Material is prohibited that:
1. is obscene to minors;
  2. is libelous or slanderous;
  3. is pervasively indecent or vulgar or contains any indecent or vulgar language or representations, with a determination made as to the appropriateness of the material for the age level of students to which it is intended;
  4. advertises or promotes any product or service not permitted to minors by law;
  5. advocates violence or other illegal conduct;
  6. constitutes insulting or fighting words, the very expression of which injures or harasses other people (e.g., threats of violence, defamation of character or of a person's race, religious or ethnic origin);
  7. presents a clear and present likelihood that, either because of its content or the manner of distribution, it will cause a material and substantial disruption of the proper and orderly operation and discipline of the school or school activities, will cause the commission of unlawful acts or the violation of lawful school regulations.
- C. Distribution by students and employees of non-school-sponsored materials on school district property are subject to reasonable time, place, and manner restrictions set forth below. In making decisions regarding the time, place, and manner of distribution, the administration will consider factors including, but not limited to, the following:
1. whether the material is educationally related;
  2. the extent to which distribution is likely to cause disruption of or interference with the school district's educational objectives, discipline, or school activities;
  3. whether the materials can be distributed from the office or other isolated location so as to minimize disruption of traffic flow in hallways;
  4. the quantity or size of materials to be distributed;

5. whether distribution would require assignment of school district staff, use of school district equipment, or other resources;
6. whether distribution would require that non-school persons be present on the school grounds;
7. whether the materials are a solicitation for goods or services not requested by the recipients.

## **V. TIME, PLACE, AND MANNER OF DISTRIBUTION**

- A. No non-school-sponsored material shall be distributed during and at the place of a normal school activity if it is reasonably likely to cause a material and substantial disruption of that activity.
- B. Distribution of non-school-sponsored material is prohibited when it blocks the safe flow of traffic within corridors and entrance ways of the school, and school parking lots. Distribution shall not impede entrance to or exit from school premises in any way.
- C. No one shall coerce a student or staff member to accept any publication.
- D. The time, place, and manner of distribution will be solely within the discretion of the administration, consistent with the provisions of this policy.

## **VI. PROCEDURES**

- A. Any student or employee wishing to distribute (as defined in this policy) non-school-sponsored material must first submit for approval a copy of the material to the principal at least 24 hours in advance of desired distribution time, together with the following information:
  1. Name and phone number of the person submitting the request and, if a student, the room number of his or her first-period class.
  2. Date(s) and time(s) of day intended for distribution.
  3. Location where material will be distributed.
  4. If material is intended for students, the grade(s) of students to whom the distribution is intended.
- B. Within one school day, the principal will review the request and render a decision. In the event that permission to distribute the material is denied or limited, the person submitting the request should be informed in writing of the reasons for the denial or limitation.
- C. If the person submitting the request does not receive a response within one school day, the person shall contact the office to verify that the lack of response was not due to an inability to locate the person.

- D. If the person is dissatisfied with the decision of the principal, the person may submit a written request for appeal to the superintendent. If the person does not receive a response within three (3) school days (not counting Saturdays, Sundays and holidays) of submitting the appeal, the person shall contact the office of the superintendent to verify that the lack of response is not due to an inability to locate the person.
- E. Permission or denial of permission to distribute material does not imply approval or disapproval of its contents by either the school, the administration of the school, the school board, or the individual reviewing the material submitted.

## **VII. DISCIPLINARY ACTION**

- A. Distribution by any student of non-school-sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and disciplinary action will be taken in accordance with the school district's Student Discipline Policy.
- B. Distribution by any employee of non-school-sponsored material prohibited herein or in violation of the provisions of time, place, and manner of distribution as described above will be halted and appropriate disciplinary action will be taken, in accordance with any individual contract, collective bargaining agreement, school district policies and procedures, and/or governing statute.
- C. Any other party violating this policy will be requested to leave the school property immediately and, if necessary, the police will be called.

## **VIII. NOTICE OF POLICY TO STUDENTS AND EMPLOYEES**

A copy of this policy will be published in student handbooks and posted in school buildings.

## **IX. IMPLEMENTATION**

The school district administration may develop any additional guidelines and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.

*[Note: School districts are encouraged to consider additional guidelines which reflect varied local practices relating to this subject matter including addressing the subject of consistency and uniformity for approving or disapproving practices under this policy.]*

**Legal References:** U. S. Const., amend. I  
*Hazelwood School District v. Kuhlmeier*, 484 U.S. (1988)  
*Bethel Sch. Dist. No. 403 v. Fraser*, 478 U.S. 675, (1986)  
*Tinker v. Des Moines Indep. Sch. Dist.*, 393 U.S. 503, (1969)  
*Bystrom v. Fridley High School*, 822 F.2d 747 (8th Cir. 1987)

*Roark v. South Iron R-1 School Dist.*, 573 F.3d 556 (8<sup>th</sup> Cir. 2009)  
*Victory Through Jesus Sports Ministry Foundation v. Lee's Summit R-7 School Dist.*, 640 F.3d 329 (8<sup>th</sup> Cir. 2011), cert. denied 565 U.S. 1036, (2011)

***Cross References:*** MSBA/MASA Model Policy 403 (Discipline, Suspension and Dismissal of School District Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 512 (School-Sponsored Student Publications)  
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Non-school Persons)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL  
DISTRICT #361  
BOARD POLICY 506  
Student Discipline**

Adopted \_\_\_\_\_ By Reference \_\_\_\_\_

Revised February 2024

**506 STUDENT DISCIPLINE**

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

**I. PURPOSE**

The purpose of this policy is to ensure that students are aware of and comply with the school district's expectations for student conduct. Such compliance will enhance the school district's ability to maintain discipline and ensure that there is no interference with the educational process. The school district will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

**II. GENERAL STATEMENT OF POLICY**

The school board recognizes that individual responsibility and mutual respect are essential components of the educational process. The school board further recognizes that nurturing the maturity of each student is of primary importance and is closely linked with the balance that must be maintained between authority and self-discipline as the individual progresses from a child's dependence on authority to the more mature behavior of self-control.

All students are entitled to learn and develop in a setting which promotes respect of self, others, and property. Proper positive discipline can only result from an environment which provides options and stresses student self-direction, decision-making, and responsibility. Schools can function effectively only with internal discipline based on mutual understanding of rights and responsibilities.

Students must conduct themselves in an appropriate manner that maintains a climate in which learning can take place. Overall decorum affects student attitudes and influences student behavior. Proper student conduct is necessary to facilitate the education process and to create an atmosphere conducive to high student achievement.

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. The position of the school district is that a fair and equitable district-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40—121A.56.

In view of the foregoing and in accordance with Minnesota Statutes, section 121A.55, the school board, with the participation of school district administrators, teachers, employees, students, parents, community members, and such other individuals and organizations as appropriate, has developed this policy which governs student conduct and applies to all students of the school

district.

### **III. DEFINITIONS**

- A.** "Nonexclusionary disciplinary policies and practices" means policies and practices that are alternatives to dismissing a pupil from school, including but not limited to evidence-based positive behavior interventions and supports, social and emotional services, school-linked mental health services, counseling services, social work services, academic screening for Title 1 services or reading interventions, and alternative education services. Nonexclusionary disciplinary policies and practices include but are not limited to the policies and practices under [Minnesota Statutes](#), sections 120B.12; 121A.575, clauses (1) and (2); 121A.031, subdivision 4, paragraph (a), clause (1); 121A.61, subdivision 3, paragraph (r); and 122A.627, clause (3).
- B.** "Pupil withdrawal agreement" means a verbal or written agreement between a school administrator or district administrator and a pupil's parent to withdraw a student from the school district to avoid expulsion or exclusion dismissal proceedings. The duration of the withdrawal agreement cannot be for more than a 12-month period.

### **IV. POLICY**

- A.** The school board ~~must~~ establish uniform criteria for dismissal and adopt written policies and rules to effectuate the purposes of the Minnesota Pupil Fair Dismissal Act. The policies must include nonexclusionary disciplinary policies and practices consistent with Minnesota Statutes, section 121A.41, subdivision 12, and ~~must~~ emphasize preventing dismissals through early detection of problems. The policies ~~must~~ be designed to address students' inappropriate behavior from recurring.
- B.** The policies ~~must~~ recognize the continuing responsibility of the school for the education of the pupil during the dismissal period.
- C.** The ~~school~~ is responsible for ensuring that ~~alternative~~ educational services, if the pupil wishes to take advantage of them, must be adequate to allow the pupil to make progress toward ~~meeting~~ the graduation standards adopted under Minnesota Statutes, section [120B.02](#) and help prepare the pupil for readmission ~~in~~ accordance with section Minnesota Statutes, section 121A.46, subdivision 5.
- D.** For expulsion and exclusion dismissals and pupil withdrawal agreements as defined in Minnesota Statutes, section 121A.41, subdivision 13:
- 1.** for a pupil who remains enrolled in the school district or is awaiting enrollment in a new district, the school district's continuing responsibility includes reviewing the pupil's schoolwork and grades on a quarterly basis to ensure the pupil is on track for readmission with the pupil's peers. The school district must communicate on a regular basis with the pupil's parent ~~or~~ guardian to ensure that the pupil is completing the work assigned through the alternative educational services as defined in Minnesota Statutes, section 121A.41, subdivision 11. These services are required until the pupil enrolls in another school or returns to the same school;
  - 2.** a pupil receiving school-based or school-linked mental health services in the school district under Minnesota Statutes, section 245.4889 continues to be eligible for those services until the pupil is enrolled in a new district; and
  - 3.** the school district must provide to the pupil's parent or guardian information on

accessing mental health services, including any free or sliding fee providers in the community. The information must also be posted on the school district website.

**V. AREAS OF RESPONSIBILITY**

**A. The School Board:**

The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.

**B. Superintendent:**

The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.

**C. Principal:**

The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. ~~The~~ The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of ~~behavior~~ Behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising ~~his or her~~ the person's lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student ~~or prevent bodily harm or death to the student or another~~ to prevent bodily harm or death to the student or another. A principal shall not use prone restraint and shall not inflict any form of physical holding that restricts or impairs a student's ability to breathe; restricts or impairs a student's ability to communicate distress; places pressure or weight on a student's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a student's torso.

**D. Teachers.**

All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. ~~In~~ A teacher, in exercising the ~~teacher's~~ person's lawful authority, ~~a teacher~~ may use reasonable force when it is necessary under the circumstances to correct or restrain a student ~~or prevent bodily harm or death to the student or another~~ to prevent bodily harm or death to the student or another. A teacher shall not use prone restraint and shall not inflict any form of physical holding that restricts or impairs a student's ability to breathe; restricts or impairs a student's ability to communicate distress; places pressure or weight on a student's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a student's torso.

E. Other School District Personnel.

All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising ~~his or her~~ the person's lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student ~~or prevent bodily harm or death to the student or another to prevent bodily harm or death to the student or another.~~ A school employee, which does not include a school resource officer, shall not use prone restraint and shall not inflict any form of physical holding that restricts or impairs a student's ability to breathe; restricts or impairs a student's ability to communicate distress; places pressure or weight on a student's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a student's torso.

For the purpose of Minnesota Statutes, section 121A.582 (Student Discipline; Reasonable Force), a school resource officer, as defined in Minnesota Statutes, section 626.8482, subdivision 1, paragraph (c) is not a school employee or agent of the district.

F. Parents or Legal Guardians-

Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the behavior of their children.

G. Students-

All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.

H. Community Members-

Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

I. Reasonable Force Reports

1. The school district must report data on its use of any reasonable force used on a student with a disability to correct or restrain the student to prevent ~~imminent~~ bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c), as outlined in section 125A.0942, subdivision 3, paragraph (b).
2. Beginning with the 2024-2025 school year, the school district must report annually by July 15, in a form and manner determined by the MDE Commissioner, data from the prior school year about any reasonable force used on a general education student to correct or restrain the student to prevent ~~imminent~~ bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c).
3. Any reasonable force used under Minnesota Statutes, sections 121A.582; 609.06, subdivision 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical

restraint or confines a child alone in a room from which egress is barred shall be reported to the Minnesota Department of Education (MDE) as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person.

## **VI. STUDENT RIGHTS**

All students have the right to an education and the right to learn.

## **VII. STUDENT RESPONSIBILITIES**

All students have the responsibility:

- A.** For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B.** To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C.** To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D.** To make necessary arrangements for making up work when absent from school;
- E.** To assist the school staff in maintaining a safe school for all students;
- F.** To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G.** To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H.** To be aware of and comply with federal, state, and local laws;
- I.** To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J.** To respect and maintain the school's property and the property of others;
- K.** To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
- L.** To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M.** To conduct themselves in an appropriate physical or verbal manner; and
- N.** To recognize and respect the rights of others.

## **VIII. CODE OF STUDENT CONDUCT**

- A.** The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy.

This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school-district purposes; the area of entrance or departure from school premises or events; and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.

1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
2. The use of profanity or obscene language, or the possession of obscene materials;
3. Gambling, including, but not limited to, playing a game of chance for stakes;
4. Violation of the school district's Hazing Prohibition Policy;
5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
6. Violation of the school district's Student Attendance Policy;
7. Opposition to authority using physical force or violence;
8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;
9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;

13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Use of a cell phone in violation of the school district's Internet Acceptable ~~use~~Use and Safety Policy;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district's Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or

activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;

- 31. Criminal activity;
- 32. Falsification of any records, documents, notes, or signatures;
- 33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
- 34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
- 35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
- 36. Violation of the school district's Harassment and Violence Policy;
- 37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
- 38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
- 39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
- 40. Verbal assaults; or verbally abusive behavior; including, but not limited to, use of words, symbols, acronyms, or language, whether oral or written, that are discriminatory, abusive, obscene, threatening, intimidating, degrading to other people, or threatening to school property;
- 41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
- 42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
- 43. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy;
- 44. Violation of the school district's one-to-one device rules and regulations;
- 45. Violation of school rules, regulations, policies, or procedures; including, but not limited to, those policies specifically enumerated in this policy;

46. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

## **IX. RECESS AND OTHER BREAKS**

A. "Recess detention" means excluding or excessively delaying a student from participating in a scheduled recess period as a consequence for student behavior. Recess detention does not include, among other things, providing alternative recess at the student's choice.

B. The school district is encouraged to ensure student access to structured breaks from the demands of school and to support teachers, principals, and other school staff in their efforts to use evidence-based approaches to reduce exclusionary forms of discipline.

C. The school district must not use recess detention unless:

1. a student causes or is likely to cause serious physical harm to other students or staff;

2. the student's parent or guardian specifically consents to the use of recess detention; or

3. for students receiving special education services, the student's individualized education program team has determined that withholding recess is appropriate based on the individualized needs of the student.

D. The school district must not withhold recess from a student based on incomplete schoolwork.

E. The school district must require school staff to make a reasonable attempt to notify a parent or guardian within 24 hours of using recess detention.

F. The school district must compile information on each recess detention at the end of each school year, including the student's age, grade, gender, race or ethnicity, and special education status. This information must be available to the public upon request. The school district is encouraged to use the data in professional development promoting the use of nonexclusionary discipline.

G. The school district must not withhold or excessively delay a student's participation in scheduled mealtimes. This section does not alter a district or school's existing responsibilities under Minnesota Statutes, section 124D.111 or other state or federal law.

## **X. DISCIPLINARY ACTION OPTIONS**

The general policy of the school district is to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. At a minimum, violation of school district code of conduct, rules, regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The school district shall, however, impose more severe disciplinary sanctions for any violation,

including exclusion or expulsion, if warranted by the student's misconduct, as determined by the school district. \_Disciplinary action may include, but is not limited to, one or more of the following:

- A. \_\_\_\_\_ Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. \_\_\_\_\_ Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. \_\_\_\_\_ Parent contact;
- D. \_\_\_\_\_ Parent conference;
- E. \_\_\_\_\_ Removal from class;
- F. \_\_\_\_\_ In-school suspension;
- G. \_\_\_\_\_ Suspension from extracurricular activities;
- H. \_\_\_\_\_ Detention or restriction of privileges;
- I. \_\_\_\_\_ Loss of school privileges;
- J. \_\_\_\_\_ In-school monitoring or revised class schedule;
- K. \_\_\_\_\_ Referral to in-school support services;
- L. \_\_\_\_\_ Referral to community resources or outside agency services;
- M. \_\_\_\_\_ Financial restitution;
- N. \_\_\_\_\_ Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. \_\_\_\_\_ A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. \_\_\_\_\_ Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. \_\_\_\_\_ Preparation of an admission or readmission plan;
- R. \_\_\_\_\_ Saturday school;
- S. \_\_\_\_\_ Expulsion under the Pupil Fair Dismissal Act;
- T. \_\_\_\_\_ Exclusion under the Pupil Fair Dismissal Act; and/or
- U. \_\_\_\_\_ Other disciplinary action as deemed appropriate by the school district.

**XI. REMOVAL OF STUDENTS FROM CLASS**

- A. \_\_\_\_\_ The teacher of record shall have the general control and government of the classroom.

Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

Grounds for removal from class shall include any of the following:

1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn;
2. Willful conduct that endangers surrounding persons, including school district employees, the student or other students, or the property of the school;
3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or
4. Other conduct, which in the discretion of the teacher or administration, requires removal of the student from class.

Such removal shall be for at least one (1) activity period or class period of instruction for a given course of study and shall not exceed five (5) such periods.

A student must be removed from class immediately if the student engages in assault or violent behavior. "Assault" is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict, bodily harm upon another.

- B. If a student is removed from class more than ten (10) times in a school year, the school district shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.

**[NOTE: The following Sections C. -- J. must be developed and inserted by each school district based upon individual district practices, procedures, and preferences. School districts may consider developing and inserting procedures identified in Sections K-N.]**

**C. Procedures for Removal of a Student From a Class.**

~~The initial right and responsibility for the removal of~~

- ~~1. Specify procedures to remove a student from a class is that of the classroom to be followed by a teacher. After the initial removal from the class, the student will be sent to the office or ISS room for the remainder of the hour.~~
- ~~2. If a second removal from a class occurs, an informational administrative conference will be held between the teacher and the principal or the principal's designee. At this conference a decision will be reached as to the length of the time that the student will be removed from class.~~

- ~~3. The student shall be returned to the class upon completion of the terms of re-admittance established at the informational administrative conference including, but not limited to, completion of any makeup work and/or a behavior contract.~~

~~Per direction of the classroom teacher, the student is to report directly to the office or library (ISS), when sent out of class. Failure to do so could result in further disciplinary action. Students sent to ISS may be assigned classroom work by the teacher or work to help them pass their MCA tests and achieve the school academic goals administrator, or other school district employee;~~

- ~~2. Specify required approvals necessary;~~
- ~~3. Specify paperwork and reporting procedures.~~

**D. Period of Time for which a Student may be Removed from a Class (may not exceed five (5) class periods for a violation of a rule of conduct)**

- ~~1. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.~~

**E. Responsibility for and Custody of a Student Removed from Class.**

- ~~4. Each teacher has the discretion to determine how to deal with the inappropriate behavior of the student. The teacher may instruct the student to a designated supervised area (library) or the office. When they are sent to the library/office, the teacher will notify the library/office staff of the name of the student reporting to the library/office. When appropriate or necessary, the teacher will contact the office to request an escort.~~
- ~~5. Administrators have broad discretion to determine the consequences based on the minimum and maximum consequences established in the student handbooks. In unusual situations, administrators may impose discipline less than the minimum. In the event the student has engaged in the same or similar behavior in the past or has engaged in persistent violation of school rules, the maximum penalties may be increased.~~

- ~~1. Designation of where student is to go when removed;~~
- ~~2. Designation of how student is to get to designated destination;~~
- ~~3. Whether student must be accompanied;~~
- ~~4. Statement of what student is to do when and while removed;~~
- ~~5. Designation of who has control over and responsibility for student after removal from class.~~

**F. Procedures for Return of a Student to a Specific Class ~~From~~from Which the Student ~~Was~~was Removed.**

~~1. Specification of procedures;  
Administrators will take appropriate action for each student removed from class on a case-by-case basis. Such action may include, but is not limited to, warning, student conference, parent conference, detention, or suspension.~~

~~2. Actions or approvals required such as notes, conferences, readmission plans.~~

**~~G. Procedures for Notifying a Student and the Student's Parents or Guardian of Violation of the Rules of Conduct and of Resulting Disciplinary Actions;~~**

~~1. Staff member involved will contact parent and notify them of any situation that results in student being removed.~~

~~1. Specification of Procedures;~~

~~2. Actions or approvals required, such as notes, conferences, readmission plans.~~

**~~H. Students with a disabilityDisability; Special Provisions.~~**

~~6. If the student is on an IEP (Individual Education Plan) the case manager will be notified.~~

~~7. and the case manager in consultation with the principal can determine if more evaluation is needed.~~

~~1. Procedures for consideration of whether there is a need for further assessment;~~

~~2. Procedures for consideration of whether there is a need for a review of the adequacy of the current Individualized Education Program (IEP) of a disabled student with a disability who is removed from class or disciplined will be; and~~

~~3. Any procedures determined by the IEP team members appropriate for referring students in need of special education services to those services.~~

**~~I. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.~~**

~~1. Establishment of a chemical abuse pre-assessment preassessment team pursuant to Minnesota Statutes, section 121A.26;~~

~~8. Any teacher or school district employee who knows or has reason to believe that a student is using, possessing, or transferring alcohol or a controlled substance while on school premises or involved in school, shall immediately notify the building principal.~~

~~2. Establishment of teacher reporting procedures to the chemical abuse preassessment team pursuant to Minnesota Statutes, section 121A.29.~~

**~~J. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct.~~**

~~9. Nothing in this policy shall prohibit the School District from taking immediate action to protect individuals and property from harm. Nor shall this policy be construed to prohibit the School District from expelling students from behavior not specifically set forth in such~~

conduct:

- i) ~~Materially and substantially disrupts the rights of others to an education; or~~
- ii) ~~Endangers the student, other students, or individuals or property of the school. All violations of the Cod of Student Conduct will be handled on a case-by-case basis.~~

**K. Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior.**

- 10. ~~School district personnel may respond to student behavior in a variety of ways in which to involve parents or guardians. They include but are not limited to, communication of concerns, parent conferences, and mediation.~~

**L. Any Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems.**

- 11. ~~School district personnel may respond to behavioral problems in a variety of ways in attempts to modify the behavior. They include but are not limited to, verbal warning, one-to-one interaction, written communication to parents, parent conference, detention, and referral to adminsrator.~~

**M. Any Procedures Determined Appropriate for Referring a Student in Need of Special Education Services to Those Services;**

~~School district personnel should direct suspicion or questions to principal or school social worker.~~

**N. Any Procedures Determined Appropriate for Ensuring Victims of Bullying who Respond with Behavior not Allowed under the School's Behavior Policies have Access to a Remedial Response, Consistent with Minnesota Statutes, section 121A.031;**

**O. Unscheduled Student Removal From Class**

A public school is encouraged to adopt a school policy on parental notification for unscheduled student removal from class. The public school must consult with child abuse prevention experts to incorporate best practices into the school policy. A public school with a policy on parental notification must include the policy in the employee handbook and disseminate information to school staff regarding child abuse prevention in a school setting.

**[NOTE: The 2024 Minnesota legislature enacted this provision, which does not require a school board to adopt policy language. School districts may determine whether to adopt policy language.]**

**XII. DISMISSAL**

- A. "Dismissal" means the denial of the current educational program to any student, including exclusion, expulsion, and suspension. Dismissal does not include removal from class.

The school district shall not deny due process or equal protection of the law to any

student involved in a dismissal proceeding which may result in suspension, exclusion or expulsion.

The school district shall not dismiss any student without attempting to use nonexclusionary disciplinary policies and procedures before dismissal proceedings or pupil withdrawal agreements, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

The use of exclusionary practices for early learners as defined in Minnesota Statutes, section 121A.425 is prohibited. The use of exclusionary practices to address attendance and truancy issues is prohibited.

B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:

1. Willful violation of any reasonable school board regulation, including those found in this policy;
2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or
3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

C. Disciplinary Dismissals Prohibited

1. A pupil enrolled in the following is not subject to dismissals under the Pupil Fair Dismissal Act:
  - a. a preschool or prekindergarten program, including an early childhood family education, school readiness, ~~school readiness plus~~, voluntary prekindergarten, Head Start, or other school-based preschool or prekindergarten program; or
  - b. kindergarten through Grade 3.
2. This section does not apply to a dismissal from school for less than one school day, except as provided under Minnesota Statutes, chapter 125A and federal law for a student receiving special education services.
3. Notwithstanding this section, expulsions and exclusions may be used only after resources outlined under Nonexclusionary discipline have been exhausted, and only in circumstances where there is an ongoing serious safety threat to the child or others.

D. ~~Suspension Procedures~~

1. "Suspension" means an action by the school administration, under rules promulgated by the school board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less; where

a student with a disability does not receive regular or special education instruction during that dismissal period.

2. School administration must allow a suspended pupil the opportunity to complete all school work assigned during the period of the pupil's suspension and to receive full credit for satisfactorily completing the assignments. The school principal or other person having administrative control of the school building or program is encouraged to designate a district or school employee as a liaison to work with the pupil's teachers to allow the suspended pupil to (1) receive timely course materials and other information, and (2) complete daily and weekly assignments and receive teachers' feedback.
3. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the student's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
4. The definition of suspension under Minnesota Statutes, section ~~121A.41~~, subdivision 10, does not apply to a student's dismissal from school for less than one day, except as provided under federal law for a student with a disability. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
5. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6<sup>th</sup>) consecutive day of suspension or the tenth (10<sup>th</sup>) cumulative day of suspension has elapsed.
6. Alternative education services must be provided to a pupil who is suspended for

more than five (5) consecutive school days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minnesota Statutes, section 123A.05 selected to allow the student to progress toward meeting graduation standards under Minnesota Statutes, section 120B.02, although in a different setting.

7. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.
8. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
  - a. strongly encourage a parent or guardian of the student to attend school with the student for one day;
  - b. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
  - c. petition the juvenile court that the student is in need of services under Minnesota Statutes, chapter 260C.
9. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40—121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)
10. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
11. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
12. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding,

provided that alternative educational services are implemented to the extent that suspension exceeds five (5) consecutive school days.

E. Expulsion and Exclusion Procedures-

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40—121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40—121A.56; describe the nonexclusionary disciplinary practices accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district ~~shall~~must advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE) and is posted on its website.
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.

10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of ~~Education~~MDE (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minnesota Statutes, section 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.

20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.

21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

### **XIII. ADMISSION OR READMISSION PLAN**

A school administrator ~~shall~~ must prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan ~~may~~ must include measures to improve the student's behavior, ~~including~~ which may include completing a character education program consistent with Minnesota Statutes, section 120B.232, subdivision 1, social and emotional learning, counseling, social work services, mental health services, referrals for special education or 504 evaluation, and evidence-based academic interventions. The plan must include reasonable attempts to obtain ~~and require~~ parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

### **XIV. NOTIFICATION OF POLICY VIOLATIONS**

Notification of any violation of this policy and resulting disciplinary action shall be as provided herein, or as otherwise provided by the Pupil Fair Dismissal Act or other applicable law. The teacher, principal or other school district official may provide additional notification as deemed appropriate.

In addition, the school district must report, through the MDE electronic reporting system, each exclusion or expulsion, each physical assault of a school district employee by a pupil, and each pupil withdrawal agreement within thirty (30) days of the effective date of the dismissal action, pupil withdrawal, or assault, to the ~~MDE~~ Commissioner. This report must include a statement of the nonexclusionary disciplinary practices, or other sanction, intervention, or resolution in response to the assault given to the pupil and the reason for, the effective date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the pupil's age, grade, gender, race, and special education status.

### **XV. STUDENT DISCIPLINE RECORDS**

The policy of the school district is that complete and accurate student discipline records be maintained. The collection, dissemination, and maintenance of student discipline records shall be consistent with applicable school district policies and federal and state law, including the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13.

### **XVI. STUDENTS WITH DISABILITIES**

Students who are currently identified as eligible under the IDEA or Section 504 will be subject to the provisions of this policy, unless the student's IEP or 504 plan specifies a necessary modification.

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the child's IEP team and the child's parent shall, consistent with federal law, conduct a manifestation determination and determine whether the child's behavior was (i) caused by or had a direct and substantial relationship to the child's disability and (ii) whether the child's conduct was a direct result of a failure to implement the child's IEP. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's ~~education~~educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

When a student who has an IEP is excluded or expelled for misbehavior that is not a manifestation of the student's disability, the school district shall continue to provide special education and related services during the period of expulsion or exclusion.

#### **XVII. OPEN ENROLLED STUDENTS**

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minnesota Statutes, section 124D.03) or Enrollment in Nonresident District (Minnesota Statutes, section 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minnesota Statutes ~~Ch.~~ chapter 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of seventeen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

#### **XVIII. DISCIPLINE COMPLAINT PROCEDURE**

Students, parents and other guardians, and school staff may file a complaint and seek corrective action when the requirements of the Minnesota Pupil Fair Dismissal Act, including the implementation of the local behavior and discipline policies, are not being implemented appropriately or are being discriminately applied.

The Discipline Complaint Procedure must, at a minimum:

1. provide procedures for communicating this policy including the ability for a parent to appeal a decision under Minnesota Statutes, section 121A.49 that contains explicit instructions for filing the complaint;
2. provide an opportunity for involved parties to submit additional information related to the complaint;
3. provide a procedure to begin to investigate complaints within three school days of receipt, and identify personnel who will manage the investigation and any resulting record and are responsible for keeping and regulating access to any record;
4. provide procedures for issuing a written determination to the complainant that addresses each allegation and contains findings and conclusions;

5. \_\_\_\_\_ if the investigation finds the requirements of Minnesota Statutes, sections 121A.40 to 121A.61, including any local policies that were not implemented appropriately, contain procedures that require a corrective action plan to correct a student's record and provide relevant staff with training, coaching, or other accountability practices to ensure appropriate compliance with policies in the future; and
6. \_\_\_\_\_ prohibit reprisals or retaliation against any person who asserts, alleges, or reports a complaint, and provide procedures for applying appropriate consequences for a person who engages in reprisal or retaliation.

#### **XIX. DISTRIBUTION OF POLICY**

The school district will notify students and parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be made available to all students and parents at the commencement of each school year and to all new students and parents upon enrollment. This policy shall also be available upon request in each principal's office.

#### **XX. REVIEW OF POLICY**

The principal and representatives of parents, students and staff in each school building shall confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes shall be submitted to the superintendent for consideration by the school board, which shall conduct an annual review of this policy.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota Students)  
Minn. Stat. § 120B.232 (Character Development Education) ~~Minn. Stat. § 121A.26 (School Preassessment Teams)~~ ~~Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)~~  
Minn. Stat. § 121A.26 (School Preassessment Teams)  
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)  
Minn. Stat. §§ 121A.40 ~~to~~ 121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension) ~~Minn. Stat. §§~~  
Minn. Stat. § 121A.58 (Corporal Punishment; Prone Restraint; And Certain Physical Holds)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)  
Minn. Stat. §§ 121A.60 (Definitions)  
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)  
Minn. Stat. § 121A.611 (Recess and Other Breaks)  
Minn. Stat. § 122A.42 (General Control of Schools)  
Minn. Stat. § 123A.05 (State-Approved Alternative Program Organization)  
Minn. Stat. § 124D.03 (Enrollment Options Program)  
Minn. Stat. § 124D.08 (School Boards' Approval to Enroll in Nonresident District; Exceptions)  
Minn. Stat. Ch. 125A (Special Education and Special Programs)  
Minn. Stat. § 152.22, Subd. 6 (Definitions)  
Minn. Stat. § 152.23 (Limitations)  
Minn. Stat. Ch. 260A (Truancy)  
Minn. Stat. Ch. 260C (Juvenile Safety and Placement)  
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Act) ~~29 U.S.C. § 794 et. seq. (Rehabilitation Act of 1973, § 504)~~  
29 U.S.C. § 794 et. seq. (Rehabilitation Act of 1973, § 504)

34 C.F.R. § 300.~~53~~530(e)(1) (Manifestation Determination)

**Cross References:**

MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; [Vaping Awareness and Prevention Instruction](#))  
MSBA/MASA Model Policy 501 (School Weapons)  
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)  
MSBA/MASA Model Policy 503 (Student Attendance)  
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)  
[MSBA/MASA Model Policy 507.5 \(School Resource Officers\)](#)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)  
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 526 (Hazing Prohibition)  
MSBA/MASA Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)  
MSBA/MASA Model Policy 610 (Field Trips)  
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)  
MSBA/MASA Model Policy 711 (Video Recording on School Buses)  
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY 507  
Corporal Punishment and Prone Restraint**

Adopted \_\_\_\_\_ By Reference \_\_\_\_\_

Revised **February 2024**

**The provisions of this policy substantially reflect statutory requirements.]**

**PURPOSE**

The purpose of this policy is to describe limitations on use of corporal punishment and prone restraint upon a student.

**GENERAL STATEMENT OF POLICY**

No employee or agent of the school district shall inflict corporal punishment or use prone restraint upon a student except as provided below.

**DEFINITIONS**

"Corporal punishment" means conduct involving:

hitting or spanking a person with or without an object; or

unreasonable physical force that causes bodily harm or substantial emotional harm.

"Prone restraint" means placing a child in a face-down position.

**PROHIBITIONS**

An employee or agent of a district shall not inflict corporal punishment or cause corporal punishment to be inflicted upon a pupil to reform unacceptable conduct or as a penalty for unacceptable conduct.

An employee or agent of a district, including a school resource officer, security personnel, or police officer contracted with a district, shall not use prone restraint except that the restrictions on prone and compressive restraints do not apply under the circumstances enumerated in Minnesota Statutes, section 609.06, subdivision 1 (1). All peace officers, including those who are school resource officers or

otherwise agents of a school district, may use force as reasonably necessary to carry out official duties, including, but not limited to, making arrests and enforcing orders of the court. An employee or agent of a district, including a school resource officer, security personnel, or police officer contracted with a district, shall not inflict any form of physical holding that restricts or impairs a pupil's ability to breathe; restricts or impairs a pupil's ability to communicate distress; places pressure or weight on a pupil's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a pupil's torso.

Conduct that violates this Article is not a crime under Minnesota Statutes, section 645.241, but may be a crime under Minnesota Statutes, chapter 609 if the conduct violates a provision of Minnesota Statutes, chapter 609. Conduct that violates IV.1 above is not per se corporal punishment under the statute. Nothing in this Minnesota Statutes, section 121A.58 or 125A.0941 precludes the use of reasonable force under Minnesota Statutes, section 121A.582.

A teacher, principal, and other school staff may use reasonable force under the conditions set forth in Policy 506 (Student Discipline).

**VIOLATION**

Employees who violate the provisions of this policy shall be subject to disciplinary action as appropriate. Any such disciplinary action shall be made pursuant to and in accordance with applicable statutory authority, collective bargaining agreements and school district policies. Violation of this policy may also result in civil or criminal liability for the employee.

**Legal References:** Minn. Stat. § 121A.58 (Corporal Punishment)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force) Minn. Stat. § 123B.25 (Actions Against Districts and Teachers) Minn. Stat. § 609.06, Subd. 1 (6)(7) (Authorized Use of Force) Op. Atty. Gen. 169f (August 22, 2023) (School Pupils: Discipline) Op. Atty. Gen. 169f Supp. (September 20, 2023) (School Pupils: Discipline)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension and Dismissal of School District Employees)  
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 506 (Student Discipline)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY 508  
Extended School Year For Certain Students With Individualized Education Programs (IEPS)**

Adopted \_\_\_\_\_ By Reference \_\_\_\_\_

Revised **March 2023**

**: The provisions of this policy substantially reflect statutory and regulatory requirements.]**

**PURPOSE**

The purpose of this policy is to ensure that the school district complies with the overall requirements of law as mandated for certain students subject to individualized education programs (IEPs) when necessary to provide a free appropriate public education (FAPE).

**GENERAL STATEMENT OF POLICY**

Extended School Year Services Must Be Available to Provide a FAPE. The school district shall provide extended school year (ESY) services to a student who is the subject of an IEP if the student's IEP team determines the services are necessary during a break in instruction in order to provide a FAPE.

Extended School Year Determination. At least annually, the IEP team must determine that a student is in need of ESY services if the student meets any of the following conditions:

There will be significant regression of a skill or acquired knowledge from the student's level of performance on an annual goal that requires more than the length of the break in instruction to recoup unless the IEP team determines a shorter time for recoupment is more appropriate; OR

Services are necessary for the student to attain and maintain self-sufficiency because of the critical nature of the skill addressed by an annual goal, the student's age and level of development, and the timeliness for teaching the skill; OR

The IEP team otherwise determines, given the student's unique needs, that ESY services are necessary to ensure the pupil receives a FAPE.

Required Factors Schools Must Consider in Making ESY Determinations. The IEP team must decide ESY eligibility using information including:

Prior observations of the student's regression and recoupment over the summer;  
Observations of the student's tendency to regress over extended breaks in instruction during the school year; and Experience with other students with similar instructional needs.

Additional Factors to Consider, Where Relevant. In making its determination of ESY needs, the following factors must be considered, where relevant:

The student's progress and maintenance of skills during the regular school year.

The student's degree of impairment.

The student's rate of progress.

The student's behavioral or physical problems.

The availability of alternative resources.

The student's ability and need to interact with nondisabled peers.

The areas of the student's curriculum which need continuous attention.

The student's vocational needs.

No Unilateral Decisions. In the course of providing ESY services to children with disabilities, the school district may not unilaterally limit the type, amount, or duration of those services.

Services to Nonresident Students Temporarily Placed in School District. A school district may provide ESY services to nonresident children with disabilities temporarily placed in the school district in accordance with applicable state law.

**Legal References:** Minn. Stat. § 125A.14 (Extended School Year)  
Minn. Rules Part 3525.0755  
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act) 34 C.F.R.  
Part 300 (Assistance to States for the Education of Children with Disabilities)

**Cross References:** None

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT**  
**#361**  
**BOARD POLICY 509**  
**Enrollment of Nonresident Students**

**Adopted\_\_\_\_\_By Reference\_**

*Revised\_July 2023*

**PURPOSE**

The school district desires to participate in the Enrollment Options Program established by Minnesota Statutes section 124D.03. The purpose of this policy to set forth the application and exclusion procedures used by the school district in making said determination.

**GENERAL STATEMENT OF POLICY**

The school board adopts specific standards for acceptance and rejection of Open Enrollment applications.

**OPEN ENROLLMENT PROCESS**

Open Enrollment applications will be approved provided that acceptance of the application will not exceed the capacity of a program, excluding special education services; class; grade level; or school building as established by school board resolution and provided that:

space is available for the applicant under enrollment cap standards established by school board policy or other directive; and

in considering the capacity of a grade level, the school district may only limit the enrollment of nonresident students to a number not less than the lesser of: (a) one percent of the total enrollment at each grade level in the school district; or (b) the number of school district resident students at that grade level enrolled in a nonresident school district in accordance with Minnesota Statutes, section 124D.03.

the applicant is not otherwise excluded by action of the school district because of previous conduct in another school district.

If the school district limits enrollment of nonresident students pursuant to this section, the district shall report to the Commissioner of the Minnesota Department of Education (MDE) by July 15 on the number of nonresident pupils denied admission due to the limitations on the enrollment of nonresident pupils.

**BASIS FOR DECISIONS**

Standards that may be used for rejection of application

In addition to the provisions of Paragraph II.A., the school district may refuse to allow a pupil who is expelled under Section 121A.45 to enroll during the term of the expulsion if the student was expelled for:

possessing a dangerous weapon, including a weapon, device, instruments, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade less than two and one-half inches in length, at school or a school function;

possessing or using an illegal drug at school or a school function;

selling or soliciting the sale of a controlled substance while at school or a school function; or  
committing a third-degree assault involving assaulting another and inflicting substantial bodily harm.

#### Standards that may not be used for rejection of application

The school district may not use the following standards in determining whether to accept or reject an application for open enrollment:

previous academic achievement of a student;

athletic or extracurricular ability of a student;

disabling conditions of a student;

a student's proficiency in the English language;

the student's district of residence except where the district of residence is directly included in an enrollment options strategy included in an approved achievement and integration program; or

previous disciplinary proceedings involving the student. This shall not preclude the school district from proceeding with exclusion as set out in Section F. of this policy.Application

The student and parent or guardian must complete and submit the "General Statewide Enrollment Options Application for K-12 and Early Childhood Special Education (or the Statewide Enrollment Options Application for State-Funded Voluntary Prekindergarten (VPK) or School Readiness Plus (SRP) Application if applicable) developed by MDE and available on its website.

The school district may require a nonresident student enrolled in a program under Minnesota Statutes, section 125A.13, or in a preschool program, except for a program under Minnesota Statutes, section 124D.151 or Laws 2017, First Special Session chapter 5, article 8, section 9, to follow the application procedures under this subdivision to enroll in kindergarten. A district must allow a nonresident student enrolled in a program under Minnesota Statutes, section 124D.151 or Laws 2017, First Special Session chapter 5, article 8, section 9, to remain enrolled in the district when the student enters kindergarten without submitting annual or periodic applications, unless the district terminates the student's enrollment under subdivision 12.

The school district shall notify the parent or guardian in writing by February 15 or within ninety (90) days for applications submitted after January 15 in the case of achievement and integration district transfers whether the application has been accepted or rejected. If an application is rejected, the district must state in the notification the reason for rejection. The parent or guardian must notify the nonresident district by March 1 or within then (10) business days whether the pupil intends to enroll in the nonresident district.

#### Lotteries

If a school district has more applications than available seats at a specific grade level, it must hold an impartial lottery following the January 15 deadline to determine which students will receive seats. The district must give priority to enrolling siblings of currently enrolled students, students whose applications are related to an approved integration and achievement plan, children of the school district's staff, and students residing in that part of a municipality (a statutory or home rule charter city or town) where:

the student's resident district does not operate a school building;

the municipality is located partially or fully within the boundaries of at least five school districts;

the nonresident district in which the student seeks to enroll operates one or more school buildings within the municipality; and

no other nonresident, independent, special, or common school district operates a school building within the municipality.

The process for the school district lottery must be established by school board policy and posted on the school district's website.

### Exclusion

Administrator's initial determination. If a school district administrator knows or has reason to believe that an applicant has engaged in conduct that has subjected or could subject the applicant to expulsion or exclusion under law or school district policy, the administrator will transmit the application to the superintendent with a recommendation of whether exclusion proceedings should be initiated.

Superintendent's review. The superintendent may make further inquiries. If the superintendent determines that the applicant should be admitted, he or she will notify the applicant and the school board chair. If the superintendent determines that the applicant should be excluded, the superintendent will notify the applicant and determine whether the applicant wishes to continue the application process. Although an application may not be rejected based on previous disciplinary proceedings, the school district reserves the right to initiate exclusion procedures pursuant to the Minnesota Pupil Fair Dismissal Act as warranted on a case-by-case basis.

### Termination of Enrollment

The school district may terminate the enrollment of a nonresident student enrolled under an enrollment options program pursuant to Minnesota Statutes section 124D.03 or 124D.08 at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy under Minnesota Statutes chapter 260A, and the student's case has been referred to juvenile court. A "habitual truant" is a child under 17 years of age who is absent from attendance at school without lawful excuse for seven school days in a school year if the child is in elementary school or for one or more class periods on seven school days in a school year if the child is in middle school, junior high school or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days in a school year and who has not lawfully withdrawn from school under Minnesota Statutes section 120A.22, subdivision 8. The school district may also terminate the enrollment of a nonresident student over 17 years of age if the student is absent without lawful excuse for one or more periods on 15 school days and has not lawfully withdrawn from school under Minnesota Statutes section 120A.22, subdivision 8.

A student who has not applied for and been accepted for open enrollment pursuant to this policy and does not otherwise meet the residency requirements for enrollment may be terminated from enrollment and removed from school. Prior to removal from school, the school district will send to the student's parents a written notice of the school district's belief that the student is not a resident of the school district. The notice shall include the facts upon which the belief is based and notice to the parents of their opportunity to provide documentary evidence, in person or in writing, of residency to the superintendent or the superintendent's designee. The superintendent or the superintendent's designee will make the final determination as to the residency status of the student.

Notwithstanding the requirement that an application must be approved by the board of the nonresident district, a student who has been enrolled in a district, who is identified as homeless, and whose parent or legal guardian moves to another district, or who is placed in foster care in another school district, may continue to enroll in the nonresident district without the approval of the board of the nonresident district. The approval of the board of the student's resident district is not required.

**Legal References:** Minn. Stat. § 120A.22, Subd. 3(e) and Subd. 8 (Compulsory Instruction) Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 124D.03 (Enrollment Options Program)  
Minn. Stat. § 124D.08 (School Board Approval to Enroll in Nonresident District; Exceptions)  
Minn. Stat. § 124D.68 (Graduation Incentives Program) Minn. Ch. 260A (Truancy)  
Minn. Stat. § 260C.007, Subd. 19 (Definitions) Minn. Op. Atty. Gen. 169-f (Aug. 13, 1986)  
*Indep. Sch. Dist. No. 623 v. Minn. Dept. of Educ.*, Co. No. A05-361, 2005 WL 3111963 (Minn. Ct. App. 2005) (unpublished)  
18 U.S.C. 930, para. (g)(2) (Definition of Weapon)

**Cross References:** MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 517 (Student Recruiting)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT**

**#361**

**BOARD POLICY 510**

**School Activities**

**Adopted\_\_\_\_\_By Reference\_**

*Revised\_May, 2023*

**PURPOSE**

The purpose of this policy is to impart to students, employees, and the community the school district's policy related to the student activity program.

**GENERAL STATEMENT OF POLICY**

School activities provide additional opportunities for students to pursue special interests that contribute to their physical, mental, and emotional well-being. They are of secondary importance in relationship to the formal instructional program; however, they complement the instructional program in providing students with additional opportunities for growth and development.

**RESPONSIBILITY**

The school board expects all students who participate in school-sponsored activities to represent the school and community in a responsible manner. All rules pertaining to student conduct and student discipline extend to school activities.

The school board expects all spectators at school sponsored activities, including parents, employees, and other members of the public, to behave in an appropriate manner at those activities. Students and employees may be subject to discipline and parents and other spectators may be subject to sanctions for engaging in misbehavior or inappropriate, illegal, or unsportsmanlike behavior at these activities or events.

The superintendent shall be responsible for disseminating information needed to inform students, parents, staff, and the community of the opportunities available within the school activity program and the rules of participation.

Those students who participate in Minnesota State High School League (MSHSL) activities must also abide by the league rules. Those employees who conduct MSHSL activities shall be responsible for familiarizing students and parents with all applicable rules, penalties, and opportunities.

The superintendent shall be responsible for conducting an annual evaluation of school activity programs and presenting the results and any recommendations to the school board.

The school board will ensure that any funds raised for extracurricular activities will be spent only on extracurricular activities.

**Legal References:** Minn. Stat. § 123B.49 (Extracurricular Activities; Insurance)

**Cross References:** MSBA/MASA Model Policy 503 (Student Attendance)  
MSBA/MASA Model Policy 506 (Student Discipline) MSBA/MASA Model Policy  
713 (Student Activity Accounting)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT**

**#361**

**BOARD POLICY 511**

**School Fundraising**

*Adopted\_By Reference*

*Revised\_March 2024*

**PURPOSE**

The purpose of this policy is to address student fundraising efforts.

**GENERAL STATEMENT OF POLICY**

The school board recognizes a desire and a need by some student organizations for fundraising. The school board also recognizes a need for some constraint to prevent fundraising activities from becoming too numerous and overly demanding on employees, students, and the general public.

**RESPONSIBILITY**

The building administrators shall be responsible for developing recommendations to the superintendent that will result in a level of activity deemed acceptable by employees, parents, and students. Fundraising must be conducted in a manner that will not result in embarrassment on the part of individual students, employees, or the school.

All fundraising activities must be approved, in advance, by the administration. Participation in nonapproved activities shall be considered a violation of school district policy.

The superintendent shall be responsible for providing coordination of student fundraising throughout the school district as deemed appropriate.

The school district expects all students who participate in approved fundraising activities to represent the school, the student organization, and the community in a responsible manner. All rules pertaining to student conduct and student discipline extend to student fundraising activities.

The school district expects all employees who plan, supervise, coordinate, or participate in student fundraising activities to act in the best interests of the students and to represent the school, the student organization, and the community in a responsible manner.

**ANNUAL REPORT**

The superintendent shall report to the school board, at least annually, on the nature and scope of student fundraising activities approved pursuant to this policy.

**Legal References:**

Minn. Stat. § 120A.20 (Age Limitations; Pupils)

Minn. Stat. § 123B.09, Subd. 8 (Boards of Independent School Districts) Minn. Stat. § 123B.36 (Authorized Fees)

**Cross References:** MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 713 (Student Activity Accounting)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY 512  
School-Sponsored Student Publications and Activities**

Adopted \_\_\_\_\_ By Reference \_

Revised \_April 2020

**PURPOSE**

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

**GENERAL STATEMENT OF POLICY**

*[Note: A school district generally will wish to reserve a forum it sponsors for its intended purpose in light of the special characteristics of the school environment. By doing so, the school district will have more authority/editorial control over student expression in such a forum. Sponsorship alone may not be enough, however. If the exercise of control is challenged, courts will examine factors such as whether the school district's purpose in creating the forum was educational, whether school officials supervised the publication or activity and exercised editorial control over the contents, whether the materials were produced as part of the curriculum, and whether students received grades and academic credit for the publication or activity. If a forum is reserved, regulation of student expression as in Section IV.B. of this policy will be permissible. If a forum is not reserved, but rather is opened for public communication by tradition or designation, then only the limited regulation of speech as described in Section IV.A. of this policy will be permissible.]*

- A. The school district may exercise editorial control over the style and content of student expressions in school-sponsored publications and activities.

Expressions and representations made by students in school-sponsored publications and activities are not expressions of official school district policy. Faculty advisors shall supervise student writers to ensure compliance with the law and school district policies.

Students who believe their right to free expression has been unreasonably restricted in an official student publication or activity may seek review of the decision by the building principal. The principal shall issue a decision no later than three (3) school days after review is requested.

Students producing official school publications and activities shall be under the supervision of a faculty advisor and the school principal. Official publications and activities shall be subject to the guidelines set forth below.

Official school publications may be distributed at reasonable times and locations.

**DEFINITIONS**

"Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, posting or displaying material, or placing materials in internal staff or student mailboxes.

- B. "Official school publications" means school newspapers, yearbooks, or material produced in communications, journalism, or other writing classes as a part of the curriculum.

- C. "Obscene to minors" means:
1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
  2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
  3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.

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

"Material and substantial disruption" of a normal school activity means:

Where the normal school activity is an educational program of the school district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.

Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

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

"School activities" means any activity of students sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.

E. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower that individual in the esteem of the community.

#### **GUIDELINES**

Expression in an official school publication or school-sponsored activity is prohibited when the material:

is obscene to minors;  
is **libelous** or **slanderous**;

advertises or promotes any product or service not permitted for minors by law;

1. encourages students to commit illegal acts or violate school regulations or substantially disrupts the orderly operation of school or school activities;

**expresses** or advocates sexual, racial, or religious harassment or violence or prejudice;

is distributed or displayed in violation of time, place, and manner regulations.

- F. Expression in an official school publication or school-sponsored activity is subject to editorial control by the school district over the style and content as long as the school district's actions are reasonably related to legitimate pedagogical concerns. These may include, but are not limited to, the following:

assuring that participants learn whatever lessons the activity is designed to teach;

assuring that readers or listeners are not exposed to material that may be inappropriate for their level of maturity;

assuring that the views of the individual speaker are not erroneously attributed to the school;

assuring that the school is not associated with any position other than neutrality on matters of political controversy;

assuring that the sponsored student speech cannot reasonably be perceived to advocate conduct otherwise inconsistent with the shared values of a civilized social order;

assuring that the school is not associated with expression that is, for example, ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.

#### Time, Place and Manner of Distribution

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

##### Time

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

##### Place

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

##### Manner

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

#### **Legal References:**

U. S. Const., amend. I

*Hazelwood School District v. Kuhlmeier*, 484 U.S. 260 (1988) *Bystrom v. Fridley High School, I.S.D. No. 14*, 822 F.2d 747 (8<sup>th</sup> Cir. 1987)

*Morse v. Frederick*, 551 U.S. 393, 127 S.Ct. 2618, 168 L.Ed.2d 290 (2007)

**Cross References:** MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees) MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY 513  
Student Promotion, Retention, and Program Design**

**Adopted**\_\_\_\_\_ **By Reference**\_\_\_\_\_

**Revised**\_\_\_\_\_ **July 2023**

**PURPOSE**

The purpose of this policy is to provide guidance to professional staff, parents and students regarding student promotion, retention and program design.

**GENERAL STATEMENT OF POLICY**

The school board expects all students to achieve at an acceptable level of proficiency. Parental assistance, tutorial and remedial programs, counseling and other appropriate services shall be coordinated and utilized to the greatest extent possible to help students succeed in school.

Promotion.

Students who achieve at levels deemed acceptable by local and state standards shall be promoted to the next grade level at the completion of each school year.

Retention.

Retention of a student may be considered when professional staff and parents feel that it is in the best interest of the student. Physical development, maturity, and emotional factors shall be considered as well as scholastic achievement. The

Program Design.

The superintendent, with participation of the professional staff and parents, shall develop and implement programs to challenge students that are consistent with the needs of students at every level. A process to assess and evaluate students for program assignment shall be developed in coordination with such programs. Opportunities for special programs and placement outside of the school district shall also be developed as additional options. All programs will be aligned with creating the world's best workforce.

The school district may identify students, locally develop programs and services addressing instructional and affective needs, provide staff development, and evaluate programs to provide gifted and talented students with challenging and appropriate educational programs and services.

The school district must adopt guidelines for assessing and identifying students for participation in gifted and talented programs and services consistent with Minnesota Statutes, section 120B.11. The guidelines should include the use of:

multiple objective criteria; and

assessments and procedures that are valid and reliable, fair, and based on current theory and research. Assessments and procedures should be sensitive to under-represented groups, including, but not limited to, low-income, minority, twice-exceptional, and English learners.

The school district must adopt procedures for the academic acceleration of gifted and

talented students. These procedures will include how the school district will:

assess a student's readiness and motivation for acceleration; and

match the level, complexity, and pace of the curriculum to a student to achieve the best type of academic acceleration for that student.

The school district must adopt procedures consistent with Minnesota Statutes, section 124D.02 for early admission to kindergarten or first grade of gifted or talented learners consistent with Minnesota Statutes, section 120B.11, subdivision 2, clause (2). The procedures must be sensitive to groups.

**Legal References:** Minn. Stat. § 120B.15 (Gifted and Talented Programs)  
Minn. Stat. § 123B.143, subd. 1 (Superintendents)

**Cross References:** MSBA/MASA Model Policy 613 (Graduation Requirements)  
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)  
MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)  
MSBA/MASA Model Policy 617 (School District Ensurance of Preparatory and High School Standards)  
MSBA/MASA Model Policy 618 (Assessment of Standard Achievement)  
MSBA/MASA Model Policy 620 (Credit for Learning)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY 514  
Bullying Prohibition Policy**

Adopted \_\_\_\_\_ By Reference\_

Revised July 2023

**514 BULLYING PROHIBITION POLICY**

**[NOTE: School districts are required by statute to have a policy addressing bullying.]**

**I. PURPOSE**

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with ~~students'~~ a student's ability to learn and/or a teacher's ability to educate students in a safe environment. The school district cannot monitor the activities of students at all times and eliminate all incidents of bullying between students, particularly when students are not under the direct supervision of school personnel. However, to the extent such conduct affects the educational environment of the school district and the rights and welfare of its students and is within the control of the school district in its normal operations, the school district intends to prevent bullying and to take action to investigate, respond to, and to remediate and discipline for those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the school district in its goal of preventing and responding to acts of bullying, intimidation, violence, reprisal, retaliation, and other similar disruptive and detrimental behavior.

**II. GENERAL STATEMENT OF POLICY**

**A.** An act of bullying, by either an individual student or a group of students, is expressly prohibited:

- 1.** on the school premises, at the school functions or activities, on the school transportation;
- 2.** by the use of electronic technology and communications on the school premises, during the school functions or activities, on the school transportation, or on the school computers, networks, forums, and mailing lists; or
- 3.** by use of electronic technology and communications off the school premises to the extent such use substantially and materially disrupts student learning or the school environment.

**B.** A school-aged child who voluntarily participates in a public school activity, such as a cocurricular or extracurricular activity, is subject to the policy provisions applicable to the public school students participating in the activity.

**C.** This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations

of the school district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources. This policy also applies to sexual exploitation.

D. Malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, religion, sexual harassment, and sexual orientation and gender identity as defined in Minnesota Statutes, chapter 363A is prohibited. This prohibition applies to students, independent contractors, teachers, administrators, and other school personnel.

Malicious and sadistic conduct and sexual exploitation by a school district or school staff member, independent contractor, or enrolled student against a staff member, independent contractor, or student that occurs as described in Article II.A above is prohibited.

E. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.

F. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.

G. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.

H. False accusations or reports of bullying against another student are prohibited.

I. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures, including the school district's discipline policy (See MSBA/MASA Model Policy 506). The school district may take into account the following factors:

1. The developmental ages and maturity levels of the parties involved;
2. The levels of harm, surrounding circumstances, and nature of the behavior;
3. Past incidences or past or continuing patterns of behavior;
4. The relationship between the parties involved; and
5. The context in which the alleged incidents occurred.

Consequences for students who commit prohibited acts of bullying may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. The school district shall employ research-based developmentally appropriate best practices that include preventative and remedial measures and effective discipline for deterring violations of this policy, apply throughout the school district, and foster student, parent, and community participation.

Consequences for employees who permit, condone, or tolerate bullying or engage in an act of reprisal or intentional false reporting of bullying may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from school district property and events.

J. \_\_\_\_\_ The school district will act to investigate all complaints of bullying reported to the school district and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

### **III. DEFINITIONS**

For the purposes of this policy, the definitions included in this section apply.

A. \_\_\_\_\_ "Bullying" means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:

1. \_\_\_\_\_ an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
2. \_\_\_\_\_ **materially** and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

The term, "bullying," specifically includes cyberbullying, malicious and sadistic conduct, and sexual exploitation.

B. \_\_\_\_\_ "Cyberbullying" means bullying using technology or other electronic communication, including, but not limited to, a transfer ~~of~~ of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.

C. \_\_\_\_\_ "Immediately" means as soon as possible but in no event longer than 24 hours.

D. \_\_\_\_\_ "Intimidating, threatening, abusive, or harming conduct" means, but is not limited to, conduct that does the following:

1. \_\_\_\_\_ Causes physical harm to a student or a student's property or causes a student to be in reasonable fear of harm to person or property;
2. \_\_\_\_\_ Under Minnesota common law, violates a student's reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or
3. \_\_\_\_\_ Is directed at any student or students, including those based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

E. \_\_\_\_\_ "Malicious and sadistic conduct" means creating a hostile learning environment by acting with the intent to cause harm by intentionally injuring another without just cause or reason or engaging in extreme or excessive cruelty or delighting in cruelty.

F. "On school premises, on school district property, at school-related functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.

G. "Prohibited conduct" means bullying, ~~or~~ cyberbullying, malicious and sadistic conduct, sexual exploitation, or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about prohibited conduct.

H. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.

I. "Student" means a student enrolled in a public school or a charter school.

#### **IV. REPORTING PROCEDURE**

A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.

C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to ~~one of the following individuals:~~

**Building Principals: Melissa Tate; Falls Elementary School; 218-283-2571 ext.1232**

**Tim Everson, Head Principal: Falls High School; 218-283-2571 ext. 1104  
Don Rolando, Dean of Students: Falls High School; 218-283-2571 ext. 1126**

~~1. Title IX Officer: Kevin Grover, Superintendent of Schools ISD #361 District Office; 1515 11<sup>th</sup> Street, International Falls, MN 56649 218-283-2571 ext. 1112 or alternate Tim Everson, Falls High School Principal at 218-283-2571 ext. 1104.~~

**Human Rights Officers: Tim Everson, Falls High School Principal at 218-283-2571 ext. 1104 or alternate Melissa Tate, Falls Elementary School Principal at 218-283-2571 ext. 1232.**

a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a third party designated by the school district shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.

D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.

E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.

F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, ~~of~~ work assignments, or educational or work environment.

G. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

#### V. **SCHOOL DISTRICT ACTION**

A. Within three school days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker or a third party designated by the school district.

B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.

C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

D. Upon completion of thean investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation,

termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy (See MSBA/MASA Model Policy 506) and other applicable school district policies; and applicable regulations.

- E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the school district shall, when determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in bullying or other prohibited conduct.

## **VI. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged bullying or prohibited conduct, who provides information about bullying or prohibited conduct, who testifies, assists, or participates in an investigation of alleged bullying or prohibited conduct, or who testifies, assists, or participates in a proceeding or hearing relating to such bullying or prohibited conduct. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

## **VII. TRAINING AND EDUCATION**

- A. Consistent with its applicable policies and practices, the school district shall must discuss this policy with students, school personnel and volunteers and provide appropriate training to for all school district personnel regarding this policy, to prevent, identify, and respond to prohibited conduct. The school district shall must establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.
- B. The school district shall require ongoing professional development, consistent with Minnesota Statutes, section 122A.60, to build the skills of all school personnel who regularly interact

with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:

1. \_\_\_\_\_ Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
  2. \_\_\_\_\_ The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
  3. \_\_\_\_\_ Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
  4. \_\_\_\_\_ The incidence and nature of cyberbullying; and
  5. \_\_\_\_\_ Internet safety and cyberbullying.
- C. \_\_\_\_\_ The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.→
- D. \_\_\_\_\_ The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.
- E. \_\_\_\_\_ The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

The administration must establish strategies for creating a positive school climate and use evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct.

The administration is encouraged, to the extent practicable, to take such actions as it may deem appropriate to accomplish the following:

1. \_\_\_\_\_ Engage all students in creating a safe and supportive school environment;
2. \_\_\_\_\_ Partner with parents and other community members to develop and implement prevention and intervention programs;
3. \_\_\_\_\_ Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
4. \_\_\_\_\_ Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
5. \_\_\_\_\_ Teach students to advocate for themselves and others;
6. \_\_\_\_\_ Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and

7. Foster student collaborations that, in turn, foster a safe and supportive school climate.

F. The school district may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.

G. The school district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (See MSBA/MASA Model Policy 515) in the student handbook.

### **VIII. NOTICE**

A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.

B. ~~Article II, paragraph D, regarding malicious and sadistic conduct~~ must be conspicuously posted ~~throughout each school building.~~

C. ~~This policy shall be conspicuously posted~~ in the administrative offices of the school ~~and school district~~ ~~and the office of each school,~~ in summary form.

D. This policy must be ~~given~~ distributed to each school ~~district or school~~ employee and independent contractor ~~who, if the contractor~~ regularly interacts with students, at the time of ~~initial~~ employment with the ~~school~~ district, ~~or the school.~~

E. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See MSBA/MASA Model Policy 506) distributed to parents at the beginning of each school year.

F. This policy shall be available to all parents and other school community members in an electronic format in the ~~language~~ languages appearing on the school district's or a school's website, ~~consistent with the district policies and practices.~~

~~B. Each school must develop a process for discussing this policy with students, parents of students, independent contractors, and school employees.~~

G. The school district shall provide an electronic copy of its most recently amended policy to the Minnesota Commissioner of Education.

### **IX. POLICY REVIEW**

To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minnesota Statutes, sections 121A.031 and 121A.032 and other applicable law. ~~Revisions shall be made in consultation with students, parents, and community organizations.~~

#### **Legal References:**

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

Minn. Stat. § ~~121A.120A.05~~, Subds. 9, 11, 13, and 17 (~~Definition of Public School Definitions~~)

Minn. Stat. § 120B.232 (Character Development Education)

Minn. Stat. § ~~121A.03~~ (~~Sexual, Religious and Racial Harassment and Violence Model~~)

Policy)

Minn. Stat. § 121A.031 (School Student Bullying Policy)

Minn. Stat. ~~§ 121A.0312 (Malicious and Sadistic Conduct)~~

~~Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)~~

Minn. Stat. ~~§ 121A.0312 (Malicious and Sadistic Conduct)~~

Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)

Minn. Stat. § 121A.69 (Hazing Policy)

Minn. Stat. ~~§~~ Ch. 124E (Charter ~~School~~Schools)

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

20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)

34 C.F.R. §§ 99.1 – 99.67 (Family Educational Rights and Privacy)

**Cross References:**

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)

MSBA/MASA Model Policy 413 (Harassment and Violence)

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 423 (Employee-Student Relationships)

MSBA/MASA Model Policy 501 (School Weapons Policy)

MSBA/MASA Model Policy 506 (Student Discipline)

MSBA/MASA Model Policy 507 (Corporal Punishment)

MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Policy-~~)~~

MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)

MSBA/MASA Model Policy 525 (Violence Prevention)

MSBA/MASA Model Policy 526 (Hazing Prohibition)

MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)

MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)

MSBA/MASA Model Policy 711 (Video Recording on School Buses)

MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL  
DISTRICT #361**

**BOARD POLICY 515  
Protection and Privacy of Pupil Records**

Adopted \_\_\_\_\_ By Reference \_\_\_\_\_

Revised **February** 2024

**515 PROTECTION AND PRIVACY OF PUPIL RECORDS**

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

**I. PURPOSE**

The school district recognizes its responsibility in regard to the collection, maintenance, and dissemination of pupil records and the protection of the privacy rights of students as provided in federal law and state statutes.

**II. GENERAL STATEMENT OF POLICY**

The following procedures and policies regarding the protection and privacy of parents and students are adopted by the school district, pursuant to the requirements of 20 United States Code, section 1232g, *et seq.* (Family Educational Rights and Privacy Act (FERPA)) 34 Code of Federal Regulations, part 99 and consistent with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13, and Minnesota Rules, parts 1205.0100-1205.2000.

**III. DEFINITIONS**

**A. Authorized Representative**

“Authorized representative” means any entity or individual designated by the school district, state, or an agency headed by an official of the Comptroller of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or state and local educational authorities to conduct, with respect to federal or state supported education programs, any audit or evaluation or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

**B. Biometric Record**

“Biometric record,” as referred to in “Personally Identifiable,” means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting).

**C. Dates of Attendance**

"Dates of attendance," as referred to in "Directory Information," means the period of time during which a student attends or attended a school or schools in the school district, including attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student's attendance at a school or schools in the school district.

D. Directory Information

1. ~~"Directory information," under~~ **Under federal law, "directory information"** means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, ~~but is not limited to:~~ the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; dates of attendance; grade level; enrollment status (i.e., full-time or part-time); participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended. It also includes the name, address, and telephone number of the student's parent(s). Directory information does not include:

- a. a student's social security number;
- b. a student's identification number (ID), user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems if the identifier may be used to access education records without use of one or more factors that authenticate the student's identity such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user;
- c. a student ID or other unique personal identifier that is displayed on a student ID badge if the identifier can be used to gain access to educational records when used in conjunction with one or more factors that authenticate the student's identity, such as a PIN, password, or other factor known or possessed only by the student;
- d. personally identifiable data which references religion, race, color, social position, or nationality; or
- e. data collected from nonpublic school students, other than those who receive shared time educational services, unless written consent is given by the student's parent or guardian.

**[NOTE: Under the federal Family Educational Rights and Privacy Act (FERPA), the federal definition of "directory information" identifies the types of information that may be specifically referenced as directory information. The federal definition applies to information requests by military recruiting officers, as set out in Article XI below.]**

- f. **Under Minnesota law,** a school district may not designate a student's

home address, telephone number, email address, or other personal contact information as "directory information."

~~*[Note: The federal definition includes all of the types of Minnesota law prohibits schools from designating student contact information specifically referenced by state and federal law as "directory information. The federal definition applies to" despite the FERPA definition. Minnesota schools should comply with Minnesota law and should not include student contact information requests by military recruiting officers, as set out in Article IX below.*~~

~~*The Minnesota definition imposes additional restrictions upon the types of information that may be designated as their definition of "directory information."*~~

~~*This June 2024 revision to the "directory information" section seeks to clarify the law; no substantive change is presented in this revision.]*~~

**[NOTE: A school district may choose not to designate some or all of the enumerated information as directory information. A school district also may add to the list of directory information, as long as the added data is not information that generally would be deemed as an invasion of privacy or information that references the student's religion, race, color, social position, or nationality. Federal law now allows a school district to specify that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. The identity of those parties and/or purposes should be identified. To the extent a school district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the school district are advised. Designation of directory information is an important policy decision for the local school board who must balance not only the privacy interests of the student against public disclosure but also the additional administrative requirements such restrictions on disclosures will place on the school district.]**

~~*[NOTE: The 2024 Minnesota legislature enacted Minnesota Statutes, section 480.40, which includes a law limiting disclosure of personal information concerning "judicial officials" (school districts can review the statutory definition of "judicial official"). "Personal information" about a judicial official includes "the name of any child" and the name of any school that such a child attends if combined with an assertion that the child attends the school. School districts may not "knowingly publicly post, display, publish, sell, or otherwise make available on the Internet the personal information of any judicial official," including in response to requests for directory information.]*~~

E. Education Records

1. What constitutes "education records."

Education records means those records that are: (1) directly related to a student; and (2) maintained by the school district or by a party acting for the school district.

2. What does not constitute education records: -

The term, "education records," does not include:

a. Records of instructional personnel that are:

- (1) kept in the sole possession of the maker of the record; ~~and~~
- (2) used only as a personal memory aid;
- (3) not accessible or revealed to any other individual except a temporary substitute teacher; and
- (4) destroyed at the end of the school year.

b. Records of a law enforcement unit of the school district, provided education records maintained by the school district are not disclosed to the unit, and the law enforcement records are:

- (1) maintained separately from education records;
- (2) maintained solely for law enforcement purposes; and
- (3) disclosed only to law enforcement officials of the same jurisdiction.

c. Records relating to an individual, including a student, who is employed by the school district which:

- (1) are made and maintained in the normal course of business;
- (2) relate exclusively to the individual in that individual's capacity as an employee; and
- (3) are not available for use for any other purpose.

However, records relating to an individual in attendance at the school district who is employed as a result of his or her status as a student are education records.

d. Records relating to an eligible student, or a student attending an institution of post-secondary education, that are:

- (1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;
- (2) made, maintained, or used only in connection with the provision of treatment to the student; and

(3) disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the school district.

e. Records created or received by the school district after an individual is no longer a student at the school district and that are not directly related to the individual's attendance as a student.

f. Grades on peer-related papers before the papers are collected and recorded by a teacher.

#### F. Education Support Services Data

"Education support services data"<sup>22</sup> means data on individuals collected, created, maintained, used, or disseminated relating to programs administered by a government entity or entity under contract with a government entity designed to eliminate disparities and advance equities in educational achievement for youth by coordinating services available to participants, regardless of the youth's involvement with other government services. Education support services data does not include welfare data under Minnesota Statutes, section 13.46.

Unless otherwise provided by law, all education support services data are private data on individuals and must not be disclosed except according to Minnesota Statutes, section 13.05 or a court order.

#### G. Eligible Student

"Eligible student" means a student who has attained eighteen (18) years of age or is attending an institution of post-secondary education.

#### H. Juvenile Justice System

"Juvenile justice system" includes criminal justice agencies and the judiciary when involved in juvenile justice activities.

#### I. Legitimate Educational Interest

"Legitimate educational interest" includes an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, student health and welfare, and the ability to respond to a request for education data. It includes a person's need to know in order to:

1. Perform an administrative task required in the school or employee's contract or position description approved by the school board;

2. Perform a supervisory or instructional task directly related to the student's education; ~~or~~

3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid; or

4. Perform a task directly related to responding to a request for data.

J. Parent

“Parent” means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent of the student in the absence of a parent or guardian. The school district may presume the parent has the authority to exercise the rights provided herein, unless it has been provided with evidence that there is a state law or court order governing such matters as marriage dissolution, separation or child custody, or a legally binding instrument which provides to the contrary.

K. Personally Identifiable

“Personally identifiable” means that the data or information includes, but is not limited to: (a) a student’s name; (b) the name of the student’s parent or other family member; (c) the address of the student or student’s family; (d) a personal identifier such as the student’s social security number or student number or biometric record; (e) other ~~direct~~ indirect identifiers, such as the student’s date of birth, place of birth, and mother’s maiden name; (f) other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or (g) information requested by a person who the school district reasonably believes knows the identity of the student to whom the education record relates.

L. Record

“Record” means any information or data recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.

M. Responsible Authority

“Responsible authority” means Superintendent of Schools.

N. Student

“Student” includes any individual who is or has been in attendance, enrolled, or registered at the school district and regarding whom the school district maintains education records. “Student” also includes applicants for enrollment or registration at the school district; and individuals who receive shared time educational services from the school district.

O. School Official

“School official” includes: (a) a person duly elected to the school board; (b) a person employed by the school board in an administrative, supervisory, instructional, or other professional position; (c) a person employed by the school board as a temporary substitute in a professional position for the period of his or her performance as a substitute; and (d) a person employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, a public information officer or data practices compliance official, an attorney, or an auditor for the period of his or her performance as an employee or contractor.

**[NOTE: School districts may wish to reference police liaison officers in the**

**definition of a “school official.” Depending on the circumstances of the relationship, this may be added in subpart (d) of the definition or in a new subpart (e). Caution should be used to ensure that police liaison officers are considered “school officials” only when performing duties as a police liaison officer and that they are trained as to their obligations pursuant to this policy. Consultation with the school district’s legal counsel is recommended.]**

**P.** 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 the individual is ascertainable.

**Q.** Other Terms and Phrases

All other terms and phrases shall be defined in accordance with applicable state and federal law or ordinary customary usage.

**IV.** **GENERAL CLASSIFICATION**

State law provides that all data collected, created, received, or maintained by a school district are public unless classified by state or federal law as not public or private or confidential. State law classifies all data on individuals maintained by a school district which relates to a student as private data on individuals. This data may not be disclosed to parties other than the parent or eligible student without consent, except pursuant to a valid court order, certain state statutes authorizing access, and the provisions of FERPA and the regulations promulgated thereunder.

**V.** **STATEMENT OF RIGHTS**

**A.** Rights of Parents and Eligible Students

Parents and eligible students have the following rights under this policy:

- 1.** The right to inspect and review the student’s education records;
- 2.** The right to request the amendment of the student’s education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student’s privacy or other rights;
- 3.** The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that such consent is not required for disclosure pursuant to this policy, state or federal law, or the regulations promulgated thereunder;
- 4.** The right to refuse release of names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions;
- 5.** The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the federal law and the regulations promulgated thereunder;
- 6.** The right to be informed about rights under the federal law; and
- 7.** The right to obtain a copy of this policy at the location set forth in Section XXI.

of this policy.

**B.** Eligible Students

All rights and protections given to parents under this policy transfer to the student when he or she reaches eighteen (18) years of age or enrolls in an institution of post-secondary education. The student then becomes an "eligible student." However, the parents of an eligible student who is also a "dependent student" are entitled to gain access to the education records of such student without first obtaining the consent of the student. In addition, parents of an eligible student may be given access to education records in connection with a health or safety emergency if the disclosure meets the conditions of any provision set forth in 34 Code of Federal Regulations, section 99.31(a).

**C.** Students with a Disability

The school district shall follow 34 Code of Federal Regulations, sections 300.610-300.617 with regard to the privacy, notice, access, recordkeeping, and accuracy of information related to students with a disability.

**VI.** **DISCLOSURE OF EDUCATION RECORDS**

**A.** Consent Required for Disclosure

- 1.** The school district shall obtain a signed and dated written informed consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the student, except as provided herein.
- 2.** The written consent required by this subdivision must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:
  - a.** a specification of the records to be disclosed;
  - b.** the purpose or purposes of the disclosure;
  - c.** the party or class of parties to whom the disclosure may be made;
  - d.** the consequences of giving informed consent; and
  - e.** if appropriate, a termination date for the consent.
- 3.** When a disclosure is made under this subdivision:
  - a.** if the parent or eligible student so requests, the school district shall provide him or her with a copy of the records disclosed; and
  - b.** if the parent of a student who is not an eligible student so requests, the school district shall provide the student with a copy of the records disclosed.
- 4.** A signed and dated written consent may include a record and signature in electronic form that:
  - a.** identifies and authenticates a particular person as the source of the

electronic consent; and

b. indicates such person's approval of the information contained in the electronic consent.

5. If the responsible authority seeks an individual's informed consent to the release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:

a. in plain language;

b. dated;

c. specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject;

d. specific as to the nature of the information the subject is authorizing to be disclosed;

e. specific as to the persons or agencies to whom the subject is authorizing information to be disclosed;

f. specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and

g. specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for: (i) life insurance or noncancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under ~~Minn. Statutes, chapter 256B~~ or Minnesota Care under Minnesota Statutes, chapter 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a school district that are subject to third party reimbursement.

6. Eligible Student Consent

Whenever a student has attained eighteen (18) years of age or is attending an institution of post-secondary education, the rights accorded to and the consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student, except as provided in Section V. of this policy.

B. Prior Consent for Disclosure Not Required

The school district may disclose personally identifiable information from the education records of a student without the written consent of the parent of the student or the eligible student unless otherwise provided herein, if the disclosure is:

1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;

2. To a contractor, consultant, volunteer, or other party to whom the school district

has outsourced institutional services or functions provided that the outside party:

a. performs an institutional service or function for which the school district would otherwise use employees;

b. is under the direct control of the school district with respect to the use and maintenance of education records; and

c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made.;

3. To officials of other schools, ~~or~~ school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (*see* Section XIX.), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act, 20 United States Code, section 7917, *[insert the following if the school district has a policy regarding Staff Notification of Violent Behavior by Students]* and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minnesota Statutes, section 260B.171, unless the data are required to be destroyed under Minnesota Statutes, section 120A.22, subdivision 7(c) or section 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records that have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with Section XV. of this policy;

4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;

5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:

a. determine eligibility for the aid;

b. determine the amount of the aid;

c. determine conditions for the aid; or

d. enforce the terms and conditions of the aid.

"Financial aid" for purposes of this provision means a payment of funds provided to an individual or a payment in kind of tangible or intangible property to the individual that is conditioned on the individual's attendance at an educational agency or institution;

6. To state and local officials or authorities to whom such information is specifically

allowed to be reported or disclosed pursuant to state statute adopted:

a. before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve the student whose records are released; or

b. after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the school district shall disclose the following information to the juvenile justice system under this paragraph: a student's full name, home address, telephone number, and date of birth; a student's school schedule, attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers;

7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction; - provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be ~~returned or~~ destroyed. For purposes of this provision, the term, "organizations," includes, but is not limited to, federal, state, and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years ~~to~~.

8. To accrediting organizations in order to carry out their accrediting functions;

9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes; -

10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the school district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena

issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 United States Code, section 2332b(g)(5)(B), an act of domestic or international terrorism as defined in 18 United States Code, section 2331, or a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of the proceeding. If the school district initiates legal action against a parent or student, it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as a plaintiff. Also, if a parent or eligible student initiates a legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself;

11. To appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health, including the mental health, or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health or safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;
12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;
13. Information the school district has designated as "directory information" pursuant to Section VII. of this policy;
14. To military recruiting officers and post-secondary educational institutions pursuant to Section XI. of this policy;
15. To the parent of a student who is not an eligible student or to the student himself or herself;
16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the

investigation is being conducted;

17. To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;
18. To the juvenile justice system, on written request that certifies that the information will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student:
  - a. the following information about a student must be disclosed: a student's full name, home address, telephone number, date of birth; a student's school schedule, daily attendance record, and photographs, if any; and any parents' names, home addresses, and telephone numbers;
  - b. the existence of the following information about a student, not the actual data or other information contained in the student's education record, may be disclosed provided that a request for access must be submitted on the statutory form and it must contain an explanation of why access to the information is necessary to serve the student: (1) use of a controlled substance, alcohol, or tobacco; (2) assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act; (3) possession or use of weapons or look-alike weapons; (4) theft; or (5) vandalism or other damage to property. Prior to releasing this information, the principal or chief administrative officer of a school who receives such a request must, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information. If the student's parent or guardian notifies the school official of an objection to the disclosure within ten (10) days of receiving certified notice, the school official must not disclose the information and instead must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the school official must respond to the request for information.

The written requests of the juvenile justice system member(s), as well as a record of any release, must be maintained in the student's file.

19. To the principal where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition order received by a superintendent under Minnesota Statutes, section 260B.171, subdivision 3. The principal must notify the counselor immediately and must place the disposition order in the student's permanent education record. The principal also must notify immediately any teacher or administrator who directly supervises or reports on the behavior or progress of the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other school district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student, outline the offense, and

describe any conditions of probation about which the school must provide information if this information is provided in the disposition order. Disposition order information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information may not be further disseminated by the counselor, teacher, administrator, staff member, substitute, or volunteer except as necessary to serve the student, to protect students and staff, or as otherwise required by law, and only to the student or the student's parent or guardian;

20. To the principal where the student attends if it is information from a peace officer's record of children received by a superintendent under Minnesota Statutes, section 260B.171, subdivision 5. The principal must place the information in the student's education record. The principal also must notify immediately any teacher, counselor, or administrator directly supervising the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student and describe the alleged offense if this information is provided in the peace officer's notice. Peace officer's record information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information must not be further disseminated by the counselor, teacher administrator, staff member, substitute, or volunteer except to communicate with the student or the student's parent or guardian as necessary to serve the student, to protect students and staff, or as otherwise required by law.

The principal must delete the peace officer's record from the student's education record, destroy the data, and make reasonable efforts to notify any teacher, counselor, staff member, administrator, substitute, or volunteer who received information from the peace officer's record if the county attorney determines not to proceed with a petition or directs the student into a diversion or mediation program or if a juvenile court makes a decision on a petition and the county attorney or juvenile court notifies the superintendent of such action;

21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that: (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements; or

22. To an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in 25 United States Code, section 5304), who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records.

23. When requested, educational agencies or institutions may share personal student contact information and directory information for students served in special education with postsecondary transition planning and services under Minnesota Statutes, section 125A.08, paragraph (b), clause (1), whether public or private, with the Minnesota Department of Employment and Economic Development, as required for coordination of services to students with disabilities under Minnesota Statutes, sections 125A.08, paragraph (b), clause (1); 125A.023; and 125A.027.

**[NOTE: The 2024 Minnesota legislature enacted this provision.]**

C. Nonpublic School Students

The school district may disclose personally identifiable information from the education records of a nonpublic school student, other than a student who receives shared time educational services, without the written consent of the parent of the student or the eligible student unless otherwise provided herein, if the disclosure is:

1. Pursuant to a valid court order;
2. Pursuant to a statute specifically authorizing access to the private data; or
3. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiological investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted.

**VII. RELEASE OF DIRECTORY INFORMATION**

A. Educational Data

1. Educational data designated as directory information is public data on individuals to the extent required under federal law. Directory information must be designated pursuant to the provisions of:
  - a. Minnesota Statutes, section 13.32, subdivision 5; and
  - b. 20 United States Code, ~~title 20~~, section 1232g, and 34 Code of Federal Regulations, ~~title 34~~, section 99.37, which were in effect on January 3, 2012.

2. The school district may not designate a student’s home address, telephone number, email address, or other personal contact information as directory information under this section.

3. When requested, the school district must share personal contact information and directory information, whether public or private, with the Minnesota Department of Education, as required for federal reporting purposes.

**[NOTE: This section became effective on the day following final enactment (May 19, 2023). Beginning on the effective date, a student’s personal contact information subject to this section must be treated as private educational data under Minnesota Statutes, section 13.32, regardless of whether that contact information was previously designated as directory information under Minnesota Statutes, section 13.32, subdivision 5].**

B. Former Students

Unless a former student validly opted out of the release of directory information while the student was in attendance and has not rescinded the opt out request at any time, the school district may disclose directory information from the education records generated by it regarding the former student without meeting the requirements of Paragraph C. of this section. In addition, under an explicit exclusion from the definition of an “education record,” the school district may release records that only contain information about an individual obtained after he or she is no longer a student at the school district and that are not directly related to the individual’s attendance as a student (e.g., a student’s activities as an alumnus of the school district).

C. Present Students and Parents

The school district may disclose directory information from the education records of a student and information regarding parents without prior written consent of the parent of the student or eligible student, except as provided herein. ~~Prior to such disclosure the school district shall:~~

1. When conducting the directory information designation and notice process required by federal law, the school district shall give parents and students notice of the right to refuse to let the district designate specified data about the student as directory information.

2. The school district shall give annual notice by any means that are reasonably likely to inform the parents and eligible students of:

a. the types of personally identifiable information regarding students and/or parents that the school district has designated as directory information;

b. the parent’s or eligible student’s right to refuse to let the school district designate any or all of those types of information about the student and/or the parent as directory information; and

c. the period of time in which a parent or eligible student has to notify the school district in writing that he or she does not want any or all of those types of information about the student and/or the parent designated as directory information.

**[NOTE: Federal law ~~now~~ allows a school district to specify that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. If the school district chooses to impose these limitations, it is advisable to add a new paragraph VII.C.1.d. that specifies that disclosures of directory information will be limited to specific parties and/or for specific purposes and identify those parties and/or purposes. To the extent a school district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the school district are advised. This is an important policy decision for the local school board which must balance not only the privacy interests of the student against public disclosure, but also the additional administrative requirements such restrictions will place on the school district.]**

3. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the school district, in writing, that any or all of the information so designated should not be disclosed without the parent's or eligible student's prior written consent, except as provided in Section VI. of this policy.

4. A parent or eligible student may not opt out of the directory information disclosures to:

a. prevent the school district from disclosing or requiring the student to disclose the student's name, ID, or school district e-mail address in a class in which the student is enrolled; or

b. prevent the school district from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that may be designated as directory information and that has been properly designated by the school district as directory information.

5. The school district shall not disclose or confirm directory information without meeting the written consent requirements contained in Section VI.A. of this policy if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.

D. Procedure for Obtaining Nondisclosure of Directory Information

The parent's or eligible student's written notice shall be directed to the responsible authority and shall include the following:

1. Name of the student and/or parent, as appropriate;

2. Home address;

3. School presently attended by student;

4. Parent's legal relationship to student, if applicable; and

5. Specific categories of directory information to be made not public without the parent's or eligible student's prior written consent, which shall only be applicable for that school year.

E. Duration

The designation of any information as directory information about a student or parents will remain in effect for the remainder of the school year unless the parent or eligible student provides the written notifications provided herein.

**VIII. DISCLOSURE OF PRIVATE RECORDS**

A. Private Records

For the purposes herein, education records are records which are classified as private data on individuals by state law and which are accessible only to the student who is the subject of the data and the student's parent if the student is not an eligible student. The school district may not disclose private records or their contents except as summary data, or except as provided in Section VI. of this policy, without the prior written consent of the parent or the eligible student. The school district will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other party to whom personally identifiable information from education records is disclosed.

B. Private Records Not Accessible to Parent

In certain cases, state law intends, and clearly provides, that certain information contained in the education records of the school district pertaining to a student be accessible to the student alone, and to the parent only under special circumstances, if at all.

1. The responsible authority may deny access to private data by a parent when a minor student who is the subject of that data requests that the responsible authority deny such access. The minor student's request must be submitted in writing setting forth the reasons for denying access to the parent and must be signed by the minor. Upon receipt of such request the responsible authority shall determine if honoring the request to deny the parent access would be in the best interest of the minor data subject. In making this determination the responsible authority shall consider the following factors:

- a. whether the minor is of sufficient age and maturity to be able to explain the reasons for and understand the consequences of the request to deny access;
- b. whether the personal situation of the minor is such that denying parental access may protect the minor data subject from physical or emotional harm;
- c. whether there are grounds for believing that the minor data subject's reasons for precluding parental access are reasonably accurate;
- d. whether the data in question is of such a nature that disclosure of it to the parent may lead to physical or emotional harm to the minor data subject; and
- e. whether the data concerns medical, dental, or other health services provided pursuant to Minnesota Statutes, sections 144.341-144.347, in which case the data may be released only if the failure to inform the parent would seriously jeopardize the health of the minor.

C. Private Records Not Accessible to Student

Students shall not be entitled to access to private data concerning financial records and statements of the student's parent or any information contained therein.

D. Military-Connected Youth Identifier

When a school district updates its enrollment forms in the ordinary course of business, the school district must include a box on the enrollment form to allow students to self-identify as a military-connected youth. For purposes of this section, a "military-connected youth" means having an immediate family member, including a parent or sibling, who is currently in the armed forces either as a reservist or on active duty or has recently retired from the armed forces. Data collected under this provision is private data on individuals, but summary data may be published by the Department of Education.

**IX. DISCLOSURE OF CONFIDENTIAL RECORDS**

A. Confidential Records

Confidential records are those records and data contained therein which are made not public by state or federal law, and which are inaccessible to the student and the student's parents or to an eligible student.

B. Reports Under the Maltreatment of Minors Reporting Act

Pursuant to Minnesota Statutes, chapter 260E, written copies of reports pertaining to a neglected and/or physically and/or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies. In respect to other parties, such data shall be confidential and will not be made available to the parent or the subject individual by the school district. The subject individual, however, may obtain a copy of the report from either the local welfare agency, county sheriff, or the local police department subject to the provisions of Minnesota Statutes, chapter 260E.

Regardless of whether a written report is made under Minnesota Statutes, chapter 260E, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.

C. Investigative Data

Data collected by the school district as part of an active investigation undertaken for the purpose of the commencement or defense of pending civil legal action, or ~~which~~ are retained in anticipation of a pending civil legal action are classified as protected nonpublic data in the case of data not on individuals, and confidential data in the case of data on individuals.

1. The school district may make any data classified as protected non-public or confidential pursuant to this subdivision accessible to any person, agency, or the public if the school district determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.

2. A complainant has access to a statement he or she provided to the school district.

3. Parents or eligible students may have access to investigative data of which the student is the subject, but only to the extent the data is not inextricably intertwined with data about other school district students, school district employees, and/or attorney data as defined in Minnesota Statutes, section 13.393.

4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of this provision, a civil investigation becomes inactive upon the occurrence of any of the following events:

a. a decision by the school district, or by the chief attorney for the school district, not to pursue the civil legal action. However, such investigation may subsequently become active if the school district or its attorney decides to renew the civil legal action;

b. the expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action; or

c. the exhaustion or expiration of rights of appeal by either party to the civil legal action.

5. A "pending civil legal action" for purposes of this subdivision is defined as including, but not limited to, judicial, administrative, or arbitration proceedings.

#### D. Chemical Abuse Records

To the extent the school district maintains records of the identity, diagnosis, prognosis, or treatment of any student which are maintained in connection with the performance of any drug abuse prevention function conducted, regulated, or directly or indirectly assisted by any department or agency of the United States, such records are classified as confidential and shall be disclosed only for the purposes and under the circumstances expressly authorized by law.

### X. **DISCLOSURE OF SCHOOL RECORDS PRIOR TO EXCLUSION OR EXPULSION HEARING**

At a reasonable time prior to any exclusion or expulsion hearing, the student and the student's parent or guardian or representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the action proposed by the school district may be based, pursuant to the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, section 121A.40, *et seq.*

### XI. **DISCLOSURE OF DATA TO MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS**

A. The school district will release the names, addresses, electronic mail address (which shall be the electronic mail addresses provided by the school district, if available, that may be released to military recruiting officers only), and home telephone numbers of

students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data pursuant to Paragraph C. below.

B. Data released to military recruiting officers under this provision:

1. \_\_\_\_\_ may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military;
2. \_\_\_\_\_ cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces; and
3. \_\_\_\_\_ copying fees shall not be imposed.

C. A parent or eligible student has the right to refuse the release of the name, address, electronic mail addresses (which shall be the electronic mail addresses provided by the school, if available, that may be released to military recruiting officers only) or home telephone number to military recruiting officers and post--secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the responsible authority [designate title of individual, i.e., building principal] in writing by September 30 each year. The written request must include the following information:

1. \_\_\_\_\_ Name of student and parent, as appropriate;
2. \_\_\_\_\_ Home address;
3. \_\_\_\_\_ Student's grade level;
4. \_\_\_\_\_ School presently attended by student;
5. \_\_\_\_\_ Parent's legal relationship to student, if applicable;
6. \_\_\_\_\_ Specific category or categories of information which are not to be released to military recruiting officers; and post-secondary educational institutions; and
7. \_\_\_\_\_ Specific category or categories of information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.

D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.

E. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, home phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release

such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

## **XII. LIMITS ON REDISCLOSURE**

### **A. Redisclosure**

Consistent with the requirements herein, the school district may only disclose personally identifiable information from the education records of a student on the condition that the party to whom the information is to be disclosed will not disclose the information to any other party without the prior written consent of the parent of the student or the eligible student, except that the officers, employees, and agents of any party receiving personally identifiable information under this section may use the information, but only for the purposes for which the disclosure was made.

### **B. Redisclosure Not Prohibited**

**1.** Subdivision A. of this section does not prevent the school district from disclosing personally identifiable information under Section VI. of this policy with the understanding that the party receiving the information may make further disclosures of the information on behalf of the school district provided:

**a.** The disclosures meet the requirements of Section VI. of this policy; and

**b.** The school district has complied with the record-keeping requirements of Section XIII. of this policy.

**2.** Subdivision A. of this section does not apply to disclosures made pursuant to court orders or lawfully issued subpoenas or litigation, to disclosures of directory information, to disclosures to a parent or student or to parents of dependent students, or to disclosures concerning sex offenders and other individuals required to register under 42 United States Code, section 14071. However, the school district must provide the notification required in Section XII.D. of this policy if a redisclosure is made based upon a court order or lawfully issued subpoena.

**[NOTE: 42 United States Code, section 14071 was repealed. School districts should retain this statutory reference, however, as it remains a reference in FERPA and the Minnesota Government Data Practices Act and still may apply to individuals required to register prior to the repeal of this law.]**

### **C. Classification of Disclosed Data**

The information disclosed shall retain the same classification in the hands of the party receiving it as it had in the hands of the school district.

### **D. Notification**

The school district shall inform the party to whom a disclosure is made of the requirements set forth in this section, except for disclosures made pursuant to court orders or lawfully issued subpoenas, disclosure of directory information under Section VII. of this policy, disclosures to a parent or student, or disclosures to parents of a dependent student. In the event that the Family Policy Compliance Office determines that a state or local educational authority, a federal agency headed by an official listed

in 34 Code of Federal Regulations, section 99.31-(a)(3), or an authorized representative of a state or local educational authority or a federal agency headed by an official listed in section 99.31-(a)(3), or a third party outside of the school district improperly rediscloses personally identifiable information from education records; or fails to provide notification required under this section of this policy, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.

### **XIII. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING**

#### **A. Responsible Authority**

The responsible authority shall be responsible for the maintenance and security of student records.

#### **B. Record Security**

The principal of each school subject to the supervision and control of the responsible authority shall be the records manager of the school, and shall have the duty of maintaining and securing the privacy and/or confidentiality of student records.

#### **C. Plan for Securing Student Records**

The building principal shall submit to the responsible authority a written plan for securing students records by September 1 of each school year. The written plan shall contain the following information:

- 1.** A description of records maintained;
- 2.** Titles and addresses of person(s) responsible for the security of student records;
- 3.** Location of student records, by category, in the buildings;
- 4.** Means of securing student records; and
- 5.** Procedures for access and disclosure.

#### **D. Review of Written Plan for Securing Student Records**

The responsible authority shall review the plans submitted pursuant to Paragraph C. of this section for compliance with the law, this policy, and the various administrative policies of the school district. The responsible authority shall then promulgate a chart incorporating the provisions of Paragraph C. which shall be attached to and become a part of this policy.

#### **E. Record Keeping**

- 1.** The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record, with the education records of the student ~~which, that~~ indicates:
  - a.** the parties who have requested or received personally identifiable information from the education records of the student;
  - b.** the legitimate interests these parties had in requesting or obtaining the

information; and

c. the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.

2. In the event the school district discloses personally identifiable information from an education record of a student pursuant to Section XII.B. of this policy, the record of disclosure required under this section shall also include:

a. the names of the additional parties to which the receiving party may disclose the information on behalf of the school district;

b. the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information; and

c. a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 Code of Federal Regulations, section 99.32 and to whom the school district disclosed information from an education record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.

3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B.1. of this policy, to requests for disclosures of directory information under Section VII. of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 ~~or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in United States Code section 2332b(g)(5)(B) or an act of domestic or international terrorism~~ 2332b United States Code, section 2332b(g)(5)(B) or an act of domestic or international terrorism.

**[NOTE: While Section XIII.E.1. does not apply to requests for or disclosures of directory information under Section VII. of this policy, to the extent the school district chooses to limit the disclosure of directory information to specific parties, for specific purposes, or both, it is advisable that records be kept to identify the party to whom the disclosure was made and/or purpose for the disclosure.]**

4. The record of requests of disclosures may be inspected by:

- a. \_\_\_\_\_ the parent of the student or the eligible student;
- b. \_\_\_\_\_ the school official or his or her assistants who are responsible for the custody of the records; and
- c. \_\_\_\_\_ the parties authorized by law to audit the record-keeping procedures of the school district.

5. \_\_\_\_\_ The school district shall record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:

- a. \_\_\_\_\_ the articulable and significant threat to the health or safety of a student or other individual that formed the basis for the disclosure; and
- b. \_\_\_\_\_ the parties to whom the school district disclosed the information.

6. \_\_\_\_\_ The record of requests and disclosures shall be maintained with the education records of the student as long as the school district maintains the student's education records.

#### **XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS**

##### **A. Parent of a Student, an Eligible Student or the Parent of an Eligible Student Who is Also a Dependent Student**

The school district shall permit the parent of a student, an eligible student, or the parent of an eligible student who is also a dependent student who is or has been in attendance in the school district to inspect or review the education records of the student, except those records which are made confidential by state or federal law or as otherwise provided in Section VIII. of this policy.

##### **B. Response to Request for Access**

The school district shall respond to any request pursuant to Subdivision A. of this section immediately, if possible, or within ten (10) days of the date of the request, excluding Saturdays, Sundays, and legal holidays.

##### **C. Right to Inspect and Review**

The right to inspect and review education records under Subdivision A. of this section includes:

- 1. \_\_\_\_\_ The right to a response from the school district to reasonable requests for explanations and interpretations of records; and
- 2. \_\_\_\_\_ If circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the education records, the school district shall provide the parent or eligible student with a copy of the records requested; or make other arrangements for the parent or eligible student to inspect and review the requested records.
- 3. \_\_\_\_\_ Nothing in this policy shall be construed as limiting the frequency of inspection of the education records of a student with a disability by the student's parent or guardian or by the student upon the student reaching the age of majority.

D. Form of Request

Parents or eligible students shall submit to the school district a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect.

E. Collection of Student Records

If a student's education records are maintained in more than one location, the responsible authority may collect copies of the records or the records themselves from the various locations so they may be inspected at one site. However, if the parent or eligible student wishes to inspect these records where they are maintained, the school district shall attempt to accommodate those wishes. The parent or eligible student shall be notified of the time and place where the records may be inspected.

F. Records Containing Information on More Than One Student

If the education records of a student contain information on more than one student, the parent or eligible student may inspect and review or be informed of only the specific information which pertains to that student.

G. Authority to Inspect or Review

The school district may presume that either parent of the student has authority to inspect or review the education records of a student unless the school district has been provided with evidence that there is a legally binding instrument or a state law or court order governing such matters as marriage dissolution, separation, or custody which provides to the contrary. -

H. Fees for Copies of Records

1. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the school district shall consider the following:

a. the cost of materials, including paper, used to provide the copies;

b. the cost of the labor required to prepare the copies ~~or documents~~;

c. any schedule of standard copying charges established by the school district in its normal course of operations;

d. any special costs necessary to produce such copies from machine-based record-keeping systems, including but not limited to computers and microfilm systems; and

e. mailing costs.

2. If 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and, instead, the charge shall be no more than 25 cents for each page copied.

3. The cost of providing copies shall be borne by the parent or eligible student.

4. The responsible authority, however, may not impose a fee for a copy of an education record made for a parent or eligible student if doing so would effectively prevent or, in the case of a student with a disability, impair the parent or eligible student from exercising their right to inspect or review the student's education records.

## **XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA**

### **A. Request to Amend Education Records**

The parent of a student or an eligible student who believes that information contained in the education records of the student is inaccurate, misleading, or violates the privacy rights of the student may request that the school district amend those records.

1. The request shall be in writing, shall identify the item the requestor believes to be inaccurate, misleading, or in violation of the privacy or other rights of the student, shall state the reason for this belief, and shall specify the correction the requestor wishes the school district to make. The request shall be signed and dated by the requestor.
2. The school district shall decide whether to amend the education records of the student in accordance with the request within thirty (30) days after receiving the request.
3. If the school district decides to refuse to amend the education records of the student in accordance with the request, it shall inform the parent of the student or the eligible student of the refusal and advise the parent or eligible student of the right to a hearing under Subdivision B. of this section.

### **B. Right to a Hearing**

If the school district refuses to amend the education records of a student, the school district, on request, shall provide an opportunity for a hearing in order to challenge the content of the student's education records to ensure that information in the education records of the student is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. A hearing shall be conducted in accordance with Subdivision C. of this section.

1. If, as a result of the hearing, the school district decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing.
2. If, as a result of the hearing, the school district decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school district, or both.
3. Any statement placed in the education records of the student under Subdivision B. of this section shall:
  - a. be maintained by the school district as part of the education records of

the student so long as the record or contested portion thereof is maintained by the school district; and

b. if the education records of the student or the contested portion thereof is disclosed by the school district to any party, the explanation shall also be disclosed to that party.

C. Conduct of Hearing

1. The hearing shall be held within a reasonable period of time after the school district has received the request, and the parent of the student or the eligible student shall be given notice of the date, place, and time reasonably in advance of the hearing.

2. The hearing may be conducted by any individual, including an official of the school district who does not have a direct interest in the outcome of the hearing. The school board attorney shall be in attendance to present the school board's position and advise the designated hearing officer on legal and evidentiary matters.

3. The parent of the student or eligible student shall be afforded a full and fair opportunity for hearing to present evidence relative to the issues raised under Subdivisions A. and B. of this section and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.

4. The school district shall make a decision in writing within a reasonable period of time after the conclusion of the hearing. The decision shall be based solely on evidence presented at the hearing and shall include a summary of evidence and reasons for the decision.

D. Appeal

The final decision of the designated hearing officer may be appealed in accordance with the applicable provisions of ~~the~~ Minnesota Statutes, chapter 14 relating to contested cases.

**XVI. PROBLEMS ACCESSING DATA**

A. The data practices compliance official is the designated employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.

B. Data practices compliance official means School Social Worker.

C. Any request by an individual with a disability for reasonable modifications of the school district's policies or procedures for purposes of accessing records shall be made to the data practices compliance official.

**XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA**

A. Where to File Complaints

Complaints regarding alleged violations of rights accorded parents and eligible students by FERPA, and the rules promulgated thereunder, shall be submitted in writing to the U.S. Department of Education, Student Privacy Policy Office, 400 Maryland Avenue S.W.,

Washington, D.C. 20202-8520.

B. Content of Complaint

A complaint filed pursuant to this section must contain specific allegations of fact giving reasonable cause to believe that a violation of FERPA and the rules promulgated thereunder has occurred.

**XVIII. WAIVER**

A parent or eligible student may waive any of his or her rights provided herein pursuant to FERPA. A waiver shall not be valid unless in writing and signed by the parent or eligible student. The school district may not require such a waiver.

**XIX. ANNUAL NOTIFICATION OF RIGHTS**

A. Contents of Notice

The school district shall give parents of students currently in attendance and eligible students currently in attendance annual notice by such means as are reasonably likely to inform the parents and eligible students of the following:

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;
2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;
3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosure without consent;
4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA, and the rules promulgated thereunder;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the school district has determined to have legitimate educational interests; and
6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal Every Student Succeeds Act and, if applicable, a student's history of violent behavior.

B. Notification to Parents of Students Having a Primary Home Language Other Than English

The school district shall provide for the need to effectively notify parents of students

identified as having a primary or home language other than English.

C. Notification to Parents or Eligible Students Who are Disabled

The school district shall provide for the need to effectively notify parents or eligible students identified as disabled.

**XX. DESTRUCTION AND RETENTION OF RECORDS**

Destruction and retention of records by the school district shall be controlled by state and federal law.

**XXI. COPIES OF POLICY**

Copies of this policy may be obtained by parents and eligible students at the superintendent's office.

***Legal References:***

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 13.32, Subd. 5 (Directory Information)  
Minn. Stat. § 13.393 (Attorneys)  
Minn. Stat. Ch. 14 (Administrative Procedures Act)  
Minn. Stat. § 120A.22 (Compulsory Instruction)  
Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act) ~~Minn. Stat. § 121A.75 (Receipt of Records; Sharing)~~  
Minn. Stat. § 121A.75 (Receipt of Records; Sharing)  
Minn. Stat. § 127A.852 (Military-Connected Youth Identifier)  
Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)  
Minn. Stat. Ch. 256B (Medical Assistance for Needy Persons)  
Minn. Stat. Ch. 256L (MinnesotaCare)  
Minn. Stat. § 260B.171, Subds. 3 and 5 (Disposition Order and Peace Officer Records of Children)  
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors) ~~Minn. Stat. § 363A.42 (Public Records; Accessibility)~~  
Minn. Stat. § 363A.42 (Public Records; Accessibility)  
Minn. Stat. § 480.40 (Personal Information, Dissemination)  
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)  
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)  
10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)  
18 U.S.C. § 2331 (Definitions)  
18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)  
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)  
20 U.S.C. § 6301 *et seq.* (Every Student Succeeds Act)  
20 U.S.C. § 7908 (Armed Forces Recruiting Information)  
20 U.S.C. § 7917 (Transfer of School Disciplinary Records) ~~20~~  
25 U.S.C. § 5304 (Definitions – Tribal Organization)  
26 U.S.C. §§ 151 and 152 (Internal Revenue Code)  
42 U.S.C. § 1711 *et seq.* (Child Nutrition Act)  
42 U.S.C. § 1751 *et seq.* (Richard B. Russell National School Lunch Act)  
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)  
34 C.F.R. § 300.610-300.627 (Confidentiality of Information)  
42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records) ~~Gonzaga University v. Doe, 536 U.S. 273, 309 (2002) Dept. of Admin. Advisory Op. No. 21-008 (December 8, 2021)~~  
Gonzaga University v. Doe, 536 U.S. 273 309 (2002)

**Cross References:** MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)  
MSBA/MASA Model Policy 520 (Student Surveys)  
MSBA/MASA Model Policy 711 (~~Videotaping~~[Video Recording](#) on School Buses)  
MSBA/MASA Model Policy 722 (Public Data Requests)  
MSBA/MASA Model Policy 906 (Community Notification of Predatory Offenders)  
MSBA School Law Bulletin "I" (School Records – Privacy – Access to Data)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY 516  
Student Medication and Telehealth**

Adopted \_\_\_\_\_ By Reference \_\_\_\_\_

Revised **February 2022**

**516 STUDENT MEDICATION AND TELEHEALTH**

**[NOTE: The necessary provisions for complying with Minnesota Statutes, sections 121A.22, Administration of Drugs and Medicine, ~~and~~ 121A.221, Possession and Use of Asthma Inhalers by Asthmatic Students, and 121A.222, Possession and Use of Nonprescription Pain Relievers by Secondary Students are included in this policy. The statutes do not regulate administration of drugs and medicine for students ~~aged~~ aged 18 and over or other nonprescription medications. Please note that ~~§section~~ section 121A.22 does not require school districts to apply the administration of medication rule to drugs or medicine used off school grounds, drugs or medicines used in connection with athletics or extra-curricular activities, and drugs and medicines that are used in connection with activities that occur before or after the regular school day.]**

**I. PURPOSE**

The purpose of this policy is to set forth the provisions that must be followed when administering nonemergency prescription medication to students at school.

**II. GENERAL STATEMENT OF POLICY**

The school district acknowledges that some students may require prescribed drugs or medication or telehealth during the school day. The school district's licensed school nurse, trained health clerk, principal, or teacher will administer prescribed medications, ~~except~~ any form of medical cannabis, in accordance with law and school district procedures.

**III. DRUG AND MEDICATION REQUIREMENTS**

**[NOTE: The June 2024 Model Policy 516 revisions include insertion of headings and rearrangement of paragraphs so that similar content is grouped together. School boards can choose whether to make these revisions.]**

**A. Administration of Drugs and Medicine**

- 1.** The administration of ~~prescription~~ medication or drugs at school requires a completed signed request from the student's parent. An oral request must be reduced to writing within two school days, provided that the school district may rely on an oral request until a written request is received.
- 2.** Drugs and medicine subject to Minnesota Statutes, 121A.22 must be administered, to the extent possible, according to school board procedures that must be developed in consultation with:
  - a.** with a licensed nurse, in a district that employs a licensed nurse under Minnesota Statutes, section 148.171;

- b. with a licensed school nurse, in a district that employs a licensed school nurse licensed under Minnesota Rules, part 8710.6100;
- c. with a public or private health-related organization, in a district that contracts with a public or private health or health-related organization, according to Minnesota Statutes, section 121A.21; or
- d. with the appropriate party, in a district that has an arrangement approved by the Commissioner of the Minnesota Department of Education, according to Minnesota Statutes, section 121A.21.

**[NOTE: Paragraph III.A.2 had appeared in a different spot in previous versions of this model policy. In June 2024, the paragraph is located here and is updated to reflect 2024 legislative changes.]**

### 3. Exclusions

**[Note: The provisions of III.A.3 are optional. The school board may choose to include or exclude any of the provisions specified. These exclusions appeared in previous versions of this model policy.]**

The provisions on administration of drugs and medicine above do not apply to drugs or medicine that are:

- a. purchased without a prescription;
- b. used by a pupil who is 18 years old or older;
- c. used in connection with services for which a minor may give effective consent;
- d. used in situations in which, in the judgment of the school personnel, including a licensed nurse, who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay;
- e. used off the school grounds;
- f. used in connection with athletics or extracurricular activities;
- g. used in connection with activities that occur before or after the regular school day;
- h. provided or administered by a public health agency to prevent or control an illness or a disease outbreak as provided under Minnesota law;
- i. prescription asthma or reactive airway disease medications can be self-administered by a student with an asthma inhaler if:
  - a. the school district has received a written authorization each school year from the pupil's parent permitting the student to self-administer the medication;
  - b. the inhaler is properly labeled for that student; and
  - c. the parent has not requested school personnel to administer the medication to the student.

In a school that does not have a school nurse or school nursing services, the student's parent or 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.

If the school district employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers.

- j. epinephrine auto-injectors, consistent with Minnesota Statutes, section 121A.2205, if the parent and prescribing medical professional annually inform the pupil's school in writing that
  - a. the pupil may possess the epinephrine or
  - b. the pupil is unable to possess the epinephrine and requires immediate access to epinephrine auto-injectors that the parent provides properly labeled to the school for the pupil as needed.
- k. For the purposes of Minnesota Statutes, section 121A.22, special health treatments and health functions, such as catheterization, tracheostomy suctioning, and gastrostomy feedings, do not constitute administration of drugs or medicine.
- l. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy.

#### B. Prescription Medication

1. An "Administering Prescription Medications" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs. Prescription medication as used in this policy does not include any form of medical cannabis as defined in Minnesota Statutes, section 152.22, subdivision 6.
2. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law<sup>7</sup> and must be administered in a manner consistent with the instructions on the label.
3. The school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.
4. Prescription medications are not to be carried by the student, but will be left with the appropriate school district personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Part J.5. below Paragraph III.A.3(i) above), and medications administered as noted in a written agreement between the school district and the parent or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan).
5. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization or container label with new pharmacy

instructions shall be required immediately as well.

~~A. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.~~

6. The school nurse, or other designated person, shall be responsible for the filing of the Administering Prescription Medications form in the health records section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.

~~B. Procedures for administration of drugs and medicine at school and school activities shall be developed in consultation with a school nurse, a licensed school nurse, or a public or private health organization or other appropriate party (if appropriately contracted by the school district under Minnesota Statutes section 121A.21). The school district administration shall submit these procedures and any additional guidelines and procedures necessary to implement this policy to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.~~

7. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.

**[NOTE: This paragraph is moved to Paragraph III.A.3 above, where it is updated to reflect 2024 legislative changes.]**

8. If the administration of a drug or medication described in this section requires the school district to store the drug or medication, the parent or legal guardian must inform the school if the drug or medication is a controlled substance. For a drug or medication that is not a controlled substance, the request must include a provision designating the school district as an authorized entity to transport the drug or medication for the purpose of destruction if any unused drug or medication remains in the possession of school personnel. For a drug or medication that is a controlled substance, the request must specify that the parent or legal guardian is required to retrieve the drug or controlled substance when requested by the school.

~~C. Specific Exceptions:~~

~~1. Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine;~~

~~2. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy;~~

~~3. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy;~~

~~4. Drugs or medicines used at school in connection with services for which a minor may give effective consent are not governed by this policy;~~

~~5. Drugs or medicines that are prescription asthma or reactive airway disease medications can be self-administered by a student with an asthma inhaler if:~~

- a. ~~the school district has received a written authorization from the pupil's parent permitting the student to self-administer the medication;~~
- b. ~~the inhaler is properly labeled for that student; and~~
- c. ~~the parent has not requested school personnel to administer the medication to the student.~~

~~The parent must submit written authorization for the student to self-administer the medication each school year. In a school that does not have a school nurse or school nursing services, the student's parent or 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.~~

~~If the School District employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers;~~

6. ~~Medications:~~

- a. ~~that are used off school grounds;~~
- b. ~~that are used in connection with athletics or extracurricular activities; or~~
- c. ~~that are used in connection with activities that occur before or after the regular school day~~

~~are not governed by this policy.~~

**[NOTE: Starting in June 2024, the exceptions appear under Article III.A.3 above.]**

C. Nonprescription Medication-

A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the school district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The school district may revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Except as stated in this paragraph, only prescription medications are governed by this policy.

**[NOTE: School districts should consult with licensed medical and nursing personnel to address whether nonprescription medications will be allowed at elementary schools and whether and under what conditions school personnel will participate in storing or administering nonprescription medications.]**

D. Possession and Use of 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, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is 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.

For the purposes of this policy, "instructional day" is defined as eight hours for each student contact day.

**[NOTE: Minnesota law states that "the school board of the school district must define instructional day for the purposes of Minnesota Statutes, section 121A.2205." A sample definition appears above. School districts can create a definition that fits their circumstances.]**

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. This health plan may be included in a student's §Section 504 plan.

~~A student may possess and apply a topical sunscreen product during the school day while on school property or at a school-sponsored event without a prescription, physician's note, or other documentation from a licensed health care professional. School personnel are not required to provide sunscreen or assist students in applying sunscreen.~~

~~D. "Parent" for students 18 years old or older is the student.~~

Districts and schools may obtain and possess epinephrine auto-injectors to be maintained and administered by school personnel, including a licensed nurse, 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. The administration of an epinephrine auto-injector in accordance with ~~this~~ Minnesota Statutes, section 121A.2207 is not the practice of medicine.

Effective July 1, 2024, registered nurses may administer epinephrine auto-injectors in a school setting according to a condition-specific protocol as authorized under Minnesota Statutes, section 148.235, subdivision 8. Notwithstanding any limitation in Minnesota Statutes, sections 148.171 to 148.285, licensed practical nurses may administer epinephrine auto-injectors in a school setting according to a condition-specific protocol that does not reference a specific patient and that specifies the circumstances under which the epinephrine auto-injector is to be administered, when caring for a patient whose condition falls within the protocol.

**[NOTE: The paragraph above was signed into law in May 2024. It is new model policy language.]**

A district or school may enter into arrangements with manufacturers of epinephrine auto-injectors to obtain epinephrine auto-injectors at fair-market, free, or reduced prices. A third party, other than a manufacturer or supplier, may pay for a school's supply of epinephrine auto-injectors.

E. Sunscreen

A student may possess and apply a topical sunscreen product during the school day while on school property or at a school-sponsored event without a prescription, physician's note, or other documentation from a licensed health care professional. School personnel are not required to provide sunscreen or assist students in applying sunscreen.

F. Procedure regarding unclaimed drugs or medications.

1. The school district has adopted the following procedure for the collection and transport of any unclaimed or abandoned prescription drugs or medications remaining in the possession of school personnel in accordance with this policy. Before the transportation of any prescription drug or medication under this policy, the school district shall make a reasonable attempt to return the unused prescription drug or medication to the student's parent or legal guardian. Transportation of unclaimed or unused prescription drugs or medications will occur at least annually, but may occur more frequently at the discretion of the school district.
2. If the unclaimed or abandoned prescription drug is not a controlled substance as defined under Minnesota Statutes, section 152.01, subdivision 4, or is an over-the-counter medication, the school district will either designate an individual who shall be responsible for transporting the drug or medication to a designated drop-off box or collection site or request that a law enforcement agency transport the drug or medication to a drop-off box or collection site on behalf of the school district.
3. If the unclaimed or abandoned prescription drug is a controlled substance as defined in Minnesota Statutes, section 152.01, subdivision 4, the school district or school personnel is prohibited from transporting the prescription drug to a drop-off box or collection site for prescription drugs identified under this paragraph. The school district must request that a law enforcement agency transport the prescription drug or medication to a collection bin that complies with Drug Enforcement Agency regulations, or if a site is not available, under the agency's procedure for transporting drugs.

**IV. ACCESS TO SPACE FOR MENTAL HEALTH CARE THROUGH TELEHEALTH**

- A. Beginning October 1, 2024, to the extent space is available, the school district must provide an enrolled secondary school student with access during regular school hours, and to the extent staff is available, before or after the school day on days when students receive instruction at school, to space at the school site that a student may use to receive mental health care through telehealth from a student's licensed mental health provider. A secondary school must develop a plan with procedures to receive requests for access to the space.
- B. The space must provide a student privacy to receive mental health care.
- C. A student may use a school-issued device to receive mental health care through telehealth if such use is consistent with the district or school policy governing acceptable use of the school-issued device.
- D. A school may require a student requesting access to space under this section to submit to the school a signed and dated consent from the student's parent or guardian, or from the student if the student is age 16 or older, authorizing the student's licensed mental health provider to release information from the student's health record that is requested by the school to confirm the student is currently receiving mental health care from the provider. Such a consent is valid for the school year in which it is submitted.

**[NOTE: The Minnesota legislature enacted Article IV in the spring 2024.]**

**Legal References:** Minn. Stat. § 13.32 (~~Student Health Educational~~ Data)  
Minn. Stat. § 121A.21 (~~Hiring of School Health Personnel~~ Services)  
Minn. Stat. [§ 121A.216 \(Access to Space for Mental Health Care through Telehealth\)](#)  
[Minn. Stat. § 121A.22 \(Administration of Drugs and Medicine\)](#)  
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. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)  
Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)  
Minn. Stat. § 121A.223 (Possession and Use of Sunscreen) ~~Minn. Stat. § 152.01 (Definitions)~~  
Minn. Stat. ~~§ 152.22 (Medical Cannabis); § 148.171 (Definitions); Title~~  
Minn. Stat. [§ 151.212 \(Label of Prescription Drug Containers\)](#)  
[Minn. Stat. § 152.01 \(Definitions\)](#)  
[Minn. Stat. § 152.22 \(Definitions\)](#)  
~~Minn. Stat. § 152.23 (Medical Cannabis; Limitations)~~  
[Minn. Rule 8710.6100 \(School Nurse\)](#)  
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 418 (Drug-Free Workplace/Drug-Free School)

INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361

BOARD POLICY 516.5  
Guidelines for Administration of Student Medication

Adopted \_\_\_\_\_ February 19, 2002 \_\_\_\_\_

Revised

**516.5 OVERDOSE MEDICATION**

**[NOTE: The 2023 Minnesota legislature enacted legislation requiring school districts to maintain a supply of opiate antagonists. School districts and their employees are legally permitted to purchase, store, and administer Naloxone (Narcan) in response to an opiate overdose in schools and those who do assist with such administration are immune from civil liability as well as exempt from criminal prosecution from possession, use, etc. of medication. The provisions of this policy outline the requirements of the law with respect to the use of Naloxone (Narcan) in schools.]**

**I. PURPOSE**

~~The following guidelines for administering student medication have been developed to promote a safe, healthy school environment, providing for the medical needs of all students.~~

~~A. The administration of medication to students at school by school personnel shall be done only in circumstances wherein the student's health or learning may be jeopardized without it.~~

~~B. All students requiring medications in school shall be identified by parents and/or health care professionals to school personnel, and always to the school nurse.~~

~~C. High school students will be allowed to self-administer over the counter and uncontrolled medications prescribed to them in school, with their parent/guardian permission. They are to bring only small amounts of these medications to school at a time. Elementary students will be allowed to self-administer only their inhalers described in E below.~~

~~D. High school students self-administering prescribed Schedule I-V medications in school will bring only one day's dose with them. Any amount more than that is to be stored with school personnel in consultation with the school nurse.~~

~~E. Prescriptive asthma or reactive airway disease medications self-administered by the student with an inhaler are allowed with annual written authorization from the student's parent/guardian only (no health care provider) for both elementary and secondary school students, provided the inhaler is properly labeled for that student.~~

- ~~F. All medications for elementary students (except those described in E above), all controlled substances prescribed for high school age students, and all medications to be administered by school personnel require a written order from the student's health care provider and a written authorization from the student's parent or guardian, to allow them to be administered in school.~~
- ~~G. The school nurse must assess and document the student's knowledge and skills to safely possess and use an inhaler in the school setting, according to state statute.~~
- ~~H. The administration of subcutaneous, intramuscular, intravenous, or rectal medications at school will be performed by a licensed school nurse, registered nurse, or licensed practical nurse under the direction of the licensed school nurse. A trained designee may administer emergency auto-injectables.~~
- ~~I. Students with diabetes may self-administer their insulin at school with written permission from their health care provider and parent.~~
- ~~J. An oral request for medication administration in school by school personnel may be honored only with permission from the school nurse.~~
- ~~If honored, that oral request must be reduced to writing within 2 school days.~~
- ~~K. The completed health care provider's order and parental authorization form shall be filed in the student's record and/or cumulative folder.~~
- ~~L. The individual giving the medication must:~~
- ~~a. Properly identify the student.~~
  - ~~b. Record the date, time, dose after giving the medication, as instructed by the school nurse.~~
- ~~M. Parents/guardians will supply medication in an appropriately labeled container including the student's name, name of medication, dosage, name of prescribing health care provider.~~
- ~~N. All medication is to be stored in a safe place with access restricted to the designated school personnel or student self-administering it.~~
- ~~O. For each student whose health condition requires a prescribed emergency medication, parents, students, school nurse, and health care provider will formulate a written health plan. The plan will identify which trained school personnel can give emergency medication to this student and under what circumstances.~~
- ~~P. School personnel may not administer over-the-counter medications (aspirin, ibuprofen) to a student without a health care provider's written order and parental permission.~~

~~If the dose or type of medication is changed, new orders from the health care provider and written parental authorization are required if applicable.~~

~~As a means of enhancing the health and safety of its students, staff and visitors, the school district will acquire, administer, and store doses of an opiate antagonist, specifically Naloxone (Narcan)<sup>1</sup>, and administration devices or kits for emergency use to assist a student, staff member, or other individual believed or suspected to be experiencing an opioid overdose on school district property during the school day or at school district activities.~~

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

~~The school board authorizes school district administration to obtain and possess opioid overdose reversal medication, such as Naloxone, to be maintained and administered to a student or other individual by trained school staff if the staff member determines in good faith that the person to whom the medication is administered is experiencing an opioid overdose. Authorization for obtaining, possessing and administering Naloxone or similar permissible medications under this policy are contingent upon: (1) the continued validity of state and federal law that permit a person who is not a healthcare professional to dispense an opiate antagonist to the school district and its employees by law; (2) that the school district and its staff are immune from criminal prosecution and not otherwise liable for civil damages for administering the opiate antagonist to another person who the staff member believes in good faith to be suffering from a drug overdose; and (3) the availability of funding either from outside sources or as approved by the school board to obtain and administer opioid overdose reversal medication.~~

## **III. DEFINITIONS**

- ~~A. **"Drug-related overdose"** means an acute condition, including mania, hysteria, extreme physical illness, respiratory depression or coma, resulting from the consumption or use of a controlled substance, or another substance with which a controlled substance was combined, and that a layperson would reasonably believe to be a drug overdose that requires immediate medical assistance.~~
- ~~B. **"Naloxone Coordinator"** is a school district staff person or administrator appointed to monitor adherence to protocols outlined in this policy and referenced procedures. The Naloxone Coordinator is responsible for building-level administration and management of Opiate Antagonist medications and supplies. The school district's Naloxone Coordinator is [insert title of staff person appointed as coordinator].~~
- ~~C. **"Opiate"** means any dangerous substance having an addiction forming or addiction sustaining liability similar to morphine or being capable of conversion into a drug having such addiction forming or addiction sustaining liability.~~
- ~~D. **"Opiate Antagonist"** means naloxone hydrochloride ("Naloxone") or any similarly acting drug approved by the federal Food and Drug Administration for the treatment of a drug overdose.~~
- ~~E. **"Standing Order"** means directions from the school district's medical provider that sets forth how to house and administer Naloxone or other Opiate Antagonist medications to students, staff members or other individuals believed or suspected to be experiencing an opioid overdose. This Standing Order should include the following information:~~
- ~~1. Administration type~~
  - ~~2. Dosage~~

3. Date of issuance

4. Signature of the authorized provider

#### **IV. GENERAL STATEMENT OF POLICY AND RESPONSIBILITIES**

A. The school district must maintain a supply of opiate antagonists at each school site to be administered in compliance with Minnesota law. Each school building must have two doses of nasal naloxone available on-site.

**[NOTE: The Minnesota Department of Education offered guidance regarding the meaning of "school site." If a school site includes multiple buildings, the two-dose requirement applies to buildings used for instruction. It does not apply to administrative buildings, facility buildings, ice arenas, and similar buildings not used for instruction.]**

B. A licensed physician, a licensed advanced practice registered nurse authorized to prescribe drugs pursuant to Minnesota Statutes, section 148.235, or a licensed physician assistant may authorize a nurse or other personnel employed by, or under contract with, a public school may be authorized to administer opiate antagonists as defined under Minnesota Statutes, section 604A.04, subdivision 1.

C. A licensed practical nurse is authorized to possess and administer an opiate antagonist in a school setting notwithstanding Minnesota Statutes, 148.235, subdivisions 8 and 9.

D. District Collaborative Planning and Implementation Team

To the extent Naloxone is obtained for use consistent with this policy, the school district will establish a district-wide collaborative planning and implementation team ("District Planning Team") who will oversee the general development and operations related to the use of opiate antagonist Naloxone and regularly report to the school board as to its activities.

1. The District Planning Team will include the Naloxone Coordinator and may include the superintendent (or designee), school nurse, public health experts, first responders, student or family representatives, and community partners who will be assigned to the Team by the superintendent or designee or solicited as volunteers by the superintendent.

2. The District Planning Team, through the Naloxone Coordinator, will obtain a protocol or Standing Order from a licensed medical prescriber for the use of Naloxone or other Opiate Antagonist by school district staff in all school facilities and activities and will update or renew the protocol or Standing Order annually or as otherwise required. A copy of the protocol or Standing Order will be maintained in the office of the Naloxone Coordinator.

3. The District Planning Team will develop district-wide guidelines and procedures and determine the form(s) of Naloxone to be used within the school district (nasal, auto injector, manual injector) and the method and manner of arranging for the financing and purchasing, storage and use of Naloxone to be approved by the school board. Once approved by the school board, these guidelines and procedures will be attached and incorporated into this policy. At a minimum, these guidelines and procedures will:

- a. Ensure that when Naloxone is administered, school district employees must activate the community emergency response system (911) to ensure additional medical support due to the limited temporary effect of Naloxone and the continued need of recipients of additional medical care;
- b. Require school district employees to contact a school district healthcare professional to obtain medical assistance for the recipient of the Naloxone, if possible, pending arrival of emergency personnel;
- c. Direct school district employees to make immediate attempts to determine if the recipient is a minor and, if so, locate the identity of the parent or guardian of the minor and ensure contact with that parent or guardian is made as soon as possible after administration of the Naloxone for the purpose of informing the parent or guardian of the actions that have been taken; and
- d. Require school district staff to inform the building administrator or other administrator overseeing an event or activity of the administration of Naloxone, as well as the Naloxone Coordinator, after taking necessary immediate emergency steps.

- 4. The District Planning Team will determine the type and method of annual training, identify staff members at each school site to be trained and coordinate the implementation of the training with the assistance of the Naloxone Coordinator.

E. Site Planning Teams

- 1. In consultation with the District Planning Team, the administrator at each school site may establish, in the manner the superintendent or Naloxone Coordinator deems appropriate, a Site Planning Team within the school site.
- 2. The Site Planning Team will be responsible for the coordination and implementation of this policy, district-wide guidelines and procedures within the school site and will develop and implement any specific guidelines and procedure for the storage and use of Naloxone within the school site in a manner consistent with this policy and district wide procedures and guidelines.

F. School District Staff

School district staff members will be responsible for attending all required training pertaining to the policy, procedures and guidelines for the storage and use of Naloxone and performing any assigned responsibilities pursuant to the guidelines and procedures.

**V. NALOXONE STORAGE**

- A. The Site Planning Team will select numerous Naloxone storage locations within the school site and outside the school site when activities are conducted off school grounds (i.e., transportation services, field trips, etc.).

**[NOTE: School districts may decide that Naloxone will not be sent on field trips, transportation or activities that occur outside of the typical school day or off**

**school property and may modify this statement accordingly. If Naloxone is provided during these auxiliary activities, schools should ensure that it is only provided if there is an available trained staff member to administer it and that the medication can be safely and legally stored and transported.1**

B. The selected storage locations of Naloxone will be classified as non-public "security information" as the school board has determined that the disclosure of this data to the general public would be likely to substantially jeopardize the security of the medication that could be subject to theft, tampering, and improper use. Therefore, the identity of the storage locations will be shared only with those school district staff members whom the District Planning Team or Site Team have determined need access to this information to aid public health and safety as determined in the procedures and guidelines.

C. Stock Naloxone will be clearly labeled, monitored for expiration dates, and stored in a secured location that is accessible by trained staff as set forth in paragraph V.B.

## **VI. Privacy Protections**

The school district will maintain the privacy of students and staff related to the administration of Naloxone as required by law.

**Legal References:** Minn. Stat. § 13.32 (Educational Data)  
Minn. Stat. § 13.43 (Personnel Data)  
Minn. Stat. § 13.37 (General Nonpublic Data)  
Minn. Stat. § 121A.21 (School Health Services)  
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)  
Minn. Stat. § 121A.224 (Opiate Antagonists)  
Minn. Stat. § 144.344 (Emergency Treatment)  
Minn. Stat. § 148.235 (Prescribing Drugs and Therapeutic Devices)  
Minn. Stat. § 151.37 (Legend Drugs; Who May Prescribe, Possess)  
Minn. Stat. § 152.01 (Definitions)  
Minn. Stat. § 152.02 (Schedules of Controlled Substances)  
Minn. Stat. § 604A.01 (Good Samaritan Law)  
Minn. Stat. § 604A.015 (School Bus Driver Immunity from Liability)  
Minn. Stat. § 604A.04 (Good Samaritan Overdose Prevention)  
Minn. Stat. § 604A.05 (Good Samaritan Overdose Medical Assistance)  
Minn. R. Pt. 6800.4220 (Schedule II Controlled Substances)  
20 U.S.C. § 1232g (Family Educational and Privacy Rights)

**Cross Reference:** MSBA/MASA Model Policy 516 (Student Medication)  
Minnesota Department of Health Toolkit on the Administration of Naloxone

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<sup>i</sup> Naloxone is the medication that reverses an opioid overdose. Narcan® is the brand name for the intranasal applicator (nasal spray) form of naloxone. Naloxone usually refers to an intramuscular (IN+M) naloxone form that comes in a vial and is administered with a syringe, normally dispensed as an "IM kit."

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY 517  
Student Recruiting**

Adopted \_\_\_\_\_ By Reference \_\_\_\_\_

Revised May 2023

**517 STUDENT RECRUITING**

**I. PURPOSE**

The purpose of this policy is to prevent school district employees from exerting undue influence for purposes of securing or retaining the attendance of a student in a school.

**II. GENERAL STATEMENT OF POLICY**

- A.** It is the policy of the school district to encourage employees to make available to all interested people information regarding the school district, its schools, programs, policies, and procedures. The purpose of such activity is to assist in the process of fully informed decision making regarding school enrollment and to enhance the visibility and image of the school district.
- B.** At the same time, the school district recognizes that the scope of such activity is limited by statutory authority and bylaws of the Minnesota State High School League. Accordingly, it shall be a violation of this policy for employees to exert undue influence for purposes of securing or retaining the attendance of a student in a school or to compete with another school district for the enrollment of students.
- C.** Employees are further prohibited from encouraging others to engage in such conduct on behalf of the school district.

**III. DEFINITION**

- A.** The terms "undue influence" or "competing for enrollment" shall include initiating any oral or written contact with a student from another school district who participates in a school-sponsored sport or activity which solicits the student's transfer to participate in a sport or activity.
- B.** The terms shall also include the awarding of tuition, allowance for board and/or room, allowance for transportation, priority in assignments of jobs, cash or gifts in any form, or any other privilege or consideration if not similarly available to all students.

**IV. PROCEDURES**

- A.** The school board shall adopt, by resolution, specific standards for acceptance and rejection of applications for open enrollment. Standards may include the capacity of a program, class, school building, or the statutory limits to nonresident enrollment in a

particular grade level, or whether the student is currently expelled for (1) possessing a dangerous weapon, as defined under federal law, at a school or school function; (2) possession or using an illegal drug at school or at a school function; (3) selling or soliciting the sale of a controlled substance while at school or a school function; or committing a first, second or third degree assault as described in state law. Standards for acceptance and rejection of open-enrollment applications are subject to the Graduation Incentives Program and may not include previous academic achievement, athletic or other extracurricular ability, disabling conditions, proficiency in the English language, previous disciplinary proceedings, or the student's district of residence.

B. Employees who violate the provisions of the policy shall be subject to disciplinary action as appropriate. Any such disciplinary action shall be made pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, school district policies, and the bylaws of the Minnesota High School League, as applicable.

**Legal References:** Minn. Stat. § 124D.03 (Enrollment Options Program)  
Minn. Stat. § 124D.68 (Graduation Incentives Program)  
Minnesota State High School League Bylaws

**Cross References:** MSBA/MASA Model Policy 509 (Enrollment of Nonresident Students)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY 518  
DNR-DNI Orders**

Adopted \_\_\_\_\_ By Reference\_

Revised\_2020

**518 DNR-DNI ORDERS**

**I. PURPOSE**

The school district recognizes that it is serving students with complex health needs. The school district also recognizes that school district staff may be confronted with requests to withhold emergency care of a student in the event of a life--threatening situation at school or school activities or be presented with Do Not Resuscitate/Do Not Intubate (DNR-DNI) orders. The purpose of this policy is to provide guidance to school district staff and parents or guardians in these situations.

**II. GENERAL STATEMENT OF POLICY**

- A. The primary mission of the school district is education. DNR-DNI orders are medical documents. School district staff will not accept or honor requests to withhold emergency care or DNR-DNI orders. The school district will not convey such orders to emergency medical personnel.
- B. School district staff will provide reasonable emergency care and assistance when a student is undergoing a medical emergency during school or school activities.
- C. School district staff will activate emergency medical services (911) as soon as possible when a student is undergoing a medical emergency during school or school activities.
- D. The parent/guardian will be notified of the emergency as soon as possible.
- E. Notwithstanding this school district policy, IEP and Section 504 teams must develop individualized medical emergency care plans for students when appropriate in accordance with state and federal law.
- F. Parents/guardians who request that emergency care be withheld for their child or who present DNR-DNI orders, shall be advised of and shall be given a copy of this policy.

**Legal References:** 29 U.S.C. § 794 *et seq.* ~~(Section 504 of the (Rehabilitation Act of 1973)~~  
§ 504)  
42 U.S.C. §§ 12101-12213 (Americans with Disabilities Act)

**Cross References:** None

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL  
DISTRICT #361**

**BOARD POLICY 519  
Interviews of Students by Outside Agencies**

**Adopted\_\_\_\_\_By Reference\_**

*Revised\_February 2022*

**519 INTERVIEWS OF STUDENTS BY OUTSIDE AGENCIES**

**I. PURPOSE**

There are occasions in which persons other than school district officials and employees find it necessary to speak with a student during the school day. Student safety and disruption of the educational program is of concern to the school district. The purpose of this policy is to establish the procedures for access to students by authorized individuals during the school day.

**II. GENERAL STATEMENT OF POLICY**

**A.** Generally, students may not be interviewed during the school day by persons other than a student's parents, school district officials, employees and/or agents, except as otherwise provided by law and/or this policy.

**B.** Requests from law enforcement officers and those other than a student's parents, school district officials, employees and/or agents to interview students shall be made through the principal's office. Upon receiving a request, it shall be the responsibility of the principal to determine whether the request will be granted. Prior to granting a request, the principal shall attempt to contact the student's parents to inform them of the request, except where otherwise prohibited by law.

**III. INTERVIEWS CONDUCTED UNDER THE MALTREATMENT OF MINORS ACT**

**A.** In the case of an investigation pursuant to the Reporting of Maltreatment of Minors Act, Minnesota Statutes, chapter 260E, a local welfare agency, the agency responsible for investigating the report, and a local law enforcement agency may interview, without parental consent, an alleged victim and any minors who currently reside with or who have resided with the alleged perpetrator. The interview may take place at school and during school hours. School district officials will work with the local welfare agency, the agency responsible for investigating the report, or law enforcement agency to select a place appropriate for the interview. ~~The~~When it is possible and the report alleges substantial child endangerment or sexual abuse, the interview may take place outside the presence of the perpetrator or parent, legal custodian, guardian, or school district official-alleged offender and may take place prior to any interviews of the alleged offender.

**[NOTE: This change is found in Minnesota Statutes, section 260E.22.]**

**B.** If the interview took place or is to take place on school district property, an order of the

juvenile court pursuant to Minnesota Statutes, [chapter](#) 260E may specify that school district officials may not disclose to the parent, legal custodian, or guardian the contents of the notification of intent to interview the child on school district property and/or any other related information regarding the interview that may be a part of the child's record. The school district official must receive a copy of the order from the local welfare or law enforcement agency.

**C.** When the local welfare agency, local law enforcement agency, or agency responsible for [assessing or](#) investigating a report of maltreatment determines that an interview should take place on school district property, school district officials must receive written notification of intent to interview the child on school district property prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school district property. Where the interviews are conducted by the local welfare agency, the notification must be signed by the chair of the local social services agency or the chair's designee. The notification is private educational data on the student. School district officials may not disclose to the parent, legal custodian or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has been concluded, unless a school employee or agent is alleged to have maltreated the child. Until school district officials receive said notification, all inquiries regarding the nature of the investigation or assessment should be directed to the local welfare or law enforcement agency or the agency responsible for assessing or investigating a report of maltreatment shall be solely responsible for any [disclosure](#) regarding the nature of the assessment or investigation.

**D.** School district officials shall have discretion to reasonably schedule the time, place, and manner of an interview by a local welfare or local law enforcement agency on school district premises. However, where the alleged perpetrator is believed to be a school district official or employee, the local welfare or local law enforcement agency will have discretion to determine where the interview will be held. The interview must be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school district officials and the local welfare or law enforcement agency. However, school district officials must yield to the discretion of the local welfare or law enforcement agency concerning other persons in attendance at the interview. School district officials will make every effort to reduce the disruption to the educational program of the child, other students, or school staff when an interview is conducted on school district premises.

**E.** Students shall not be taken from school district property without the consent of the principal and without proper warrant.

**Legal References:** Minn. Stat. § 13.32 (Educational Data)  
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)

**Cross References:** MSBA/MASA Model Policy 103 (Complaints — Students, Employees, Parents, Other Persons)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY 520  
Student Surveys**

Adopted \_\_\_\_\_ By Reference \_\_\_\_\_

Revised **September 2023**

**520 STUDENT SURVEYS**

**[NOTE: School districts are required by statute to have a policy addressing student surveys.]**

**I. PURPOSE**

Occasionally, the school district utilizes surveys to obtain student opinions and information about students. The purpose of this policy is to establish the parameters of information that may be sought in student surveys.

**II. GENERAL STATEMENT OF POLICY**

Student surveys may be conducted as determined necessary by the school district. Surveys, analyses, and evaluations conducted as part of any program funded through the U.S. Department of Education must comply with 20 United States Code, section 1232h.

**III. STUDENT SURVEYS IN GENERAL**

**A.** Student surveys will be conducted anonymously and in an indiscernible fashion. No mechanism will be used for identifying the participating student in any way. No attempt will be made in any way to identify a student survey participant. No requirement that the student return the survey shall exist, and no record of the student's returning a survey will be maintained.

**B.** The superintendent may choose not to approve any survey that seeks probing personal and/or sensitive information that could result in identifying the survey participant, or is discriminatory in nature based on age, race, color, sex, disability, religion, or national origin.

**C.** Surveys containing questions pertaining to the student's or the student's parent(s) or guardian(s) personal beliefs or practices in sex, family life, morality, and religion will not be administered to any student unless the parent or guardian of the student is notified in writing that such survey is to be administered and the parent or guardian of the student gives written permission for the student to participate or has the opportunity to opt out of the survey depending upon how the survey is funded. Any and all documents containing the written permission of a parent for a student to participate in a survey will be maintained by the school district in a file separate from the survey responses.

**D.** Although the survey is conducted anonymously, potential exists for personally identifiable information to be provided in response thereto. To the extent that personally identifiable information of a student is contained in his or her responses to a survey, the school district

will take appropriate steps to ensure the data is protected in accordance with Minnesota Statutes, chapter 13 (Minnesota Government Data Practices Act), 20 United States Code, section 1232g (Family Educational Rights and Privacy Act) and 34 Code of Federal Regulations, Part 99.

E. The school district must not impose an academic or other penalty on a student who opts out of participating in a student survey.

#### **IV. STUDENT SURVEYS CONDUCTED AS PART OF DEPARTMENT OF EDUCATION PROGRAM**

A. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by the parents or guardians of the students.

B. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or, in the case of an unemancipated minor, without the prior written consent of the parent, to submit to a survey that reveals information concerning:

1. political affiliations or beliefs of the student or the student's parent;

2. mental and psychological problems of the student or the student's family;

3. sex behavior or attitudes;

4. illegal, antisocial, self-incriminating, or demeaning behavior;

5. critical appraisals of other individuals with whom respondents have close family relationships;

6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;

7. religious practices, affiliations, or beliefs of the student or the student's parent; or

8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

C. A school district that receives funds under any program funded by the U.S. Department of Education shall develop local policies consistent with Sections IV.A. and IV.B., above, concerning student privacy, parental access to information, and administration of certain physical examinations to minors.

1. The following policies are to be adopted in consultation with parents:

a. The right of a parent to inspect, on request, a survey, including an evaluation, created by a third party before the survey is administered or distributed by a school to a student, including procedures for granting a parent's request for reasonable access to such survey within a reasonable period of time after the request is received.

"Parent" means a legal guardian or other person acting *in loco parentis* (in place of a parent), such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the

child.

b. Arrangements to protect student privacy in the event of the administration or distribution of a survey, including an evaluation, to a student which contains one or more of the items listed in Section IV.B., above, including the right of a parent of a student to inspect, on request, any such survey.

c. The right of a parent of a student to inspect, on request, any instructional material used as part of the educational curriculum for the student and procedures for granting a request by a parent for such access within a reasonable period of time after the request is received.

“Instructional material” means instructional content that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (i.e., materials accessible through the Internet). The term does not include academic tests or academic assessments.

d. The administration of physical examinations or screenings that the school district may administer to a student. This provision does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (20 United States Code, section 1400, *et seq.*).

e. The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing the information to others for that purpose), including arrangements to protect student privacy that are provided by the school district in the event of such collection, disclosure, or use.

(1) “Personal information” means individually identifiable information including a student or parent’s first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; or a Social Security identification number.

(2) This provision does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as:

(a) college or other post-secondary education recruitment or military;

(b) book clubs, magazines, and programs providing access to low cost literary products;

(c) curriculum and instructional materials used by elementary and secondary schools;

(d) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students, or to generate other statistically useful data for the purpose of securing such tests and

assessments and the subsequent analysis and public release of the aggregate data from such tests and assessments;

(e) the sale by students of products or services to raise funds for school-related or education-related activities; and

(f) student recognition programs.

(3) The right of a parent to inspect, on request, any instrument used in the collection of information, as described in Section IV.C.1., Subparagraph e., above, before the instrument is administered or distributed to a student and procedures for granting a request by a parent for reasonable access to such an instrument within a reasonable period of time after the request is received.

2. The policies adopted under Section IV.C., Subparagraph 1., above, shall provide for reasonable notice of the adoption or continued use of such policies directly to parents of students enrolled in or served by the school district.

a. The notice will be provided at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in a policy.

b. The notice will provide parents with an opportunity to opt out of participation in the following activities:

(1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.

(2) The administration of any third-party survey (non-Department of Education funded) containing one or more of the items contained in Section IV.B., above.

(3) Any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or other students.

“Invasive physical examination” means any medical examination that involves the exposure of private body parts, or act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

c. The notice will advise students of the specific or approximate dates during the school year when the activities in Section IV.C.2., Subparagraph b., above, are scheduled, or expected to be scheduled.

d. The notice provisions shall not be construed to preempt applicable provisions of state law that require parental notification and do not apply to any physical examination or screening that is permitted or required by applicable state law, including physical examinations or screenings

that are permitted without parental notification.

**V. NOTICE**

- A.** The school district must give parents and students notice of this policy at the beginning of each school year and after making substantive changes to this policy.
- B.** The school district must inform parents at the beginning of the school year if the district or school has identified specific or approximate dates for administering surveys and give parents reasonable notice of planned surveys scheduled after the start of the school year. The school district must give parents direct, timely notice when their students are scheduled to participate in a student survey by United States mail, e-mail, or another direct form of communication.
- C.** The school district must give parents the opportunity to review the survey and to opt their students out of participating in the survey.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 121A.065 (District Surveys to Collect Student Information; Parent Notice and Opportunity for Opting Out)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
[20 U.S.C. § 1232h \(Protection of Pupil Rights\)](#)  
34 C.F.R. ~~Part~~§ 99 ([Family Educational Rights and Privacy Act Regulations](#))  
*Gonzaga University v. Doe*, 536 U.S. 273<sup>7</sup> (2002)  
*C.N. v. Ridgewood Bd. ~~Of~~of Educ.*, 430 F.3d. 159 (3<sup>rd</sup> Cir. 2005)  
*Fields v. Palmdale School Dist.*, 427 F.3d. 1197 (9<sup>th</sup> Cir. 2005)

**Cross References:** MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination, Grievance Procedure and Process)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL  
DISTRICT #361**

**BOARD POLICY 521  
Student Disability Nondiscrimination**

Adopted \_\_\_\_\_ By Reference \_\_\_\_\_

Revised **February 2022**

**521 STUDENT DISABILITY NONDISCRIMINATION**

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

**I. PURPOSE**

The purpose of this policy is to protect students with disabilities from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973 (Section 504), need services, accommodations, or programs in order that such learners may receive a free appropriate public education.

**II. GENERAL STATEMENT OF POLICY**

**A.** Students with disabilities who meet the criteria of Paragraph C. below are protected from discrimination on the basis of a disability.

**B** The responsibility of the school district is to identify and evaluate learners who, within the intent of Section 504, need ~~special~~ services, accommodations, or programs in order that such learners may receive a free appropriate public education.

**C.** For this policy, a learner who is protected under Section 504 is one who:

**1.** has a physical or mental impairment that substantially limits one or more of such person's major life activities; ~~z~~ or

**2.** has a record of such an impairment; ~~or~~

**3.** is regarded as having such an impairment; ~~;~~ or

**4.** has an impairment that is episodic or in remission and would materially limit a major life activity when active.

**[NOTE: The 2024 Minnesota legislature revised the definition of 'disability' in Minnesota Statutes, section 363A.03, subdivision 12]**

**D.** Learners may be protected from disability discrimination and be eligible for services, accommodations, or programs under the provisions of Section 504 even though they are not eligible for special education pursuant to the Individuals with Disabilities Education Act.

### **III. COORDINATOR**

Persons who have questions or comments, should contact \_\_\_\_\_ (title, name, office address, and telephone number). This person is the school district's ADA/Americans with Disabilities Act/Section 504 Coordinator(s)– coordinator. Persons who wish to make a complaint regarding a disability discrimination matter may use the accompanying Student Disability Discrimination Grievance Report Form. The form should be given to the ADA/Section 504 coordinator. Contact information is as follows:

<u>Elementary Section 504 Officer</u>	<u>Secondary Section 504 Officer</u>
Melissa Tate, Elementary Principal	Don Rolando, Dean of Students
1414 15 <sup>th</sup> Avenue	1515 11 <sup>th</sup> Street
International Falls, MN 56649	International Falls, MN 56649
218-283-2571 ext 1232	218-283-2571 ext 1126
Alternate: Don Rolando	Alternate: Melissa Tate

**A grievance procedure for complaints of discrimination may be found in the District Office and on the District website at [www.isd361.k12.mn.us](http://www.isd361.k12.mn.us) under “School Board”; policies; Policy #401 Procedure.**

**Legal References:** [Minn. Stat. § 363A.03, Subd. 12 \(Definitions\)](#)  
42 U.S.C. Ch. 126 (Equal Opportunity for Individuals with Disabilities)  
29 U.S.C. § 794 *et. seq.* (~~§ 504 of~~ Rehabilitation Act of 1973, [§ 504](#))  
34 C.F.R. Part 104 ([Section 504](#) Implementing Regulations)

**Cross References:** MSBA/MASA Model Policy 402 (Disability Nondiscrimination)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY 522  
Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process**

Adopted \_\_\_\_\_ By Reference \_\_\_\_\_

Revised **January 2024** \_

~~*[Note: On May 6, 2020, the U.S. Department of Education, Office for Civil Rights (OCR), released the long-awaited final rule amending Title IX regulations at 34 Code of Federal Regulations part 106. These regulations, which went into effect on August 14, 2020, are the first Title IX regulations applicable to sexual harassment and are applicable to complaints by both school district students and employees. The extensive regulations will require districts to revise their policies and procedures with respect to sexual harassment and ensure that administration and staff are trained on the new requirements.*~~

~~*The final rule requires school districts to provide notice of its nondiscrimination policy and grievance procedures, including how to file or report sexual harassment and how the school district will respond to the following groups: applicants for admission and employment; students; parents or legal guardians; and unions or professional organizations holding agreements with the school district. 34 Code of Federal Regulations section 106.8(b). The provisions of this policy generally conform to the requirements of the new regulations.]*~~

**522 TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS**

**I. GENERAL STATEMENT OF POLICY**

- A. The school district does not discriminate on the basis of sex in its education programs or activities, and it is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The school district is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.
- B. The school district prohibits sexual harassment that occurs within its education programs and activities. When the school district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.
- C. This policy applies to sexual harassment that occurs within the school district's education programs and activities and that is committed by a school district employee, student, or other members of the school community. This policy does not apply to sexual harassment that occurs off school grounds, in a private setting, and outside the scope of the school district's education programs and activities. This policy does not apply to sexual harassment that occurs outside the geographic boundaries of the United States, even if the sexual harassment occurs in the school district's education programs or activities.
- D. Any student, parent, or guardian having questions regarding the application of Title IX and

its regulations and/or this policy and grievance process should discuss them with the Title IX Coordinator. The school district's Title IX Coordinator(s) is/are:

~~Kevin Grover – Superintendent, (218)-283-2571 ext 1112 1515  
11<sup>th</sup> Street  
International Falls, MN 56649 [kgrover@isd361.org](mailto:kgrover@isd361.org)~~

Alternate:

Tim Everson – FHS Principal, (218)-283-2571 ext 1104 1515  
11<sup>th</sup> Street  
International Falls, MN 56649 [teverson@isd361.org](mailto:teverson@isd361.org)

Questions relating solely to Title IX and its regulations may be referred to the Title IX Coordinator(s), the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

E. The effective date of this policy is August 14, 2020, and applies to alleged violations of this policy occurring on or after August 14, 2020.

## II. DEFINITIONS

A. “Actual knowledge” means notice of sexual harassment or allegations of sexual harassment to the school district’s Title IX Coordinator or to any employee of the school district. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the school district with actual knowledge is the respondent.

B. “Complainant” means a person who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. A Title IX Coordinator who signs a formal complaint is not a complainant unless the Title IX Coordinator is alleged to be the victim of the conduct described in the formal complaint.

C. “Day” or “days” means, unless expressly stated otherwise, business days (i.e. day(s) that the school district office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).

D. “Deliberately indifferent” means clearly unreasonable in light of the known circumstances. The school district is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

E. “Education program or activity” means locations, events, or circumstances for which the school district exercises substantial control over both the respondent and the context in which the sexual harassment occurs and includes school district education programs or activities that occur on or off of school district property.

F. “Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school district investigate the allegation of sexual harassment.

1. A formal complaint filed by a complainant must be a physical document or an electronic submission. The formal complaint must contain the complainant’s physical or digital signature, or otherwise indicate that the complainant is the

person filing the formal complaint, and must be submitted to the Title IX Coordinator in person, by mail, or by email.

2. A formal complaint shall state that, at the time of filing the formal complaint, the complainant was participating in, or attempting to participate in, an education program or activity of the school district with which the formal complaint is filed.

G. "Informal resolution" means options for resolving a formal complaint that do not involve a full investigation and adjudication. Informal resolution may encompass a broad range of conflict resolution strategies, including mediation or restorative justice.

H. "Relevant questions" and "relevant evidence" are questions, documents, statements, or information that are related to the allegations raised in a formal complaint. Relevant evidence includes evidence that is both inculpatory and exculpatory. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

I. "Remedies" means actions designed to restore or preserve the complainant's equal access to education after a respondent is found responsible. Remedies may include the same individualized services that constitute supportive measures, but need not be non-punitive or non-disciplinary, nor must they avoid burdening the respondent.

J. "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under Title IX.

K. "Sexual harassment" means any of three types of misconduct on the basis of sex that occurs in a school district education program or activity and is committed against a person in the United States:

1. *Quid pro quo* harassment by a school district employee (conditioning the provision of an aid, benefit, or service of the school district on an individual's participation in unwelcome sexual conduct);

2. Unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; or

3. Any instance of sexual assault (as defined in the Clery Act, 20 United States Code, section 1092(f)(6)A(v)), dating violence, domestic violence, or stalking (as defined in the Violence Against Women Act, 34 United States Code, section 12291).

L. "Supportive measures" means individualized services provided to the complainant or respondent without fee or charge that are reasonably available, non-punitive, non-disciplinary, not unreasonably burdensome to the other party, and designed to ensure equal educational access, protect safety, and deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, alternative educational services as defined under Minnesota Statutes, section 121A.41, as amended, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring

of certain areas of the school district buildings or property, and other similar measures.

M. “Title IX Personnel” means any person who addresses, works on, or assists with the school district’s response to a report of sexual harassment or formal complaint, and includes persons who facilitate informal resolutions. The following are considered Title IX Personnel:

1. “Title IX Coordinator” means an employee of the school district that coordinates the school district’s efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator is responsible for acting as the primary contact for the parties and ensuring that the parties are provided with all notices, evidence, reports, and written determinations to which they are entitled under this policy and grievance process. The Title IX Coordinator is also responsible for effective implementation of any supportive measures or remedies. The Title IX Coordinator must be free from conflicts of interest and bias when administering the grievance process.
2. “Investigator” means a person who investigates a formal complaint. The investigator of a formal complaint may not be the same person as the Decision-maker or the Appellate Decision-maker. The Investigator may be a school district employee, school district official, or a third party designated by the school district.
3. “Decision-maker” means a person who makes a determination regarding responsibility after the investigation has concluded. The Decision-maker cannot be the same person as the Title IX Coordinator, the Investigator, or the Appellate Decision-maker.
4. “Appellate Decision-maker” means a person who considers and decides appeals of determinations regarding responsibility and dismissals of formal complaints. The Appellate Decision-maker cannot be the same person as the Title IX Coordinator, Investigator, or Decision-maker. The Appellate Decision-maker may be a school district employee, or a third party designated by the school district.
5. The superintendent of the school district may delegate functions assigned to a specific school district employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes, to any suitably qualified individual and such delegation may be rescinded by the superintendent at any time. The school district may also, in its discretion, appoint suitably qualified persons who are not school district employees to fulfill any function under this policy, including, but not limited to, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes.

~~***[NOTE: It is recommended that school districts designate a primary Title IX Coordinator and at least one alternate Title IX Coordinator so that the alternate can undertake Title IX Coordinator responsibilities in the event the primary Title IX Coordinator is a party to a complaint, or is otherwise not qualified under this policy to serve in that role in a particular case.]***~~

### III. BASIC REQUIREMENTS FOR GRIEVANCE PROCESS

#### A. Equitable Treatment

1. The school district shall treat complainants and respondents equitably. However, equality or parity with respect to supportive measures provided to complainants and respondents is not required.
2. The school district will not impose any disciplinary sanctions or take any other actions against a respondent that do not constitute supportive measures until it has completed this grievance process and the respondent has been found responsible.
3. The school district will provide appropriate remedies to the complainant any time a respondent is found responsible.

B. Objective and Unbiased Evaluation of Complaints

1. Title IX Personnel, including the Title IX Coordinator, Investigator, Decision-maker, and Appellate Decision-maker, shall be free from conflicts of interest or bias for or against complainants or respondents generally or a specific complainant or respondent.
2. Throughout the grievance process, Title IX Personnel will objectively evaluate all relevant evidence, inculpatory and exculpatory, and shall avoid credibility determinations based solely on a person's status as a complainant, respondent, or witness.

C. Title IX Personnel will presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

D. Confidentiality

The school district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 United States Code, section 1232g, FERPA regulations, 34 Code of Federal Regulations, part 99, Minnesota law under Minnesota Statutes section 13.32, or as required by law, or to carry out the purposes of 34 Code of Federal ~~Regulation~~Regulations, part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the school district's obligation to maintain confidentiality shall not impair or otherwise affect the complainants and respondents receipt of the information to which they are entitled with respect to the investigative record and determination of responsibility).

E. Right to an Advisor; Right to a Support Person

Complainants and respondents have the right, at their own expense, to be assisted by an advisor of their choice during all stages of any grievance proceeding, including all meetings and investigative interviews. The advisor may be, but is not required to be, an attorney. In general, an advisor is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process. A complainant or respondent with a disability may be assisted by a support person throughout the grievance process, including all meetings and investigative interviews, if such accommodation is necessary. A support person may be a friend, family member, or

any individual who is not otherwise a potential witness. The support person is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

F. Notice

The school district will send written notice of any investigative interviews or meetings to any party whose participation is invited or expected. The written notice will include the date, time, location, participants, and purpose of the meeting or interview, and will be provided to allow sufficient time for the party to prepare to participate.

G. Consolidation

The school district may, in its discretion, consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

H. Evidence

1. During the grievance process, the school district will not require, allow, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
2. The school district shall not access, consider, disclose, or otherwise use a party's medical, psychological, and similar treatment records unless the school district obtains the party's voluntary, written consent.

I. Burden of Proof

1. The burden of gathering evidence and the burden of proof shall remain upon the school district and not upon the parties.
2. The grievance process shall use a preponderance of the evidence standard (i.e. whether it is more likely than not that the respondent engaged in sexual harassment) for all formal complaints of sexual harassment, including when school district employees are respondents.

J. Timelines

~~***{NOTE: The Title IX regulations require reasonably prompt timeframes for conclusion of the grievance process, but do not specify any particular timeframes. The time periods below are suggested. School districts may establish their own district-specific timeline, although it is recommended that legal counsel be consulted before adjusting time periods.}***~~

1. Any informal resolution process must be completed within thirty (30) calendar days following the parties' agreement to participate in such informal process.
2. An appeal of a determination of responsibility or of a decision dismissing a formal complaint must be received by the school district within five (5) days of the date

the determination of responsibility or dismissal was provided to the parties.

3. Any appeal of a determination of responsibility or of a dismissal will be decided within thirty (30) calendar days of the day the appeal was received by the ~~School District~~school district.
4. The school district will seek to conclude the grievance process, including any appeal, within 120 calendar days of the date the formal complaint was received by the ~~School District~~school district.
5. Although the school district strives to adhere to the timelines described above, in each case, the school district may extend the time frames for good cause. Good cause may include, without limitation: the complexity of the allegations; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening school district holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances.

#### K. Potential Remedies and Disciplinary Sanctions

1. The following is the range of possible remedies that the school district may provide a complainant and disciplinary sanctions that the school district might impose upon a respondent, following determination of responsibility: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, changes in work locations, leaves of absence, monitoring of certain areas of the school district buildings or property, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge.
2. If the Decision-maker determines a student-respondent is responsible for violating this policy, the Decision-maker will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the superintendent of the recommended remedies, such that an authorized administrator can consider the recommendation(s) and implement appropriate remedies in compliance with MSBA Model Policy 506 – Student Discipline. The discipline of a student-respondent must comply with the applicable provisions of Minnesota Pupil Fair Dismissal Act, the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

#### IV. REPORTING PROHIBITED CONDUCT

- A. Any student who believes they have been the victim of unlawful sex discrimination or sexual harassment, or any person (including the parent of a student) with actual knowledge of conduct which may constitute unlawful sex discrimination or sexual harassment toward a student should report the alleged acts as soon as possible to the Title IX Coordinator.
- B. Any employee of the school district who has experienced, has actual knowledge of, or has witnessed unlawful sex discrimination, including sexual harassment, or who otherwise becomes aware of unlawful sex discrimination, including sexual harassment, must promptly

report the allegations to the Title IX Coordinator without screening or investigating the report or allegations.

C. A report of unlawful sex discrimination or sexual harassment may be made at any time, including during non-business hours, and may be made in person, by mail, by telephone, or by e-mail using the Title IX Coordinator's contact information. A report may also be made by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

D. Sexual harassment may constitute both a violation of this policy and criminal law. To the extent the alleged conduct may constitute a crime, the School District may report the alleged conduct to law enforcement authorities. The school district encourages complainants to report criminal behavior to the police immediately.

#### V. **INITIAL RESPONSE AND ASSESSMENT BY THE TITLE IX COORDINATOR**

A. When the Title IX Coordinator receives a report, the Title IX Coordinator shall promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

B. The school district will offer supportive measures to the complainant whether or not the complainant decides to make a formal complaint. The school district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the school district's ability to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

C. If the complainant does not wish to file a formal complaint, the allegations will not be investigated by the school district unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the complainant's wishes is not clearly unreasonable in light of the known circumstances.

D. Upon receipt of a formal complaint, the school district must provide written notice of the formal complaint to the known parties with sufficient time to prepare a response before any initial interview. This written notice must contain:

1. The allegations of sexual harassment, including sufficient details known at the time, the identities of the parties involved in the incident (if known), the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known;

2. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;

3. A statement explaining that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;

4. A statement that the parties may inspect and review evidence gathered pursuant to this policy;

5. \_\_\_\_\_ A statement informing the parties of any code of conduct provision that prohibits knowingly making false statements or knowingly submitting false information; and

6. \_\_\_\_\_ A copy of this policy.

## **VI. STATUS OF RESPONDENT DURING PENDENCY OF FORMAL COMPLAINT**

### **A. Emergency Removal of a Student**

1. \_\_\_\_\_ The school district may remove a student-respondent from an education program or activity of the school district on an emergency basis before a determination regarding responsibility is made if:

a. \_\_\_\_\_ The school district undertakes an individualized safety and risk analysis;

b. \_\_\_\_\_ The school district determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal of the student-respondent; and

c. \_\_\_\_\_ The school district determines the student-respondent poses such a threat, it will so notify the student-respondent and the student-respondent will have an opportunity to challenge the decision immediately following the removal. In determining whether to impose emergency removal measures, the Title IX Coordinator shall consult related school district policies, including MSBA Model Policy 506 – Student Discipline. The school district must take into consideration applicable requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973, prior to removing a special education student or Section 504 student on an emergency basis.

***~~[NOTE: The interrelationship between the Title IX regulations authorizing the emergency removal of student and the Minnesota Pupil Fair Dismissal Act (MPFDA) is unclear at this time. School districts should consult with legal counsel regarding the emergency removal of a student. At a minimum, it is recommended that school districts provide alternative educational services, as defined in the MPFDA, to any student so removed under the Title IX regulations.]~~***

### **B. Employee Administrative Leave**

The school district may place a non-student employee on administrative leave during the pendency of the grievance process of a formal complaint. Such leave will typically be paid leave unless circumstances justify unpaid leave in compliance with legal requirements. The school district must take into consideration applicable requirements of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prior to removing an individual with a qualifying disability.

## **VII. INFORMAL RESOLUTION OF A FORMAL COMPLAINT**

A. \_\_\_\_\_ At any time prior to reaching a determination of responsibility, informal resolution may be offered and facilitated by the school district at the school district's discretion, but only after

a formal complaint has been received by the school district.

- B. The school district may not require as a condition of enrollment or continued enrollment, or of employment or continued employment, or enjoyment of any other right, waiver of the right to a formal investigation and adjudication of formal complaints of sexual harassment.
- C. The informal resolution process may not be used to resolve allegations that a school district employee sexually harassed a student.
- D. The school district will not facilitate an ~~information~~informal resolution process without both parties' agreement, and will obtain their voluntary, written consent. The school district will provide to the parties a written notice disclosing the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, the parties' right to withdraw from the informal resolution process, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
- E. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

~~I. DISMISSAL OF A FORMAL COMPLAINT~~

**VIII. DISMISSAL OF A FORMAL COMPLAINT**

- A. Under federal law, the school district must dismiss a Title IX complaint, or a portion thereof, if the conduct alleged in a formal complaint or a portion thereof:
  - 1. Would not meet the definition of sexual harassment, even if proven;
  - 2. Did not occur in the school district's education program or activity; or
  - 3. Did not occur against a person in the United States.
- B. The school district may, in its discretion, dismiss a formal complaint or allegations therein if:
  - 1. The complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein;
  - 2. The respondent is no longer enrolled or employed by the school district; or
  - 3. Specific circumstances prevent the school district from gathering sufficient evidence to reach a determination.
- C. The school district shall provide written notice to both parties of a dismissal. The notice must include the reasons for the dismissal.
- D. Dismissal of a formal complaint or a portion thereof does not preclude the school district from addressing the underlying conduct in any manner that the school district deems appropriate.

~~[NOTE: For example, school districts are reminded of the obligation under Minnesota Statutes section 122A.20, subdivision 2, to make a mandatory~~

~~report to PELSB concerning any teacher who resigns during the course of an investigation of misconduct.]~~

## **IX. INVESTIGATION OF A FORMAL COMPLAINT**

- A. If a formal complaint is received by the School District, the school district will assign or designate an Investigator to investigate the allegations set forth in the formal complaint.
- B. If during the course of the investigation the school district decides to investigate any allegations about the complainant or respondent that were not included in the written notice of a formal complaint provided to the parties, the school district must provide notice of the additional allegations to the known parties.
- C. When a party's participation is invited or expected in an investigative interview, the Investigator will coordinate with the Title IX Coordinator to provide written notice to the party of the date, time, location, participants, and purposes of the investigative interview with sufficient time for the party to prepare.
- D. During the investigation, the Investigator must provide the parties with an equal opportunity to present witnesses for interviews, including fact witnesses and expert witnesses, and other inculpatory and exculpatory evidence.
- E. Prior to the completion of the investigative report, the Investigator, through the Title IX Coordinator, will provide the parties and their advisors (if any) with an equal opportunity to inspect and review any evidence directly related to the allegations. The evidence shall be provided in electronic format or hard copy and shall include all relevant evidence, evidence upon which the school district does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or another source. The parties will have ten (10) days to submit a written response, which the Investigator will consider prior to completion of the investigative report.
- F. The Investigator will prepare a written investigative report that fairly summarizes the relevant evidence. The investigative report may include credibility determinations that are not based on a person's status as a complainant, respondent or witness. The school district will send the parties and their advisors (if any) a copy of the report in electronic format or hard copy, for their review and written response at least ten (10) days prior to a determination of responsibility.

## **~~II. DETERMINATION REGARDING RESPONSIBILITY~~**

~~**[NOTE: The Title IX regulations do not require school districts to conduct live hearings as part of the decision-making phase of the grievance process. Accordingly, this Policy does not include procedures for a live hearing. If a school district desires to create such**~~

~~procedures, legal counsel should be consulted.]~~

**X. DETERMINATION REGARDING RESPONSIBILITY**

- A.** After the school district has sent the investigative report to both parties and before the school district has reached a determination regarding responsibility, the Decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness.
- B.** The Decision-maker must provide the relevant questions submitted by the parties to the other parties or witnesses to whom the questions are offered, and then provide each party with the answers, and allow for additional, limited follow-up questions from each party.
- C.** The Decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant.
- D.** When the exchange of questions and answers has concluded, the Decision-maker must issue a written determination regarding responsibility that applies the preponderance of the evidence standard to the facts and circumstances of the formal complaint. The written determination of responsibility must include the following:
- 1.** Identification of the allegations potentially constituting sexual harassment;
  - 2.** A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
  - 3.** Findings of fact supporting the determination;
  - 4.** Conclusions regarding the application of the school district's code of conduct to the facts;
  - 5.** A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the school district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the school district to the complainant; and
  - 6.** The school district's procedures and permissible bases for the complainant and respondent to appeal and the date by which an appeal must be made.
- E.** In determining appropriate disciplinary sanctions, the Decision-maker should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incident occurred.
- F.** The written determination of responsibility must be provided to the parties simultaneously.
- G.** The Title IX Coordinator is responsible for the effective implementation of any remedies.

H. The determination regarding responsibility becomes final either on the date that the school district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

## **XI. APPEALS**

A. The school district shall offer the parties an opportunity to appeal a determination regarding responsibility or the school district's dismissal of a formal complaint or any allegations therein, on the following bases:

1. A procedural irregularity that affected the outcome of the matter (e.g., a material deviation from established procedures);
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
3. The Title IX Coordinator, Investigator, or Decision-maker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

B. If notice of an appeal is timely received by the school district, the school district will notify the parties in writing of the receipt of the appeal, assign or designate the Appellate Decision-maker, and give the parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

C. After reviewing the parties' written statements, the Appellate Decision-maker must issue a written decision describing the result of the appeal and the rationale for the result.

D. The written decision describing the result of the appeal must be provided simultaneously to the parties.

E. The decision of the Appellate Decision-maker is final. No further review beyond the appeal is permitted.

## **III. RETALIATION PROHIBITED** **XII. RETALIATION PROHIBITED**

A. Neither the school district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for

making a report of sexual harassment, filing a formal complaint, or participating in an investigation, constitutes a violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.

- B. Any person may submit a report or formal complaint alleging retaliation in the manner described in this policy and it will be addressed in the same manner as other complaints of sexual harassment or sex discrimination.
- C. Charging an individual with violation of school district policies for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

### **XIII. TRAINING**

- A. The school district shall ensure that Title IX Personnel receive appropriate training. The training shall include instruction on:
  - 1. The Title IX definition of sexual harassment;
  - 2. The scope of the school district's education program or activity;
  - 3. How to conduct an investigation and grievance process, appeals, and informal resolution processes, as applicable;
  - 4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
  - 5. For Decision-makers, training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's prior sexual behavior are not relevant; and
  - 6. For Investigators, training on issues of relevance, including the creation of an investigative report that fairly summarizes relevant evidence.
- B. The training materials will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints.
- C. Materials used to train Title IX Personnel must be posted on the school district's website. If the school district does not have a website, it must make the training materials available for public inspection upon request.

### **XIV. DISSEMINATION OF POLICY**

- A. This policy shall be made available to all students, parents/guardians of students, school district employee, and employee unions.
- B. The school district shall conspicuously post the name of the Title IX Coordinator, including office address, telephone number, and work e-mail address on its website and in each handbook that it makes available to parents, employees, students, unions, or

applicants.

C. The school district must provide applicants for admission and employment, students, parents or legal guardians of secondary school students, employees, and all unions holding collective bargaining agreements with the school district, with the following:

1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator;
2. Notice that the school district does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX not to discriminate in such a manner;
3. A statement that the requirement not to discriminate in the education program or activity extends to admission and employment, and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the United States Department of Education, or both; and
4. Notice of the school district's grievance procedures and grievance process contained in this policy, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the school district will respond.

## XV. RECORDKEEPING

***~~{NOTE: School districts should consider amending their respective retention schedules to reflect the recordkeeping requirements discussed below}.~~***

A. The school district must create, and maintain for a period of seven calendar years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the school district must document:

1. The basis for the school district's conclusion that its response to the report or formal complaint was not deliberately indifferent;
2. The measures the school district has taken that are designed to restore or preserve equal access to the school district's education program or activity; and
3. If the school district does not provide a complainant with supportive measures, then it must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. Such a record must be maintained for a period of seven years.
4. The documentation of certain bases or measures does not limit the recipient in the future from providing additional explanations or detailing additional measures taken.

B. The school district must also maintain for a period of seven calendar years records of:

1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity;
2. Any appeal and the result therefrom;
3. Any informal resolution and the result therefrom; and
4. All materials used to train Title IX Personnel.

**Legal References:** Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)  
Minn. Stat. §§ 121A.40 – 121A.575 (Minnesota Pupil Fair Dismissal Act)  
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments)  
34 C.F.R. Part 106 (Implementing Regulations of Title IX)  
20 U.S.C § 1400, *et seq.* (Individuals with Disabilities Education Act)  
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act)  
42 U.S.C. § 12101, *et seq.* (Americans with Disabilities Act)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act of 1974)  
20 U.S.C. § 1092 *et seq.* (Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act ("Clery Act"))

**Cross References:** MSBA/MASA Model Policy 102 (Equal Educational Opportunity)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL  
DISTRICT #361**

**BOARD POLICY 523  
Policies Incorporated by Reference**

**Adopted\_\_\_\_\_By Reference\_**

*Revised\_March 2024*

**523 POLICIES INCORPORATED BY REFERENCE**

**PURPOSE**

Certain policies as contained in the school district’s policies are applicable to students as well as to employees. ~~In order to~~To avoid undue duplication, the school district provides notice by this section of the application and incorporation by reference of the following policies ~~which~~that also apply to students:

- |                  |  |
|------------------|--|
| Model Policy 413 | Harassment and Violence  |
| Model Policy 417 | Chemical Use and Abuse   |
| Model Policy 418 | Drug-Free Workplace/Drug-Free School   |
| Model Policy 419 | Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices→                         |
| Model Policy 420 | Students and Employees with Sexually Transmitted Infections and Diseases and Certain Other Communicable Diseases and Infectious Conditions |

Students are charged with notice that the above cited policies are also applicable to students; however, students are also on notice that the provisions of the various policies speak for themselves and may be applicable although not specifically listed above.

**Legal References:** None

**Cross References:** None

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL  
DISTRICT #361  
BOARD POLICY 524  
Internet Acceptable Use and Safety Policy**

Adopted \_\_\_\_\_ By Reference \_\_\_\_\_

Revised July 2023

**524 INTERNET, TECHNOLOGY, AND CELL PHONE ACCEPTABLE USE AND SAFETY POLICY**

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

**I. PURPOSE**

The purpose of this policy is to set forth policies and guidelines for access to the school district computer system and acceptable and safe use of the Internet, including electronic communications.

**II. GENERAL STATEMENT OF POLICY**

In making decisions regarding student and employee access to the school district computer system and the Internet, including electronic communications, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of the school district computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

**III. LIMITED EDUCATIONAL PURPOSE**

The school district is providing students and employees with access to the school district computer system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

**IV. USE OF SYSTEM IS A PRIVILEGE**

The use of the school district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment; or civil or criminal

liability under other applicable laws.

**V. UNACCEPTABLE USES**

A. While not an exhaustive list, the following uses of the school district system and Internet resources or accounts are considered unacceptable:

1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit, or distribute:
  - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
  - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
  - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
  - d. information or materials that could cause damage or danger of disruption to the educational process;
  - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.
4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.
6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.

**[NOTE: School districts should consider the impact of this paragraph on present practices and procedures, including, but not limited to, practices pertaining to employee communications, school or classroom websites, and student/employee use of social networking websites. Depending upon school district policies and practices, school districts may wish to add one or more of the following clarifying paragraphs.]**

a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).

b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:

(1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or

(2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy\_515.

In addition, prior to posting any personal contact or personally identifiable information on a school-related webpage, employees shall obtain written approval of the content of the postings from the building administrator.

c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as "Facebook," "Twitter," "Instagram," "Snapchat," "TikTok," "Reddit," and similar websites or applications.

7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person's account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.

8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.

9. Users will not use the school district system for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.

10. Users will not use the school district system to engage in bullying or cyberbullying in violation of the school district's Bullying Prohibition Policy. This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.

B. The school district has a special interest in regulating off-campus speech that materially disrupts classwork or involves substantial disorder or invasion of the rights of others. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations may include, but are not limited to, serious or severe bullying or harassment targeting particular individuals, threats aimed at teachers or other students, failure to follow rules concerning lessons, the writing of papers, the use of computers, or participation in other online school activities, and breaches of school security devices. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.

C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

## VI. FILTER

**[NOTE: Pursuant to state law, school districts are required to restrict access to inappropriate materials on school computers with Internet access. School districts ~~which~~ seeking technology revenue pursuant to Minnesota Statutes, section 125B.26 or certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children's Internet Protection Act, effective in 2001. Those districts are required to comply with additional standards in restricting possible access to inappropriate materials. Therefore, school districts should select one of the following alternative sections depending upon whether the school district is seeking such ~~finding~~ funding and the type of funding sought.]**

### ALTERNATIVE NO. 1

**[NOTE: For a school district that does not seek either state or federal funding in connection with its computer system, the following language should be adopted. It reflects a mandatory requirement under Minnesota Statutes, section 125B.15.]**

All computers equipped with Internet access and available for student use at each school site will be equipped to restrict, by use of available software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

**[NOTE: The purchase of filtering technology is not required by state law if the school site would incur more than incidental expense in making the purchase. In the absence of filtering technology, school sites still are required to use "other effective methods" to restrict student access to such materials.]**

### **ALTERNATIVE NO. 2**

**[NOTE: Technology revenue is available to school districts that meet the additional condition of also restricting adult access to inappropriate materials. School districts that seek such state technology revenue may adopt or retain the following language. However, the school district is not required to do so.]**

A. All school district computers with Internet access and available for student use will be equipped to restrict, by use of available software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law.

B. All school district computers with Internet access, not just those accessible and available to students, will be equipped to restrict, by use of available software filtering technology or other effective methods, adult access to materials that are reasonably believed to be obscene or child pornography under state or federal law.

C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

### **ALTERNATIVE NO. 3**

**[NOTE: School districts that receive certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children's Internet Protection Act, effective in 2001. This law requires school districts to adopt an Internet safety policy that contains the provisions set forth below. Also, the Act requires such school districts to provide reasonable notice and hold at least one public hearing or meeting to address the proposed Internet safety policy prior to its implementation. School districts that do not seek such federal financial assistance need not adopt the alternative language set forth below nor meet the requirements with respect to a public meeting to review the policy. The following alternative language for school districts that seek such federal financial assistance satisfies both state and federal law requirements.]**

A. With respect to any of its computers with Internet access, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:

1. \_\_\_\_\_ Obscene;
2. \_\_\_\_\_ Child pornography; or
3. \_\_\_\_\_ Harmful to minors.

**B.** \_\_\_\_\_ The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

1. \_\_\_\_\_ Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
2. \_\_\_\_\_ Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
3. \_\_\_\_\_ Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

**C.** \_\_\_\_\_ Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

**D.** \_\_\_\_\_ An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.

**E.** \_\_\_\_\_ The school district will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

**[NOTE: Although school districts are not required to adopt the more restrictive provisions contained in either Alternative No. 2 or No. 3 if they do not seek state or federal funding, they may choose to adopt the more restrictive provisions as a matter of school policy.]**

## **VII. CONSISTENCY WITH OTHER SCHOOL POLICIES**

Use of the school district computer system and use of the Internet shall be consistent with school district policies and the mission of the school district.

## **VIII. LIMITED EXPECTATION OF PRIVACY**

**A.** \_\_\_\_\_ By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.

**B.** \_\_\_\_\_ Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.

**C.** \_\_\_\_\_ An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.

D. Parents may have the right at any time to investigate or review the contents of their child's files and e-mail files in accordance with the school district's Protection and Privacy of Pupil Records Policy. Parents have the right to request the termination of their child's individual account at any time.

E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, school district employees should be aware that data and other materials in files maintained on the school district system may be subject to review, disclosure, or discovery under Minnesota Statutes, chapter 13 (Minnesota Government Data Practices Act).

F. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

#### **IX. INTERNET USE AGREEMENT**

A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents, and employees of the school district.

B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.

C. The Internet Use Agreement form for students must be read and signed by the user, the parent or guardian, and the supervising teacher. The Internet Use Agreement form for employees must be signed by the employee. The form must then be filed at the school office. As supervising teachers change, the agreement signed by the new teacher shall be attached to the original agreement.

#### **X. LIMITATION ON SCHOOL DISTRICT LIABILITY**

Use of the school district system is at the user's own risk. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage, or unavailability of data stored on school district diskettes, tapes, hard drives, or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system. The school district will not be responsible for financial obligations arising through unauthorized use of the school district system or the Internet.

#### **XI. USER NOTIFICATION**

A. All users shall be notified of the school district policies relating to Internet use.

B. This notification shall include the following:

1. Notification that Internet use is subject to compliance with school district policies.

2. Disclaimers limiting the school district's liability relative to:

- a. Information stored on school district diskettes, hard drives, or servers.
  - b. Information retrieved through school district computers, networks, or online resources.
  - c. Personal property used to access school district computers, networks, or online resources.
  - d. Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
  4. Notification that, even though the school district may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
  5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents.
  6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by Public and Private Personnel Data Policy, and Protection and Privacy of Pupil Records Policy.
  7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
  8. Notification that all provisions of the acceptable use policy are subordinate to local, state, and federal laws.

## **XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE**

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies, and other possibly offensive media. Parents are responsible for monitoring their student's use of the school district system and of the Internet if the student is accessing the school district system from home or a remote location.
- B. Parents will be notified that their students will be using school district resources/accounts to access the Internet and that the school district will provide parents the option to request alternative activities not requiring Internet access. This notification should include:
  1. A copy of the user notification form provided to the student user.
  2. A description of parent/guardian responsibilities.
  3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.

4. A statement that the Internet Use Agreement must be signed by the user, the parent or guardian, and the supervising teacher prior to use by the student.

5. A statement that the school district's acceptable use policy is available for parental review.

### **XIII. NOTIFICATION REGARDING TECHNOLOGY PROVIDERS**

A. "Technology provider" means a person who:

1. contracts with the school district, as part of a one-to-one program or otherwise, to provide a school-issued device for student use; and

2. creates, receives, or maintains educational data pursuant or incidental to a contract with the school district.

B. "Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.

C. Within 30 days of the start of each school year, the school district must give parents and students direct and timely notice, by United States mail, e-mail, or other direct form of communication, of any curriculum, testing, or assessment technology provider contract affecting a student's educational data. The notice must:

1. identify each curriculum, testing, or assessment technology provider with access to educational data;

2. identify the educational data affected by the curriculum, testing, or assessment technology provider contract; and

3. include information about the contract inspection and provide contact information for a school department to which a parent or student may direct questions or concerns regarding any program or activity that allows a curriculum, testing, or assessment technology provider to access a student's educational data.

D. The school district must provide parents and students an opportunity to inspect a complete copy of any contract with a technology provider.

E. A contract between a technology provider and the school district must include requirements to ensure appropriate security safeguards for educational data. The contract must require that:

1. the technology provider's employees or contractors have access to educational data only if authorized; and

2. the technology provider's employees or contractors may be authorized to access educational data only if access is necessary to fulfill the official duties of the employee or contractor.

F. All educational data created, received, maintained, or disseminated by a technology provider pursuant or incidental to a contract with a public educational agency or institution are not the technology provider's property.

### **XIV. SCHOOL-ISSUED DEVICES**

A. “School-issued device” means hardware or software that the school district, acting independently or with a technology provider, provides to an individual student for that student’s dedicated personal use. A school-issued device includes a device issued through a one-to-one program.

B. Except as provided in paragraph C, the school district or a technology provider must not electronically access or monitor:

1. any location-tracking feature of a school-issued device;

2. any audio or visual receiving, transmitting, or recording feature of a school-issued device; or

3. student interactions with a school-issued device, including but not limited to; keystrokes and web-browsing activity.

C. The school district or a technology provider may only ~~engage~~engage in activities prohibited by paragraph B if:

1. the activity is limited to a noncommercial educational purpose for instruction, technical support, or exam-proctoring by school district employees, student teachers, staff contracted by the school district, a vendor, or the Minnesota Department of Education, and notice is provided in advance;

2. the activity is permitted under a judicial warrant;

3. the school district is notified or becomes aware that the device is missing or stolen;

4. the activity is necessary to respond to an imminent threat to life or safety and the access is limited to that purpose;

5. the activity is necessary to comply with federal or state law, including but not limited to Minnesota Statutes, section 121A.031; or

6. the activity is necessary to participate in federal or state funding programs, including but not limited to the E-Rate program.

D. If the school district or a technology provider interacts with a school-issued device as provided in paragraph C, clause 4, it must, within 72 hours of the access, notify the student to whom the school-issued device was issued or that student’s parent and provide a written description of the interaction, including which features of the device were accessed and a description of the threat. This notice is not required at any time when the notice itself would pose an imminent threat to life or safety, but must instead be given within 72 hours after that imminent threat has ceased.

## XV. **CELL PHONE USE**

~~1. Students are prohibited from using cell phones and other electronic communication devices during the instructional day. Students also are prohibited from using a cell phone or other electronic communication device to engage in conduct prohibited by school district policies including, but not limited to, cheating, bullying, harassment, and malicious and sadistic conduct.~~

- ~~2. If the school district has a reasonable suspicion that a student has violated a school policy, rule, or law by use of a cell phone or other electronic communication device, the school district may search the device. The search of the device will be reasonably related in scope to the circumstances justifying the search.~~
- ~~3. Students who use an electronic communication device during the school day and/or in violation of school district policies may be subject to disciplinary action pursuant to the school district's discipline policy. In addition, a student's cell phone or electronic communication device may be confiscated by the school district and, if applicable, provided to law enforcement. Cell phones or other electronic communication devices that are confiscated and retained by the school district will be returned in accordance with school building procedures.~~

~~*[Note: This language aligns with the provisions found in the MSBA Model Student Handbook. As an alternative to stating specific cell phone rules in a school district policy, a school board could choose to direct school administration to establish cell phone rules.*~~

~~The school board directs the superintendent and school district administration to establish rules and procedures regarding student possession and use of cell phones in schools. These rules and procedures should seek to minimize the impact of cell phones on student behavior, mental health, and academic attainment. These rules and procedures may be designed for specific school buildings, grade levels, or similar criteria.~~

~~**[NOTE: In 2024, the Minnesota legislature enacted a law requiring that school districts adopt a policy on students' possession and use of cell phones in school by March 15, 2025. This law does not state that school districts must incorporate specific language or provisions in the school district policy.]**~~

~~**MSBA recognizes the common practice of setting forth cell phone rules in a student handbook or similar document. This Article directs school administration to establish cell phone rules, which the school board may require be presented to the board for approval. This approach enables administrators to craft flexible and specific rules that are specific to grade levels and buildings. The school board may choose to set forth general principles regarding cell phone use in this Article.**~~

~~**Under the new law, the Minnesota Elementary School Principals Association and the Minnesota Association of Secondary School Principals will collaborate to make best practices available to schools on a range of different strategies to achieve the goals stated above.]**~~

## **XVI. LIMIT ON SCREEN TIME FOR CHILDREN IN PRESCHOOL AND KINDERGARTEN**

A child in a publicly funded preschool or kindergarten program may not use an individual-use screen, such as a tablet, smartphone, or other digital media, without engagement from a teacher or other students. This section does not apply to a child for whom the school has an individualized family service plan, an individualized education program, or a 504 plan in effect.

## **XVII. IMPLEMENTATION; POLICY REVIEW**

- ~~A. The school district administration may develop appropriate user notification forms, guidelines, and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms,~~

and procedures shall be an addendum to this policy.

- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The school district Internet policies and procedures are available for review by all parents, guardians, staff, and members of the community.
- D. Because of the rapid changes in the development of the Internet, the school board shall conduct an annual review of this policy.

**Legal References:**

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 13.32 (Educational Data)  
Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. [§ 121A.73 \(School Cell Phone Policy\)](#)  
~~Minn. Stat. § 124D.166 (Limit on Screen Time for Children in Preschool and Kindergarten)~~  
Minn. Stat. § 125B.15 (Internet Access for Students)  
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)  
15 U.S.C. § 6501 *et seq.* (Children’s Online Privacy Protection Act)  
17 U.S.C. § 101 *et seq.* (Copyrights)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
47 U.S.C. § 254 (Children’s Internet Protection Act of 2000 (CIPA)) ~~47 C.F.R. § 54.520 (FCC rules implementing CIPA)~~  
[47 C.F.R. § 54.520 \(FCC rules implementing CIPA\)](#)  
~~Mahanoy Area Sch. Dist. v. B.L.~~, 594 U.S., ~~180~~, 141 S. Ct. 2038 (2021)  
~~Tinker v. Des Moines Indep. Cmty. Sch. Dist.~~, 393 U.S. 503, (1969)  
~~United States v. Amer. Library Assoc.~~, 539 U.S. 194 (~~2003~~2003)  
~~Sagehorn v. Indep. Sch. Dist. No. 728~~, 122 F.Supp.2d 842 (D. Minn. 2015)  
~~R.S. v. Minnewaska Area Sch. Dist. No. 2149~~, 894 F.Supp.2d 1128 (D. Minn. 2012)  
~~Tatro v. Univ. of Minnesota~~, 800 N.W.2d 811 (Minn. App. 2011), ~~aff’d~~ on other grounds 816 N.W.2d 509 (Minn. 2012)  
~~S.J.W. v. Lee’s Summit R-7 Sch. Dist.~~, 696 F.3d 771 (8<sup>th</sup> Cir. 2012)  
~~Parents, Families, and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Camdenton R-III Sch. Dist.~~, 853 F.Supp.2d 888 (W.D. Mo. 2012)  
~~M.T. v. Cent. York Sch. Dist.~~, 937 A.2d 538 (Pa. Commw. Ct. 2007)

**Cross References:**

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)  
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)  
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Grievance Procedures and Process)  
MSBA/MASA Model Policy 603 (Curriculum Development)  
MSBA/MASA Model Policy 604 (Instructional Curriculum)  
MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)  
MSBA/MASA Model Policy 806 (Crisis Management Policy)

MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY      525  
Violence Prevention**

Adopted \_\_\_\_\_ By Reference\_

Revised\_March 2023\_

**525    VIOLENCE PREVENTION [APPLICABLE TO STUDENTS AND STAFF]**

**I.        PURPOSE**

The purpose of this policy is to recognize that violence has increased and to identify measures that the school district will take in an attempt to maintain a learning and working environment that is free from violent and disruptive behavior.

The school board is committed to promoting healthy human relationships and learning environments that are physically and psychologically safe for all members of the school community. It further believes that students are the first priority and they should be protected from physical or emotional harm during school activities and on school grounds, buses, or field trips while under school district supervision.

**II.       GENERAL STATEMENT OF POLICY**

- A.** The policy of the school district is to strictly enforce its weapons policy (Policy 501).
- B.** The policy of the school district is to act promptly in investigating all acts, or formal or informal complaints, of violence and take appropriate disciplinary action against any student or staff member who is found to have violated this policy or any related policy.
- C.** The administration will periodically review discipline policies and procedures, prepare revisions if necessary, and submit them to the school board for review and adoption.
- D.** The school district will implement approved violence prevention strategies to promote safe and secure learning environments, to diminish violence in our schools, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

**III.      IMPLEMENTATION OF POLICY**

- A.** The school board will review and approve policies to prevent and address violence in our schools. The superintendent or designee will develop procedures to effectively implement the school weapons and violence prevention policies. It shall be incumbent on all students and staff to observe all policies and report violations to the school administration.
- B.** The school board and administration will inform staff and students annually of policies and procedures related to violence prevention and weapons.
- C.** The school district will act promptly to investigate all acts and formal and informal

complaints of violence and take appropriate disciplinary action against any student or staff member who is found to have violated this policy or any related policy.

- D. The consequences set forth in the school weapons policy (Policy 501) will be imposed upon any student or nonstudent who possesses, uses or distributes a weapon when in a school location.
- E. The consequences set forth in the school hazing policy (Policy 526) will be imposed upon any student or staff member who commits an act against a student or staff member; or coerces a student or staff member into committing an act, that creates a substantial risk of harm to a person in order for the student or staff member to be initiated into or affiliated with an organization, or for any other purpose.
- F. Students who engage in assault or violent behavior will be removed from the classroom immediately and for a period of time deemed appropriate by the principal, in consultation with the teacher, pursuant to the student discipline policy (Policy 506).
- G. Students with disabilities may be expelled for behavior unrelated to their disabilities, subject to the procedural safeguards required by the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and the Pupil Fair Dismissal Act.
- H. Procedures will be developed for the referral of any person in violation of this policy or the weapons policy to the local law enforcement agency in accordance with Minnesota Statutes, section 121A.05.
- I. Students who wear objectionable emblems, signs, words, objects, or pictures on clothing communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership or that approves, advances, or provokes any form of religious, racial, or sexual harassment or violence against other individuals as defined in the [harassment](#) and [violence](#) policy (Policy 413) will be subject to the procedures set forth in the [student dress](#) and [appearance policy](#) (Policy 504). "Gang" as used in this policy means any ongoing organization, association, or group of three or more persons, whether formal or informal, having as one of its primary activities, the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. A "pattern of gang activity" means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.
- J. This policy is not intended to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane, denote gang affiliation, advocate harassment or violence against others, are likely to disrupt the education process, or cause others to react in a violent or illegal manner. (Policy 504).

#### **IV. PREVENTION STRATEGIES**

The school district has adopted and will implement the following prevention strategies to promote safe and secure learning environments, to diminish violence in our schools, and to aid in the protection of children whose health or welfare may be jeopardized through acts of violence.

**[NOTE: The school board can adopt any of the prevention strategies that it intends to implement in its schools, including some or all of the following sample strategies.]**

- A. Adopt a district crisis management policy to address potential violent crisis situations in the district.
- B. Provide training in recognition, prevention, and safe responses to violence and development of a positive school climate.
- C. Coordinate a local school security review committee or task force comprised of school officials, law enforcement, parents, students, and other youth service providers to advise on policy implementation.
- D. In-service training for personnel in aspects of reporting, visibility, and supervision as deterrents to violence.
- E. In-service training for personnel and school board members by experts familiar with sexual abuse, domestic violence, and personal safety issues on the following: helping students identify violence in the family and the community so that students may learn to resolve conflicts in effective, nonviolent ways; responding to a disclosure of child sexual abuse in a supportive, appropriate manner; and/or complying with mandatory reporting requirements under the Maltreatment of Minors Reporting Act.
- F. Promote student safety responsibility by encouraging the reporting of suspicious individuals and unusual activities on school grounds.
- G. Establish a curriculum committee that explores ways of teaching students violence prevention strategies, law-related education, and character/values education (universal values, e.g., honesty, personal responsibility, self-discipline, cooperation, and respect for others).
- H. Establish clear school rules that prevent and deter violence.
- I. Develop cross-cultural awareness programs to unify students of all cultures and backgrounds, to develop mutual respect and understanding of shared experiences and values among students, and to promote the message of inclusion.
- J. Establish conflict resolution training, conflict management, or peer ~~dedication~~mediation programs for staff and students to teach conservative approaches to settling disputes.
- K. Develop curriculum that teaches social skills such as maintaining self-control, building communications skills, forming friendships, resisting peer pressure, being appropriately assertive, forming positive relationships with adults, and resolving conflict in nonviolent ways.
- L. Develop curriculum that teaches critical viewing and listening skills in analyzing mass media to recognize stereotypes, distinguish fact from fantasy, and identify differences in behavior and values that conflict with their own.
- M. Develop student safety forums that both inform and elicit students' ideas about particular safety problems in the building.
- N. Develop a student photo or name identification system for quick identification of the student in case of emergency.

O. Develop a staff photo or name identification system using identification badges for quick identification of unauthorized people on campus.

P. Require all visitors to check-in the main office upon their arrival and state their business at the school. A visitor badge may be issued for easy identification that the visitor is authorized to be present in the school building.

Q. Develop curriculum on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.

R. Develop curriculum on child sexual abuse prevention for students, including age-appropriate instruction on recognizing sexual abuse and assault, boundary violations, and ways offenders groom or desensitize victims, as well as strategies to promote disclosure, reduce self-blame, and mobilize bystanders. The curriculum may be created in consultation with federal, state, and local agencies and community-based organizations, including the Child Welfare Information Gateway website maintained by the United States Department of Health and Human Services, to identify research-based tools, curricula, and programs to prevent child sexual abuse.

S. Provide training to all school personnel on recognizing and preventing sexual abuse and sexual violence which may include training on mandatory reporting requirements provided on the [Minnesota](#) Department of Education's website and reviewing the Code of Ethics for Minnesota Teachers.

## V. **STUDENT SUPPORT**

A. Students will have access to school-based student service professionals, when available, including counselors, nurses, social workers, and psychologists who are knowledgeable in methods to assist students with violence prevention and intervention.

B. Students will be apprised of school board policies designed to protect their personal safety.

C. Students will be provided with information as to school district and building rules regarding weapons and violence.

D. Students will be informed of resources for violence prevention and proper reporting.

## VI. **PERSONNEL**

A. School district personnel shall comply with the school weapons policy (Policy-501) and the school hazing policy (Policy 526).

B. School district personnel shall be knowledgeable of violence prevention policies and report any violation to school administration immediately. School district personnel will be informed annually as to school district and building rules regarding weapons and violence prevention.

C. School district personnel or agents of the school district shall not engage in emotionally abusive acts including malicious shouting, ridicule, and/or threats or other forms of corporal punishment (Policy 507).

**Legal References:** Minn. Stat. § 13.43, Subd. 16 (Personnel Data)  
Minn. Stat. § 120B.22 (Violence Prevention Education)

Minn. Stat. § 120B.232 (Character Development Education)  
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education) ~~Minn. Stat. § 121A.035 (Crisis Management Policy)~~  
Minn. Stat. ~~§ 121A.05 (Policy to Refer Firearms Possessor)~~ ~~Minn. Stat. § 121A.035 (Crisis Management Policy)~~  
Minn. Stat. ~~§ 121A.05 (Policy to Refer Firearms Possessor)~~  
Minn. Stat. §§ 121A.40—121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)  
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)  
Minn. Stat. § 121A.64 (Notification)  
Minn. Stat. § 121A.69 (Hazing Policy)  
Minn. Stat. § 181.967, Subd. 5 (School District Disclosure of Violence or Inappropriate Sexual Contact)  
18 U.S.C. § 921 (Definition of Firearm)  
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)-  
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)  
*Tinker v. Des Moines Indep. Sch. Dist.*, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d ~~317~~731 (1969)  
*Stephenson v. Davenport Community School District, Cmty. Sch. Dist.*, 110 F.3d 1303 (8<sup>th</sup> Cir. 1997)  
*McIntire v. Bethel School I.S.D. No. 3*, 804 F.Supp. 1415, 78 Educ. L. ~~Represent~~Rep. 828 (W.D.-Okla. 1992)  
*Olesen v. Board of Educ. of Sch. Dist. No. 228*, 676 F.Supp. ~~822~~820, 44 Educ. L.Rep. 205 (N.D. Ill. 1987)

**Cross References:**

MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 501 (School Weapons Policy)  
MSBA/MASA Model Policy 504 (Student Dress and Appearance)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 507 (Corporal Punishment)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy) MSBA/MASA Model Policy 526 (Hazing Prohibition)  
MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL  
DISTRICT #361**

**BOARD POLICY      526  
Hazing Prohibition**

Adopted \_\_\_\_\_ By Reference\_

Revised\_March 2024

**526    HAZING PROHIBITION**

**[NOTE: School districts are required by statute to have a policy addressing these issues. The Minnesota Department of Education (MDE) will maintain and make available a model policy on student and staff hazing in accordance with Minnesota ~~Statutes~~ Statutes, section 121A.69. The MDE model policy differs from the MSBA/MASA model policy as it incorporates state and federal requirements related to harassment and discrimination which extends beyond the mandate of Minnesota Statutes, section 121A.69. Topics of harassment and discrimination are addressed in other MSBA/MASA policies. While school districts are required to adopt a policy governing student and staff hazing, school districts are not required to adopt any particular policy. MSBA recommends this policy.]**

**I.      PURPOSE**

The purpose of this policy is to maintain a safe learning environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times.

**II.      GENERAL STATEMENT OF POLICY**

- A.** No student, teacher, administrator, volunteer, contractor, or other employee of the school district shall plan, direct, encourage, aid, or engage in hazing.
- B.** No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate hazing.
- C.** Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
- D.** Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.
- E.** False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited.
- F.** A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, or tolerates hazing shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, tolerate, or are a party to prohibited acts of hazing may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

Consequences for employees who permit, condone, or tolerate hazing or engage in an act of reprisal or intentional false reporting of hazing may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of hazing may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts.

G. This policy applies to hazing that occurs during and after school hours, on or off school premises or property, at school functions or activities, or on school transportation.

H. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.

I. The school district will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

### **III. DEFINITIONS**

A. "Hazing" means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other school-related purpose. The term hazing includes, but is not limited to:

1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, or placing a harmful substance on the body.

2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.

3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.

4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.

5. Any activity that causes or requires the student to perform a task that involves violation of state or federal law or of school district policies or regulations.

B. "Immediately" means as soon as possible but in no event longer than 24 hours.

C. "On school premises or school district property, or at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school

property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting hazing at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.

D. "Remedial response" means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.

E. "Student" means a student enrolled in a public school or a charter school.

F. "Student organization" means a group, club, or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities, or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

#### IV. **REPORTING PROCEDURES**

A. Any person who believes he or she has been the target or victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report hazing anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

B. The school district encourages the reporting party to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of hazing at the building level. Any adult school district personnel who receives a report of hazing prohibited by this policy shall inform the building report taker immediately. Any person may report hazing directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.

C. A teacher, administrator, volunteer, contractor, and other school employees shall be particularly alert to possible situations, circumstances, or events which might include hazing. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct which may constitute hazing shall make reasonable efforts to address and resolve the hazing and shall inform the building principal report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute hazing or who fail to make reasonable efforts to address and resolve the hazing in a timely manner may be subject to disciplinary action.

D. Submission of a good faith complaint or report of hazing will not affect the complainant

or reporter's future employment, grades, work assignments, or educational or work environment.

**E.** Reports of hazing are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of hazing and the record of any resulting investigation.

**F.** The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

#### **V. SCHOOL DISTRICT ACTION**

**A.** Within three (3) days of the receipt of a complaint or report of hazing, the school district shall undertake or authorize an investigation by school district officials or a third party designated by the school district.

**B.** The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students; or others pending completion of an investigation of alleged hazing prohibited by this policy.

**C.** The alleged perpetrator of the hazing shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

**D.** Upon completion of an investigation that determines hazing has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; and applicable school district policies and regulations.

**E.** The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets or victims of hazing and the parent(s) or guardian(s) of alleged perpetrators of hazing who have been involved in a reported and confirmed hazing incident of the remedial or disciplinary action taken, to the extent permitted by law.

**F.** In order to prevent or to respond to hazing committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in hazing.

#### **VI. RETALIATION OR REPRISAL**

The school district will discipline or take appropriate action against any student, teacher,

administrator, volunteer, contractor, or other employee of the school district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged hazing, who provides information about hazing, who testifies, assists, or participates in an investigation of alleged hazing, or who testifies, assists, or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct.

## **VII. DISSEMINATION OF POLICY**

**[NOTE: Proper reference should be made to the appropriate handbooks in each school district.]**

**A.** This policy shall appear in each school's student handbook and in each school's building and staff handbooks.

**B.** The school district will develop a method of discussing this policy with students and employees.

**Legal References:** Minn. Stat. § 121A.031 (School Student Bullying Policy)  
Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents Under the Safe and Supportive Minnesota Schools Act)  
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.69 (Hazing Policy)

**Cross References:** MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)  
MSBA/MASA Model Policy 525 (Violence Prevention [Applicable to Students and Staff])

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY 527  
Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches**

Adopted \_\_\_\_\_ By Reference\_

Revised **March 2023**

**527 STUDENT USE AND PARKING OF MOTOR VEHICLES; PATROLS, INSPECTIONS, AND SEARCHES**

**I. PURPOSE**

The purpose of this policy is to provide guidelines for use and parking of motor vehicles by students in school district locations, to maintain order and discipline in the schools, and to protect the health, safety, and welfare of students and school personnel.

**II. GENERAL STATEMENT OF POLICY**

The policy of this school district is to allow the limited use and parking of motor vehicles by students in school district locations. The position of the school district is that a fair and equitable district-wide student motor vehicle policy will contribute to the quality of the student's educational experience, will maintain order and discipline in the schools, and will protect the health, safety, and welfare of students and school personnel. This policy applies to all students in the school district.

**III. DEFINITIONS**

- A.** "Contraband" means any unauthorized item possession of which is prohibited by school district policy and/or law. It includes, but is not limited to, weapons and "look-alikes," alcoholic beverages, controlled substances and "look-alikes," overdue books and other materials belonging to the school district, and stolen property.
- B.** "Reasonable suspicion" means that a school official has grounds to believe that the search will result in evidence of a violation of school district policy, rules, and/or law. Reasonable suspicion may be based on a school official's personal observation, a report from a student, parent, or staff member, a student's suspicious behavior, a student's age and past history or record of conduct both in and out of the school context, or other reliable sources of information.
- C.** "Reasonable scope" means that the scope and/or intrusiveness of the search is reasonably related to the objectives of the search. Factors to consider in determining what is reasonable include the seriousness of the suspected infraction, the reliability of the information, the necessity of acting without delay, the existence of exigent circumstances necessitating an immediate search and further investigation (e.g., to prevent violence, serious and immediate risk of harm, or destruction of evidence), and the age of the student.
- D.** "School district location" means property that is owned, rented, leased, or borrowed by the school district for school purposes, as well as property immediately adjacent to such property that may be used for parking or gaining access to such property. A school district

location also shall include off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

#### **IV. STUDENT USE OF MOTOR VEHICLES IN SCHOOL DISTRICT LOCATIONS**

Students generally are not permitted to use motor vehicles during the school day in any school district location. Students may use motor vehicles on the high school campus[es] during the school day only during the designated lunch period, release for open hour, or if there is an emergency and permission has been granted to the student by the building principal to use a motor vehicle. Students are permitted to use motor vehicles in school district locations outside of the school day only on the high school campus-[es].

**[NOTE: This portion of the policy may need to be modified depending upon the designation of the high school campus as open or closed. For example, the school district may choose to adopt language for an open campus in the second sentence such as "Students may use motor vehicles on the high school campus[es] during the school day only during the student's designated lunch period or if there is an emergency and permission has been granted to the student by the building principal to use a motor vehicle during the school day."]**

#### **V. STUDENT PARKING OF MOTOR VEHICLES IN SCHOOL DISTRICT LOCATIONS**

A. Students are permitted to park in a school district location as a matter of privilege, not of right. Students driving a motor vehicle to a high school campus may park the motor vehicle in the parking lot designated for student parking only. Students will not park vehicles in driveways, on private property, the staff parking lot or in the fifteen minute parking zone across from school.

~~A. Student vehicles must display a student parking permit. Permits are available in the high school office.~~

B. When there are unauthorized vehicles parked on school district property, school officials may:

1. move the vehicle or require the driver or other person in charge of the vehicle to move it off school district property; or
2. if unattended, provide for the removal of the vehicle, at the expense of the owner or operator, to the nearest convenient garage or other place of safety off of school district property.

#### **VI. PATROLS, INSPECTIONS, AND SEARCHES**

School officials may conduct routine patrols of school district locations and routine inspections of the exteriors of the motor vehicles of students. In addition, the interiors of motor vehicles of students in school district locations may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law and/or school policy or rule.

A. Patrols and Inspections:

School officials may conduct routine patrols of student parking lots and other school district locations and routine inspections of the exteriors of the motor vehicles of students. Such patrols and inspections may be conducted without notice, without student consent, and

without a search warrant.

**B. Search of Interior of Student Motor Vehicle-**

The interiors of motor vehicles of students in school district locations, including glove or trunk compartments, may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law and/or school policy or rule. The search will be reasonable in its scope and intrusiveness. Such searches may be conducted without notice, without consent, and without a search warrant. A student will be subject to withdrawal of parking privileges and to discipline if the student refuses to open a locked motor vehicle under the student's control or its compartments upon the request of a school official.

**C. Prohibition of Contraband and Interference with Patrols, Inspections, Searches, and/or Seizures-**

A violation of this policy occurs when students store or carry contraband in motor vehicles in a school district location or interfere with patrols, inspections, searches, and/or seizures as provided by this policy.

**D. Seizure of Contraband-**

If a search yields contraband, school officials will seize the item and may turn it over to legal officials for ultimate disposition when appropriate.

**E. Dissemination of Policy-**

A copy of this policy will be ~~provided to each~~ printed in the student ~~applying for a parking permit~~ handbook or disseminated in any other way which school officials deem appropriate.

**VII. DIRECTIVES AND GUIDELINES**

The superintendent is granted authority to develop and present for school board review and approval reasonable directives and guidelines which address specific needs of the school district related to student use and parking of motor vehicles in school district locations, such as a permit system and parking regulations. Approved directives and guidelines shall be attached as an addendum to this policy.

**[NOTE: Some school districts may choose to allow students to park their cars in school district locations, such as designated student parking lots, by permit only. Such a permit system can be used to assist in the dissemination and enforcement of the motor vehicle policy. For example, school districts instituting a permit system can advise students who apply for a permit that the motor vehicle policy exists and that their motor vehicles are subject to inspection and search by school officials. An acknowledgment form, such as the sample attached to this policy, can then be utilized to document the notice given and the student's receipt of the policy.]**

**[NOTE: If a school district institutes a permit system and intends to charge students a fee for parking permits, the procedures in Minnesota Statutes, section 123B.38 must be followed before the fees are implemented.]**

**VIII. VIOLATIONS**

A student found to have violated this policy and/or the directives and guidelines implementing

it shall be subject to withdrawal of parking privileges and/or to discipline in accordance with the school district's Student Discipline Policy, which may include suspension, exclusion, or expulsion. In addition, the student may be referred to legal officials when appropriate.

**Legal References:** U.S. Const., amend. IV  
Minn. Const., art. I, §10  
Minn. Stat. § 123B.02, Subds. 1 and 5 (General Powers of Independent School Districts)  
Minn. Stat. § 123B.38 (Hearing)  
*New Jersey v. T.L.O.*, 469 U.S. 325, (1985)

**Cross References:** MSBA/MASA Model Policy 417 (Chemical Use ~~and~~ Abuse)  
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)  
MSBA/MASA Model Policy 501 (School Weapons Policy)  
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY 528  
Student Parental, Family, and Marital Status Nondiscrimination**

Adopted \_\_\_\_\_ By Reference \_\_\_\_

Revised **March 2023**

**528 STUDENT PARENTAL, FAMILY, AND MARITAL STATUS NONDISCRIMINATION**

**[NOTE: The provisions of this policy substantially reflect statutory requirements.]**

**I. PURPOSE**

Students are protected from discrimination on the basis of sex and marital status pursuant to Title IX of the Education Amendments of 1972 and the Minnesota Human Rights Act. This includes discrimination on the basis of pregnancy. The purpose of this school district policy is to provide equal educational opportunity for all students and to prohibit discrimination on the grounds of sex, parental, family, or marital status.

**II. GENERAL STATEMENT OF POLICY**

- A.** The school district provides equal educational opportunity for all students, and will not apply any rule concerning a student's actual or potential parental, family, or marital status which treats students differently on the basis of sex.
- B.** The school district will not discriminate against any student, or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such students' pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom, unless the student requests voluntarily to participate in a separate portion of the program or activity of the recipient.
- C.** The school district may require such a student to obtain the certification of a physician that the student is physically and emotionally able to continue participation in the normal education program or activity so long as such a certification is required of all students for other physical or emotional conditions requiring the attention of a physician.
- D.** The school district will ensure that any separate and voluntary instructional program is comparable to that offered to non-pregnant students.
- E.** It is the responsibility of every school district employee to comply with this policy.
- F.** The school board has designated the Superintendent as its Title IX coordinator. This employee coordinates the school district's efforts to comply with and carry out its responsibilities under Title IX.
- G.** Any student, parent or guardian having questions regarding the application of Title IX and its regulations and/or this policy should discuss them with the Title IX coordinator. Questions relating solely to Title IX and its regulations may be referred to the Assistant Secretary for Civil Rights of the United States Department of Education. In the absence of a specific designee, an inquiry or complaint should be referred to the superintendent or the school district human rights officer.

H. Any reports of unlawful discrimination under this policy will be handled, investigated, and acted upon in the manner specified in Policy 522.

**Legal References:** Minn. Stat. Ch. 363A (Minnesota Human Rights Act)  
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)  
34 C.F.R. Part 106 (Implementing Regulations of Title IX)

**Cross References:** MSBA/MASA Model Policy 102 (Equal Educational Opportunity)  
MSBA/MASA Model Policy 413 (Harassment and Violence)  
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL  
DISTRICT #361**

**BOARD POLICY 529  
Staff Notification of Violent Behavior by Students**

Adopted \_\_\_\_\_ By Reference \_\_\_\_\_

Revised **April 2023**

**529 STAFF NOTIFICATION OF VIOLENT BEHAVIOR BY STUDENTS**

**[NOTE: School districts are not required to adopt a policy regarding staff notification of violent behavior by students. State law does, however, require school districts to provide classroom teachers with notice of the placement of students with a history of violent behavior in their classrooms. Thus, school districts may decide the manner in which they provide such notice. In 2003, the Minnesota Legislature required a committee, including a representative from the Minnesota School Boards Association (MSBA), to develop a model policy for schools to notify staff about violent behavior by students. That model policy is available on the Minnesota Department of Administration’s website. MSBA has modified the committee-developed policy for consistency with its other model policies and to reflect management perspectives. MSBA recommends this policy.]**

**I. PURPOSE**

In an effort to provide a safe school environment, the assigned classroom teacher and certain staff members should know whether a student to be placed in the classroom has a history of violent behavior. Additionally, decisions should be made regarding how to manage such a student.

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

**II. GENERAL STATEMENT OF POLICY**

**A.** Any staff member or other employee of the school district who obtains or possesses information concerning a student in the building with a history of violent behavior shall immediately report said information to the principal of the building in which the student attends school.

**B.** The administration will meet with the assigned classroom teacher and other appropriate staff members for the purpose of notifying and determining how staff will manage such student.

**C.** Only staff members who have a legitimate educational interest in the information will receive notification.

**III. DEFINITIONS**

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

**A.** Administration

"Administration" means the superintendent, building principal, or other designee.

B. Classroom Teacher

"Classroom [teacher](#)" means the instructional personnel responsible for the course or room to which a student is assigned at any given time, including a substitute hired in place of the classroom teacher.

C. History of Violent Behavior

1. A student will be considered to have a history of violent behavior if incident(s) of violence, including any documented physical assault of a school district employee by the student, have occurred during the current or previous school year.

2. If a student has an incident of violence during the current or previous school year, that incident and all other past related or similar incidents of violence will be reported.

D. Incident(s) of Violence

"Incident(s) of violence" means willful conduct in which a student endangers or causes physical injury to the student, other students, a school district employee, or surrounding person(s) or endangers or causes significant damage to school district property, regardless of whether related to a disability or whether discipline was imposed.

E. Legitimate Educational Interest

"Legitimate educational interest" includes interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, student health and welfare, and the ability to respond to a request for educational data. It includes a person's need to know in order to:

1. Perform an administrative task required in the school or the employee's contract or position description approved by the school board;

2. Perform a supervisory or instructional task directly related to the student's education; or

3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.

4. Perform a task directly related to responding to a request for data.

F. School Staff Member

"School [staff member](#)" includes:

1. A person duly elected to the school board;

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

3. A person employed by the school board as a temporary substitute in a professional position for the period of his or her performance as a substitute; and

4. \_\_\_\_\_ A person employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, a public information officer or data practices compliance official, an attorney, or an auditor for the period of his or her performance as an employee or contractor.

**[NOTE: School districts may wish to reference other school staff members such as paraprofessionals, bus drivers, occupational therapists, or police liaison officers in the definition of a "school staff member." However, the definition of a "school staff member" in this policy should be identical to the school district's definition of a "school official" in Policy 515, Protection and Privacy of Pupil Records.]**

#### **IV. PROCEDURE FOR STAFF NOTIFICATION OF STUDENTS WITH VIOLENT BEHAVIOR**

##### **A. Reports of Violent Behavior**

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

##### **B. Recipients of Notice**

Each classroom teacher of a student with a history of violent behavior (see Section III.C.~~7.~~ above) will receive written notification from the administration prior to placement of the student in the teacher's classroom. In addition, written notice will be given by the administration to other school staff members who have a legitimate educational interest, as defined in this policy, when a student with a history of violent behavior is placed in a teacher's classroom. The administration will provide notice to anyone substituting for the classroom teacher or school staff member, who has received notice under this policy, that the substitute will be overseeing a student with a history of violent behavior.

The administration may provide other school district employees or individuals outside of the school district with information regarding a student, including information regarding a student's history of violent behavior, in accordance with Policy 515, Protection and Privacy of Pupil Records.

##### **C. Determination of Who Receives Notice**

The determination of which classroom teachers and school staff members have a legitimate educational interest in information regarding a student with a history of violent behavior will be made by either: (1) the school district's Responsible Authority appointed by the school board under the Minnesota Government Data Practices Act or (2) the administration. In the event the administration makes this determination, the Responsible Authority will provide guidance to the administration as to what data will be shared.

##### **D. Form of Written Notice**

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

1. \_\_\_\_\_ Name of the student;

2. \_\_\_\_\_ Date of notice;

3. \_\_\_\_\_ Notification that the student has been identified as a student with a history of violent behavior as defined in Section III. of this policy; and

4. \_\_\_\_\_ Reminder of the private nature of the data provided.

**E. \_\_\_\_\_ Record of Notice**

1. \_\_\_\_\_ The administration will retain a copy of the notice or other documentation provided to classroom teachers and school staff members notified under this section.

2. \_\_\_\_\_ Retention of the written notice or other documentation provided to classroom teachers and school staff members is governed by the approved Records Retention Schedule.

**F. \_\_\_\_\_ Meetings Regarding Students with a History of Violent Behavior**

1. \_\_\_\_\_ If the administration determines, in ~~his or her~~its discretion, that the classroom teacher and/or school staff members with a legitimate educational interest in such data reasonably require access to the details regarding a student's history of violent behavior for purposes of school safety and/or intervention services for the student, the administration also may convene a meeting to share and discuss such data.

2. \_\_\_\_\_ The persons present at the meeting may have access to the data described in Section IV.D. ~~7.~~ above.

**G. \_\_\_\_\_ Law Enforcement Reports**

Staff members will be provided with notice of disposition orders or law enforcement reports received by the school district in accordance with Policy 515, Protection and Privacy of Pupil Records. Where appropriate, information obtained from disposition orders or law enforcement reports also may be included in a Notification of Violent Behavior.

**V. \_\_\_\_\_ MAINTENANCE AND TRANSFER OF RECORDS**

A report, notice, or documentation pertaining to a student with a history of violent behavior are educational records of a student and will be retained, maintained, and transferred to a school or school district in which a student seeks to enroll in accordance with Policy 515, Protection and Privacy of Pupil Records.

**VI. \_\_\_\_\_ PARENTAL NOTICE**

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

B. \_\_\_\_\_ Prior to providing the written notice of a student's violent behavior to classroom teachers and/or school staff members, the administration will inform the student's parent or guardian that such notice will be provided.

C. \_\_\_\_\_ Parents will be given notice that they have the right to review and challenge records or

data, including the data documenting the history of violent behavior, in accordance with Policy 515, Protection and Privacy of Pupil Records.

## **VII. TRAINING NEEDS**

Representatives of the school board and representatives of the teachers will discuss the needs of students and staff. The parties may discuss necessary training which may include training on conflict resolution and positive behavior interventions and may discuss necessary intervention services such as student behavioral assessments.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 120A.22, Subd. 7 (Compulsory Instruction)  
Minn. Stat. § 121A.45 (Grounds for Dismissal)  
Minn. Stat. § 121A.64 (Notification; Teachers' Legitimate Educational Interest)  
Minn. Stat. § 121A.75 (Receipt of Records; Sharing) ~~Minn. Rules Pts. 1205.0100 - 1205.2000 (Data Practices)~~  
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)  
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)  
34 C.F.R. §§ 99.1-99.67 (Rules Implementing FERPA)  
Minn. Laws 2003, 1<sup>st</sup> Sp., Ch. 9, Art. 2, § 53

**Cross References:** MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL  
DISTRICT #361  
BOARD POLICY 530  
Immunization Requirements**

Adopted \_\_\_\_\_ By Reference \_\_\_\_\_

Revised **June 2018**

**530 IMMUNIZATION REQUIREMENTS**

**[NOTE: The provisions of this policy substantially reflect statutory requirements.]**

**I. PURPOSE**

The purpose of this policy is to require that all students receive the proper immunizations as mandated by law to ensure the health and safety of all students.

**II. GENERAL STATEMENT OF POLICY**

All students are required to provide proof of immunization, or appropriate documentation exempting the student from such immunization, and such other data necessary to ensure that the student is free from any communicable diseases, as a condition of enrollment.

**III. STUDENT IMMUNIZATION REQUIREMENTS**

**A.** No student may be enrolled or remain enrolled, on a full-time, part-time, or shared-time basis, in any elementary or secondary school within the school district until the student or the student's parent or guardian has submitted to the designated school district administrator the required proof of immunization. Prior to the student's first date of attendance, the student or the student's parent or guardian shall provide to the designated school district administrator one of the following statements:

**1.** a statement, from a physician, advanced practice registered nurse, physician assistant, or a public clinic which provides immunizations (hereinafter "medical statement"), affirming that the student received the immunizations required by law, consistent with medically acceptable standards; or

**2.** a medical statement affirming that the student received the primary schedule of immunizations required by law and has commenced a schedule of the remaining required immunizations, indicating the month and year each immunization was administered, consistent with medically acceptable standards.

**B.** The statement of a parent or guardian of a student or an emancipated student may be substituted for the medical statement. If such a statement is substituted, this statement must indicate the month and year each immunization was administered. Upon request, the designated school district administrator will provide information to the parent or guardian of a student or an emancipated student of the dosages required for each vaccine according to the age of the student.

**C.** The parent or guardian of persons receiving instruction in a home school shall submit one of the statements set forth in Section III.A. or III.B., above, or statement of

immunization set forth in Section IV., below, to the superintendent of the school district by October 1 of the first year of their home schooling in Minnesota and the grade 7 year.

D. When there is evidence of the presence of a communicable disease, or when required by any state or federal agency and/or state or federal law, students and/or their parents or guardians may be required to submit such other health care data as is necessary to ensure that the student has received any necessary immunizations and/or is free of any communicable diseases. No student may be enrolled or remain enrolled in any elementary or secondary school within the school district until the student or the student's parent or guardian has submitted the required data.

E. The school district may allow a student transferring into a school a maximum of 30 days to submit a statement specified in Section III.A. or III.B., above, or Section IV., below. Students who do not provide the appropriate proof of immunization or the required documentation related to an applicable exemption of the student from the required immunization within the specified time frames shall be excluded from school until such time as the appropriate proof of immunizations or exemption documentation has been provided.

F. If a person who is not a Minnesota resident enrolls in a school district online learning course or program that delivers instruction to the person only by computer and does not provide any teacher or instructor contact time or require classroom attendance, the person is not subject to the immunization, statement, and other requirements of this policy.

#### **IV. EXEMPTIONS FROM IMMUNIZATION REQUIREMENTS**

Students will be exempt from the foregoing immunization requirements under the following circumstances:

A. The parent or guardian of a minor student or an emancipated student submits a signed medical statement affirming that the immunization of the student is contraindicated for medical reasons or that laboratory confirmation of the presence of adequate immunity exists; or

B. The parent or guardian of a minor student or an emancipated student submits his or her notarized statement stating the student has not been immunized because of the conscientiously held beliefs of the parent, guardian or student.

#### **V. NOTICE OF IMMUNIZATION REQUIREMENTS**

A. The school district will develop and implement a procedure to:

1. notify parents and students of the immunization and exemption requirements by use of a form approved by the Department of Health;

2. notify parents and students of the consequence for failure to provide the required documentation regarding immunizations;

3. review student health records to determine whether the required information has been provided; and

4. make reasonable arrangements to send a student home when the immunization requirements have not been met and advise the student and/or the student's parent or guardian of the conditions for re-enrollment.

~~See Attachments A, B, C, and D.~~

- B. The notice provided shall contain written information describing the exemptions from immunization as permitted by law. The notice shall be in a font size at least equal to the font size and style as the immunization requirements and on the same page as the immunization requirements.

## **VI. IMMUNIZATION RECORDS**

- A. The school district will maintain a file containing the immunization records for each student in attendance at the school district for at least five years after the student attains the age of majority.
- B. Upon request, the school district may exchange immunization data with persons or agencies providing services on behalf of the student. Immunization data is private student data and disclosure of such data shall be governed by Policy 515 Protection and Privacy of Pupil Records.
- C. The designated school district administrator will assist a student and/or the student's parent or guardian in the transfer of the student's immunization file to the student's new school within 30 days of the student's transfer.
- D. Upon request of a public or private post-secondary educational institution, the designated school district administrator will assist in the transfer of the student's immunization file to the post-secondary educational institution.

## **VII. OTHER**

Within 60 days of the commencement of each new school term, the school district will forward a report to the Commissioner of the Department of Education stating the number of students attending each school in the school district, including the number of students receiving instruction in a home school, the number of students who have not been immunized, and the number of students who received an exemption. The school district also will forward a copy of all exemption statements received by the school district to the Commissioner of the Department of Health.

**Legal References:** Minn. Stat. § 13.32 (Educational Data)  
Minn. Stat. § 121A.15 (Health Standards; Immunizations; School Children)  
Minn. Stat. § 121A.17 (School Board Responsibilities)  
Minn. Stat. § 144.29 (Health Records; Children of School Age)  
Minn. Stat. § 144.3351 (Immunization Data)  
Minn. Stat. § 144.441 (Tuberculosis Screening in Schools)  
Minn. Stat. § 144.442 (Testing in Schools)  
Minn. Rules Parts 4604, 0100-4604, ~~1000~~1020 (Immunization)  
~~McCarthy v. Ozark Sch. Dist.~~, 359 F.3d 1029 (8<sup>th</sup> Cir. 2004) ~~Op. Atty. Gen.~~  
~~169-W (Jan. 17, 1968)~~  
Op. Atty. Gen. 169-W (July 23, 1980)  
[Op. Atty. Gen. 169-W \(Jan. 17, 1968\)](#)

**Cross References:** MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY 531  
The Pledge of Allegiance**

Adopted \_\_\_\_\_ By Reference \_\_\_\_\_

Revised **March 2024**

**531 THE PLEDGE OF ALLEGIANCE**

**[NOTE: Recitation of the Pledge of Allegiance by students and instruction of students as provided in this policy are required by statute. Also, the statement in Part III., below, must be included in the student handbook or a policy guide. A local school board ~~or a charter school board of directors~~ may waive these statutory requirements by a majority vote taken annually. If the local school board or charter school board of directors waives the requirement to recite the Pledge of Allegiance, it may adopt a district or school policy regarding the reciting of the Pledge of Allegiance.]**

**I. PURPOSE**

The school board recognizes the need to display an appropriate United States flag and to provide instruction to students in the proper etiquette, display, and respect of the flag. The purpose of this policy is to provide for recitation of the Pledge of Allegiance and instruction in school to help further that end.

**II. GENERAL STATEMENT OF POLICY**

Students in this school district shall recite the Pledge of Allegiance to the flag of the United States of America one or more times each week. The recitation shall be conducted:

**A.** By each individual classroom teacher or the teacher's surrogate; or

**B.** Over a school intercom system by a person designated by the school principal or other person having administrative control over the school.

**III. EXCEPTIONS**

Anyone who does not wish to participate in reciting the Pledge of Allegiance for any personal reasons may elect not to do so. Students and school personnel must respect another person's right to make that choice.

**IV. INSTRUCTION**

Students will be instructed in the proper etiquette toward, correct display of, and respect for the flag, and in patriotic exercises.

**Legal References:** Minn. Stat. § 121A.11, Subd. 3 and Subd. 4 (United States Flag)

**Cross References:** None

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY 532**

**Use of Peace Officers and Crisis Teams to Remove Students with IEP's From School Grounds**

Adopted \_\_\_\_\_ By Reference\_

Revised July 2023

**532 USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS WITH IEPs FROM SCHOOL GROUNDS**

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

**I. PURPOSE**

The purpose of this policy is to describe the appropriate use of peace officers and crisis teams to remove, if necessary, a student with an individualized education program (IEP) from school grounds.

**II. GENERAL STATEMENT OF POLICY**

The school district is committed to promoting learning environments that are safe for all members of the school community. It further believes that students are the first priority and that they should be reasonably protected from physical or emotional harm at all school locations and during all school activities.

In general, all students, including those with IEPs, are subject to the terms of the school district's discipline policy. Building level administrators have the leadership responsibility to maintain a safe, secure, and orderly educational environment within which learning can occur. Corrective action to discipline a student and/or modify a student's behavior will be taken by staff when a student's behavior violates the school district's discipline policy.

If a student with an IEP engages in conduct which, in the judgment of school personnel, endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, that student may be removed from school grounds in accordance with this policy.

**III. DEFINITIONS**

For purposes of this policy, the following terms have the meaning given them in this section:

**A.** "Crisis team" means a group of persons, which may include teachers and non-teaching school personnel, selected by the building administrator in each school building who have received crisis intervention training and are responsible for becoming actively involved with resolving crises. The building administrator or designee shall serve as the leader of the crisis team.

**B.** "Emergency" means a situation where immediate intervention is needed to protect a child or other individual from physical injury.

**C.** "Peace officer" means an employee or an elected or appointed official of a political

subdivision or law enforcement agency who is licensed by the Board of Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest. The term "peace officer" includes a person who serves as a sheriff, a deputy sheriff, a police officer, or a state patrol trooper.

~~A. "Police liaison officer" is a peace officer who, pursuant to an agreement between the school district and a political subdivision or law enforcement agency, is assigned to a school building for all or a portion of the school day to provide law enforcement assistance and support to the building administration and to promote school safety, security, and positive relationships with students.~~

D. "Physical holding" means physical intervention intended to hold a child immobile or limit a child's movement, where body contact is the only source of physical restraint, and where immobilization is used to effectively gain control of a child in order to protect a child or other individual from physical injury.

**[NOTE: This definition is added to provide clarity for discussion of physical holds later in this policy and in light of recent Minnesota legislative action.]**

E. The phrase "remove the student from school grounds" is the act of securing the person of a student with an IEP and escorting that student from the school building or school activity at which the student with an IEP is located.

F. "School Resource Officer" means a peace officer who is assigned to work in an elementary school, middle school, or secondary school during the regular instructional school day as one of the officer's regular responsibilities through the terms of a contract entered between the peace officer's employer and the designated school district or charter school.

**[NOTE: The 2024 Minnesota legislature enacted this definition of "school resource officer." MSBA deleted the definition of "police liaison officer" as part of this change. School districts should use the term that reflects their local circumstances.]**

G. "Student with an IEP" or "the student" means a student who is eligible to receive special education and related services pursuant to the terms of an IEP or an individual interagency intervention plan (IIIP).

H. All other terms and phrases used in this policy shall be defined in accordance with applicable state and federal law or ordinary and customary usage.

#### **IV. REMOVAL OF STUDENTS WITH IEPs FROM SCHOOL GROUNDS**

##### **A. Removal By Crisis Team**

If the behavior of a student with an IEP escalates to the point where the student's behavior endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building's crisis team may be summoned. The crisis team may attempt to de-escalate the student's behavior by means including, but not limited to, those described in the student's IEP and/or behavior intervention plan. When such measures fail, or when the crisis team determines that the student's behavior continues to endanger or may endanger the health, safety, or property of the student, other students, staff members, or school property, the crisis team may remove the student from school grounds.

If the student's behavior cannot be safely managed, school personnel may immediately request assistance from the [police liaison school resource](#) officer or a peace officer.

B. Removal By [Police Liaison School Resource](#) Officer or Peace Officer

If a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building's crisis team, building administrator, or the building administrator's designee, may request that the [police liaison school resource](#) officer or a peace officer remove the student from school grounds.

If a student with an IEP is restrained or removed from a classroom, school building, or school grounds by a peace officer at the request of a school administrator or school staff person during the school day twice in a 30-day period, the student's IEP team must meet to determine if the student's IEP is adequate or if additional evaluation is needed.

Whether or not a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, school district personnel may report a crime committed by a student with an IEP to appropriate authorities. If the school district reports a crime committed by a student with an IEP, school personnel shall transmit copies of the special education and disciplinary records of the student for consideration by appropriate authorities to whom it reports the crime, to the extent that the transmission is permitted by the Family Education Rights and Privacy Act (FERPA), the Minnesota Government Data Practices Act, and school district's policy, Protection and Privacy of Pupil Records.

**[NOTE: If the school district uses a different reference name for its student records policy, insert that name in place of the reference to Protection and Privacy of Pupil Records, which is the title of MSBA/MASA Model Policy 515.]**

The fact that a student with an IEP is covered by special education law does not prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a student with an IEP.

C. Reasonable Force Permitted

1. In removing a student with an IEP from school grounds, a building administrator, other crisis team members, or the [police liaison school resource](#) officer or other agents of the school district, whether or not members of a crisis team, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

2. In removing a student with an IEP from school grounds, [police liaison school resource](#) officers and school district personnel are further prohibited from engaging in the following conduct:

a. Corporal punishment prohibited by Minnesota Statutes, section 121A.58;

b. Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;

c. Totally or partially restricting a child's senses as punishment;

- d. Denying or restricting ~~the~~ child's access to equipment and devices such as walkers, wheelchairs, hearing aids, and communication boards that facilitate the child's functioning except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;
  - e. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under Minnesota Statutes, chapter 260E;
  - f. Physical holding (as defined above and in Minnesota Statutes, section 125A.0941) that restricts or impairs a child's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso;
  - g. Withholding regularly scheduled meals or water; and/or
  - h. Denying a child access to toilet facilities.
3. Any reasonable force used under Minnesota Statutes, sections 121A.582; 609.06, subdivision 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred shall be reported to the Minnesota Department of Education as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person.

D. Parental Notification

The building administrator or designee shall make reasonable efforts to notify the student's parent or guardian of the student's removal from school grounds as soon as possible following the removal.

E. Continued Removals; Review of IEP

Continued and repeated use of the removal process described herein must be reviewed in the development of the individual student's IEP or IIIP.

F. Effect of Policy in an Emergency; Use of Restrictive Procedures

A student with an IEP may be removed in accordance with this policy regardless of whether the student's conduct would create an emergency.

If the school district seeks to remove a student with an IEP from school grounds under this policy due to behaviors that constitute an emergency and the student's IEP, IIIP, or behavior intervention plan authorizes the use of one or more restrictive procedures, the crisis team may employ those restrictive procedures, in addition to any reasonable force that may be necessary, to facilitate the student's removal from school grounds, as long as the crisis team members who are implementing the restrictive procedures have received the training required by Minnesota Statutes, section 125A.0942, subdivision 5, and otherwise comply with the requirements of section 125A.0942.

G. Reporting to the Minnesota Department of Education (MDE)

Annually, stakeholders may recommend, as necessary, to the Commissioner of MDE (Commissioner) specific and measurable implementation and outcome goals for reducing the use of restrictive procedures. The Commissioner must submit to the Legislature a report on districts' progress in reducing the use of restrictive procedures that recommends how to further reduce these procedures and eliminate the use of seclusion. By January 15, April 15, July 15, and October 15 of each year, districts must report, in a form and manner determined by the Commissioner, about individual students who have been secluded. By July 15 each year, districts must report summary data. The summary data must include information on the use of restrictive procedures for the prior school year, [July 1](#) through June 30, including the use of reasonable force by school personnel that is consistent with the definition of physical holding or seclusion of a child with a disability.

**Legal References:** Minn. Stat. ~~§~~ Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. §§ 121A.40-121A.56 (Minnesota Pupil Fair Dismissal Act)  
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)  
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class) ~~Minn. Stat. § 121A.67 (Removal by Police Officer)~~  
[Minn. Stat. § 121A.67 \(Removal by Police Officer\)](#)  
[Minn. Stat. §§ 125A.094-125A.0942 \(Restrictive Procedures for ~~children~~Children with Disabilities\)](#)  
Minn. Stat. § 609.06 (Authorized Use of Force)  
Minn. Stat. § 609.379 (Permitted Actions)  
[Minn. Stat. § 626.8482 \(School Resource Officers; Duties; Training; Model Policy\)](#)  
20- U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy (FERPA))  
20 U.S.C. § 1415(k)(6) (Individuals with Disabilities Education [Act](#))  
34 C.F.R. § 300.535 (Referral to and Action by Law Enforcement and Judicial Authorities)

**Cross References:** MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 507 (Corporal Punishment) ~~and Prone Restraint~~ [and Prone Restraint](#)  
[MSBA/MASA Model Policy 507.5 \(School Resource Officers\)](#)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 525 (Violence Prevention)  
MSBA/MASA Model Policy 806 (Crisis Management Policy)

INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361

BOARD POLICY 533  
Wellness

Adopted \_\_\_\_ By Reference \_

Revised October 2022 (ISD 361 version)

**533 WELLNESS**

**[NOTE: All school districts that participate in the National School Lunch and School Breakfast Programs are required by the Healthy, Hunger-Free Kids Act of 2010 (Act) to have a wellness policy that includes standards and nutrition guidelines for foods and beverages made available to students on campus during the school day, as well as specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. The Act requires the involvement of parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the public in the development, implementation, and periodic review and update of the wellness policy. The Act also requires a plan for measuring implementation of the policy and reporting wellness policy content and implementation issues to the public, as well as the designation of at least one person charged with responsibility for the implementation and oversight of the wellness policy to ensure the school district is in compliance with the policy.]**

**I. PURPOSE**

The purpose of this policy is to set forth methods that promote student wellness, prevent and reduce childhood obesity, and ~~ensure~~assure that school meals and other food and beverages sold and otherwise made available on the school campus during the school day are consistent with applicable minimum local, state, and federal standards.

**II. GENERAL STATEMENT OF POLICY**

- A. The school board recognizes that nutrition promotion and education, physical activity, and other school-based activities that promote student wellness are essential components of the educational process and that good health ~~promotes~~fosters student attendance and ~~academic achievement~~learning.
- B. The school environment should promote students' health and well-being, and ability to learn by encouraging healthy eating and physical activity.
- C. The school district encourages the involvement of ~~members of the parents, students, representatives of the school food authority, teachers, school health professionals, the school board, school administrators, and the general~~ public in the development, implementation, and periodic review and update of the school district's ~~Wellness~~wellness policy.
- D. Children need access to healthy foods, ~~and opportunities to be physically active in order to grow, learn, and thrive.~~

~~E. All students in grades K-12 will have opportunities, support, and encouragement to be physically active on a daily/regular basis, in order to grow, learn, and thrive.~~

~~F. Qualified nutrition/food service personnel will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; make reasonable effort/try to accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant meal settings and adequate time for students to eat.~~

~~A. All students in grades K-12 will have opportunities, support and encouragement to be physically active on a regular basis.~~

## ~~II. Definitions~~

~~A. "Campus" means areas or vehicles that are owned or leased by the school and used at any time for school-related activities, including but not limited to inside and outside of school buildings, school buses and other vehicle used to transport students, athletic fields, stadiums, and parking lots.~~

~~B. "Food and beverage marketing" means advertising and other promotions of and/or beverages in schools. Food and beverage marketing may include oral, written or graphic statements made for the purpose of promoting the sale of a food or beverage product made by a producer, manufacturer, seller or any other entity with a commercial interest in a product.~~

~~C. "School day" means the time between midnight to thirty minutes after the end of the instructional day, per USDA Guidelines.~~

~~D. "Triennial" means recurring every three years.~~

## ~~III. Wellness Goals~~

### ~~III. WELLNESS GOALS~~

~~**[NOTE: The Act requires that wellness policies include goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness.]**~~

~~A. Nutrition Promotion and Education~~

~~1. The school district will encourage and support healthy eating by students and engage in nutrition promotion that is:~~

~~a. offered as part of a comprehensive program designed to provide students with the knowledge and skills necessary to promote and protect their health;~~

~~b. part of health education classes, as well as classroom instruction in subjects such as math, science, language arts, social sciences, and elective subjects, where appropriate; and~~

c. \_\_\_\_\_ enjoyable, developmentally appropriate, culturally relevant, and includes participatory activities, such as contests, promotions, taste testing, and field trips.

~~1.— Through district curriculum, the school district will provide nutrition education that follows national and state standards, and focuses on understanding the relationship between personal behavior and individual health, as well as on the impact of food choices.~~

2. \_\_\_\_\_ The school district will encourage all students to make age appropriate, healthy selections of foods and beverages, including those sold individually outside the reimbursable school meal programs, such as ~~in~~through a la carte/snack lines, vending machines, ~~for~~ fundraising purposes, ~~at~~events, concession stands, and ~~in~~ student stores.

B. \_\_\_\_\_ Physical Activity and Education

1. \_\_\_\_\_ Students need opportunities for ~~daily~~ physical activity, and to ~~learn to~~fully embrace ~~healthy lifestyles and~~regular physical activity as ~~a~~ personal ~~behaviors~~behavior. Toward that end, health and physical education will reinforce the knowledge and self-management skills needed to maintain a healthy lifestyle and reduce sedentary activities, ~~such as watching television;~~

2. \_\_\_\_\_ Opportunities for physical activity ~~may~~will be incorporated into other subject lessons, where appropriate; ~~and~~

3. \_\_\_\_\_ Classroom teachers ~~may~~will provide short physical activity breaks between lessons or classes, as appropriate.

~~2.— To the extent possible, classroom teachers are encouraged to use physical activity as a reward or incentive and not to withhold physical activity as punishment.~~

~~3.— Through district curriculum, the district will provide opportunities to strengthen the skills and knowledge needed to maintain a healthy lifestyle through the district's physical education and health curricula, aligned with national and state standards.~~

~~4.— The district will make appropriate accommodations to allow for equitable participation for all students and will strive to adapt physical~~

~~education classes and equipment to meet the needs of students.~~

#### ~~B. Other School-Based Activities to Promote Student Wellness~~

~~1.—The school district will integrate well-ness activities across the entire school setting.~~

~~2.—The school district will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other well-ness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives, promoting students well-being, optimal development and strong education outcomes.~~

~~3.—The district will offer (or collaborate with the community to offer) competitive and noncompetitive physical activity outside of the classroom that will foster participation by students.~~

#### C. Communications with Parents

1. The school district recognizes that parents and guardians have a primary role in promoting their children’s health and well-being.

2. The school district will support parents’ efforts to provide a healthy diet and daily physical activity for their children.

3. The school district encourages parents to pack healthy lunches and snacks and refrain from including beverages and foods without nutritional value.

4. The school district will provide information ~~on district and/or community resources for those families facing food insecurity.~~

~~The school district will provide information to parents~~ about physical education and other school-based physical activity opportunities and will support parents’ efforts to provide their children with opportunities to be physically active outside of school.

### IV. STANDARDS AND NUTRITION GUIDELINES

**[NOTE: The Act requires that school districts have standards, selected by the school district, for all foods available on the school campus during the school day with the objective of promoting student health and reducing childhood obesity. For foods and beverages sold to students during the school day on school campus, the Act requires that school districts also have nutrition guidelines.]**

#### A. School Meals

**[NOTE: The Act specifically requires that the wellness policy contain standards and nutrition guidelines for all foods and beverages sold to students during the school day that are consistent with the meal requirements for lunches and after-school snacks set forth in 7 Code of Federal Regulations, section 210.10 and the meal requirements for breakfasts set forth in 7 Code of Federal Regulations, section 220.8.]**

1. \_\_\_\_\_ The school district will provide healthy and safe school meal programs that comply with all applicable federal, state, and local laws, rules, and regulations.
2. \_\_\_\_\_ Food service personnel will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students.
3. \_\_\_\_\_ Food service personnel will try to accommodate the religious, ethnic, and cultural diversity of the student body in meal planning.
4. \_\_\_\_\_ Food service personnel will provide clean, safe, and pleasant settings and adequate time for students to eat.
5. \_\_\_\_\_ Food service personnel will take every measure to ensure that student access to foods and beverages meets or exceeds all applicable federal, state, and local laws, rules, and regulations and that reimbursable school meals meet USDA nutrition standards.
6. \_\_\_\_\_ Food service personnel shall adhere to all applicable federal, state, and local food safety and security guidelines.
7. \_\_\_\_\_ The school district will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals.
8. \_\_\_\_\_ The school district will provide students access to hand washing or hand sanitizing before they eat meals and/or snacks.
9. \_\_\_\_\_ The school district will make every effort to provide students with sufficient time to eat after sitting down for school meals and will schedule meal periods at appropriate times during the school day: between 11:00 a.m. and 2:00 P.M.
  - a. Lunch will follow recess period when possible to better support learning and healthy eating.
10. \_\_\_\_\_ The school district will ~~encourage that meals be available to students when participating in~~ discourage tutoring, ~~clubs~~ club, or organizational meetings or activities ~~occurring during scheduled school day~~ mealtimes unless students may eat during such activities.

B. School ~~Nutrition~~Food Service Program/Personnel

1. \_\_\_\_\_ The school district shall designate ~~the Food Service Director~~ an appropriate person to be responsible for the school district's nutritionfood service program, whose duties shall include the creation of nutrition guidelines and procedures for the selection of foods and beverages made available on campus to ensure food and beverage choices are consistent with current USDA ~~Guidelines~~ guidelines.
2. \_\_\_\_\_ As part of the school district's responsibility to operate a nutritionfood service program, the school district will provide continuing professional development for all nutritionfood service personnel in schools.

C. Competitive Foods and Beverages

1. All foods and beverages sold on school grounds ~~during the school day~~ to students, outside of reimbursable meals, are considered "competitive foods." Competitive foods include items sold a la carte in the cafeteria, from vending machines, school stores, and for in-school fundraisers.

2. All competitive foods will meet ~~or exceed~~ the USDA Smart Snacks in School (Smart Snacks) nutrition standards and any applicable state nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day, and create an environment that reinforces the development of healthy eating habits.

~~After school~~ 3. Before and Aftercare (child care) programs must also comply with the school district's nutrition standards unless they are reimbursable under ~~the~~ USDA school meals program, in which case they must comply with all applicable USDA standards.

#### D. Other Foods and Beverages Made Available to Students

1. Student wellness will be a consideration for all foods offered, but not sold, to students on the school campus, including those foods provided through:

a. Celebrations and parties. The school district will provide a list of healthy party ideas to parents and teachers, including non-food celebration ideas.

**[NOTE: Healthy party ideas are available from the USDA.]**

b. Classroom snacks brought by parents. The school district will provide to parents a list of suggested foods and beverages that meet Smart Snacks nutrition standards. ~~NO HOMEMADE SNACKS, FOCUS ON PREPACKAGED, FRUITS/VEGGIES ALL WITH NUTRITION/INGREDIENT LABELS.~~

2. Rewards and incentives. ~~If Schools will not use~~ foods or beverages ~~are used~~ as rewards for academic performance or good behavior, ~~schools will encourage those that meet USDA Smart Snacks nutrition standards and will not withhold foods or beverages as punishment~~ (unless this practice is allowed by a student's individual education plan or behavior intervention plan) and will not withhold food or beverages as punishment.

~~4. Caution will be exercised when offering foods and materials that may cause allergic reactions. The use of non-food rewards and celebrations is encouraged. Foods brought from outside sources that are to be provided to the entire class may only include fresh produce or pre-packaged and store-bought items. Food items must also include nutrition and ingredient information.~~

3. Fundraising. The school district will ~~encourage~~ make available to parents and teachers a list of suggested healthy fundraising ~~activities~~ ideas.

~~5. The school district will support and encourage requirements that foods made available on campus outside of the school day (including, but not limited to, concessions, school stores, vending and other instances where food or beverages are provided or sold) meet USDA Child Nutrition~~

~~Standards:~~

~~6. To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the school day and at every school campus.~~

~~a. The district will make drinking water available where school meals are served during meal times.~~

E. Food and Beverage Marketing in Schools

1. School-based marketing will be consistent with nutrition education and health promotion.
2. Schools will restrict food and beverages marketing to the promotion of only those foods and beverages that meet the Smart Snacks nutrition standards.

V. WELLNESS LEADERSHIP AND COMMUNITY INVOLVEMENT

A. Wellness Coordinator

~~[NOTE: The Food Service Director shall serve as the~~ **Act requires that local school wellness coordinator. The policies identify the position of the local education agency or school official(s) responsible for the implementation and oversight of the local school wellness coordinator policy.]**

1. ~~The superintendent~~ will designate a school district official to oversee the school district's wellness-related activities ~~and (Wellness Coordinator). The Wellness Coordinator will~~ ensure that each school implements the policy.
2. The principal ~~or designee~~ of each school ~~district building, or a designated school official,~~ will ensure compliance within the school and, ~~upon request,~~ will report to the ~~wellness coordinator~~ Wellness Coordinator regarding ~~Wellness Policy~~ compliance matters upon request.

B. Public Involvement

~~The wellness coordinator~~ **[NOTE: The Act requires a description of the manner in which parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the general public are provided an opportunity to participate in the development, implementation, and periodic review and update of the local school wellness policy.]**

1. The Wellness Coordinator will permit parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the general public to participate in the development, implementation, and periodic review and update of the wellness policy.
2. The Wellness Coordinator will hold meetings, from time to time, for the purpose of discussing the development, implementation, and periodic review and update of the wellness policy. All meeting dates and times will be posted on the school

district's website and will be open to the public.

## **VI. POLICY IMPLEMENTATION AND MONITORING**

### **A. Implementation and Publication**

~~Upon~~ **[NOTE: The Act requires a description of the plan for measuring the implementation of the local school wellness policy.]**

1. After approval by the school board, the wellness policy will be implemented throughout the school district.
2. The school district will post its wellness policy on its website, to the extent it maintains a website.

**[NOTE: Per Minnesota Statutes, section 121A.215, when available, a school district must post its current local school wellness policy on its website.]**

### **B. Annual Reporting**

**[NOTE: The ~~wellness coordinator~~ Act requires that school districts inform the public about the content and implementation of the local wellness policy and make the policy and any updates to the policy available to the public on an annual basis.]**

The Wellness Coordinator will annually inform the public about the content and implementation of the wellness policy and make the policy and any updates to the policy available to the public.

### **C. Triennial Assessment**

**[NOTE: The Act requires a triennial assessment of schools' compliance with the wellness policy. The Act also requires school districts to inform the public about progress toward meeting the goals of the wellness policy by making the triennial assessment available to the public in an accessible and easily understood manner.]**

1. At least once every three years, the school district will evaluate compliance with the wellness policy to assess the implementation of the policy and create a report that includes the following information:
  - a. the extent to which schools under the jurisdiction of the school district are in compliance with the wellness policy;
  - b. the extent to which the school district's wellness policy compares to model local wellness policies; and
  - c. a description of the progress made in attaining the goals of the school district's wellness policy.
2. The Wellness Coordinator will be responsible for conducting the triennial assessment.

3. The triennial assessment report shall be posted on the school district's website or otherwise made available to the public.

D. Recordkeeping

**[NOTE: The Act requires school districts to retain records to document compliance with the requirements of 7 Code of Federal Regulations, section 210.30.]**

The school district will retain records to document compliance with the requirements of the wellness policy. The records to be retained include, but are not limited to:

1. The school district's written wellness policy.
- ~~7. Documentation demonstrating the community's involvement in the Wellness Policy development and implementation processes.~~
2. Documentation demonstrating compliance with community involvement requirements, including requirements to make the local school wellness policy and triennial ~~assessment~~assessments available to the public.
3. Documentation of the triennial assessment of the local school wellness policy for each school under the school district's jurisdiction efforts to review and update the wellness policy (including an indication of who is involved in the update and methods the school district uses to make stakeholders aware of their ability to participate on the Wellness Committee).

**Legal References:** Minn. Stat. § 121A.215 (Local School District Wellness Policy); Website  
42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)  
~~P.L. 108-265 (2004) § 204~~42 U.S.C. § 1758b (Local School Wellness Policy)  
42 U.S.C. § 1771 *et seq.* (Child Nutrition Act)  
7 U.S.C. § 5341 (Establishment of Dietary Guidelines)  
7 C.F.R. § 210.10 (School Lunch Program Regulations)  
7 C.F.R. § 220.8 (School Breakfast Program Regulations)  
~~42 U.S.C. § 1751 et seq. (Richard B. Russell National School Lunch Act)~~

**Local Resources:** Minnesota Department of Education-, www.education.state.mn.us  
Minnesota Department of Health-, www.health.state.mn.us  
County Health Departments  
Action for Healthy Kids Minnesota-, www.actionforhealthykids.org  
United States Department of Agriculture

## **Appendix A – CLASSROOM AND SCHOOL CELEBRATIONS**

~~Here are some suggestions on how parents can assist in helping schools adopt healthier practices:~~

- ~~1) Consider non-food choices for classroom parties, presentations or celebrations. Non-food celebrations are enjoyed by students who are diabetic, suffer from allergies, or have been taught at home to avoid unhealthy food. Non-food parties teach students wonderful ways of celebrating without “empty calorie” snacks. Kids love fun,~~

~~constructive activities that promote health and creativity. Non-food celebrations can include playing games, making crafts or purchasing class books.~~

~~2) Ideas for healthier snacks:~~

~~100% fruit juice fresh fruit with yogurt dipping sauce~~

~~String cheese~~

~~Fresh vegetable tray or baby carrots with dip~~

~~Dole 100% fruit bars~~

~~Microwave popcorn (low fat/low sodium)~~

~~Pretzels/soft pretzel bites graham or animal crackers~~

~~Flavored water  
Low-fat pudding cups  
Yogurt or yogurt parfaits  
Angel food cake with fruit toppings  
Granola bars or breakfast bars  
Fruit and cheese kabobs  
Whole grain tortilla chips with salsa  
Whole grain crackers and reduced fat cheese  
Frozen fruit or fruit cups  
Packaged “100” calorie snacks  
Trail mixture of pretzels, dried fruit and whole grain low-sugar cereals; NO PEANUTS  
Fresh apple slices with caramel or yogurt dip  
Bananas & strawberries and chocolate syrup as a dip~~

## **Appendix B – NON-FOOD REWARDS AND PRIZES**

~~Non-food rewards promote a healthy school. When students are given soda, candy and other sweets as a reward for good behavior and academic achievement, food becomes a primary motivator in their life. Because these foods have little nutritional value, using them as rewards contributes to poor eating habits.~~

~~When using unhealthy food rewards it undermines nutrition education being taught in the school environment. It encourages over consumption of foods high in added sugar and fat. Also, it teaches kids to eat when they are not hungry as a reward to themselves. In addition to health concerns, it is well known that children who suffer from poor nutrition score lower on tests.~~

### **Elementary School:**

~~Ask parents to donate inexpensive items for a treasure chest~~

~~Stickers~~

~~Pencils~~

~~Pens and markers~~

~~Erasers~~

~~Bookmarks~~

~~Books~~

~~Rulers~~

~~Trinkets~~

~~Magnets~~

~~Frisbees~~

~~Activity/game sheets~~

~~Board games~~

~~Notebooks~~

~~Temporary tattoos~~

~~Bubbles~~

~~Paper~~

~~Key chains~~

~~Rings~~

**Other incentives:**

- Reading time
- Extra recess
- Extra credit
- Extra art time
- Computer time
- “Teach” class
- Be the “helper”
- Sit by friends
- Listen to music
- Have free choice time
- Eat lunch with the teacher or principal
- Listen to a book on tape
- Take things to the office
- Dance to favorite music in the classroom

**Appendix C – CONCESSIONS**

Here are some healthy options for concession stands: Dairy/Protein

- String cheese
- Cheese sticks
- Trail mix
- Hard-cooked eggs

Frozen Food

- 100% frozen juice bars
- Frozen low fat yogurt
- Cottage cheese (4oz cups)
- Yogurt

Hot Foods

- Tacos/burritos (chicken or black bean w/toppings)
- Baked potato with toppings
- Vegetable or cheese pizza
- Soup (broth based)

Fruits/Vegetables

- Fresh fruit with dip
- Fresh vegetables with dip
- Fruit cups
- Salsa
- Applesauce

Grains

- Oatmeal packets
- Mini bagels
- Soft pretzels
- Whole wheat crackers
- Popcorn (made with non-trans fat oil)
- Vanilla wafers/animal crackers
- Granola type bars; kashi bars
- Nutrigrain
- bars Milk

~~KIND bars~~

~~Glif bars~~

~~Baked~~

~~chips Pita~~

~~chips Sun~~

~~chips~~

~~Whole wheat buns, tortillas, etc.~~

~~**Beverages**~~

~~Water~~

~~Zero-calorie flavored~~

~~water 100% fruit juice~~

~~Vegetable juice~~

~~Fresca~~

~~G2~~

~~Smoothie~~

~~s—Apple~~

~~cider~~

~~Coffee~~

~~Hot chocolate/sugar free hot chocolate~~

~~Other low-calorie or sugar-free beverages such as SOBE or Vitamin water,~~

~~[www.fns.usda.gov](http://www.fns.usda.gov)~~

INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361

BOARD POLICY 534  
School Meals Policy

Adopted \_\_\_\_\_ By Reference\_\_

Revised: July 2023

**534 SCHOOL MEALS POLICY**

**[NOTE: In 2021, the Minnesota legislature amended Minnesota Statutes, section 124D.111, to require that Minnesota school districts that participate in the national school lunch program ~~must~~ adopt a school meals policy. In 2023, the Minnesota legislature amended the statute to create the free school meals program-~~1~~.**

**[NOTE: This MSBA/MASA model policy is drafted to be consistent for all grade levels. However, local school districts may vary the meal charge policy for elementary, middle, and high schools.]**

**[NOTE: School districts must follow appropriate debt collection practices when attempting to recover unpaid a la carte ~~items~~ or second meal charges.]**

**I. PURPOSE**

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the school district's nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy of the school district is to provide meals to students in a respectful manner and to maintain the dignity of students by prohibiting lunch shaming or otherwise ostracizing the student. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for a la carte items or second meals as well as to maintain the financial integrity of the school nutrition program.

**II. PAYMENT OF MEALS**

**[NOTE: Payment systems and procedures will likely vary from school district to school district. The school district should select one of the following options and delete the remaining options.]**

**A. [OPTION 1: All a la carte items or second meal purchases are to be prepaid before meal service begins. ~~Students are assigned~~ [Insert description for how families may add money to students' accounts (e.g., electronic payment options, pay at the school office, etc.).] A student who does not have sufficient funds will not be allowed to charge a la carte items or a second meal account when they enroll in International Falls Public Schools. ~~It until additional money is the parent/guardians responsibility to make sure adequate funds are available in their student(s) account each day for breakfast and/or lunch. It is recommended to have at least a week's worth of meals prepaid~~ deposited in the student's account-~~1~~.**

**A. ~~Parent(s) or guardian(s) can manage their student(s) meal accounts through online access via Skyward Family Access. The link for Skyward Family Access is found on~~**

~~the district website at [www.isd361.k12.mn.us](http://www.isd361.k12.mn.us) under “Quick Links” then select “Skyward Portal”. Family Access allows parent(s) or guardian(s) the ability to:~~

- ~~1. View meal account balances~~
- ~~2. Make payments to student account(s)~~
- ~~3. Set a low balance message~~
- ~~4. View student meal account purchases~~

~~If parent(s) or guardian(s) do not have a user name setup for Skyward Family Access they can contact the school office to have this setup.~~

~~B. Student meal account payments can be made as follows:~~

- ~~1. Pay by credit or debit card online through Skyward Family Access or via ISD 361 web store offered through RevTrak. The link to either system is located on district website under “Quick Links”. There is a \$1 transaction fee applied to all online payments.~~
- ~~2. Send cash or check with student to school.~~
- ~~3. Mail or drop off cash or check to your student’s school.~~
- ~~4. By setting up reoccurring payments:
  - ~~a) Reoccurring payments allow parent(s) or guardian(s) to set a minimum meal account balance which will trigger an automatic payment to the student(s) account. An email notification is sent to the parent(s) or guardian(s) each time a payment is made.~~
  - ~~b) To setup reoccurring payments go to ISD 361 web store: Log into personal account then setup reoccurring payments for each student. At the end of school year remove the reoccurring payment option on your account.~~
  - ~~e) If parent(s) or guardian(s) do not have a web store account setup they can contact the school office to have this setup.~~~~

~~[OPTION 2: Students have use of a meal account. When the balance reaches zero, a student may charge no more than \$[insert amount] or [insert number of meals] to this account]. When an account reaches this limit, a student shall not be allowed to charge second meals or a la carte items until the negative account balance is paid. [Insert description for how families may add money to students’ accounts (e.g., electronic payment options, pay at the school office, etc.).]~~

~~[OPTION 3: Insert a school district-specific process for payment of a la carte items or second meals.]~~

If the school district participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage below the federal percentage determined for all meals to be reimbursed at the free rate via the Community Eligibility Provision must participate in the free school meals program.

B. A school that participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage at or above the federal percentage determined for all meals to be reimbursed at the free rate must participate in the federal Community Eligibility Provision in order to participate in the free school meals program.

C. Each school that participates in the free school meals program must:

1. participate in the United States Department of Agriculture School Breakfast Program and the United States Department of Agriculture National School Lunch Program; and
2. provide to all students at no cost up to two federally reimbursable meals per school day, with a maximum of one free breakfast and one free lunch.

~~D. Once a meal has been placed on a student's tray or otherwise served to a student, the meal may not be subsequently withdrawn from the student by the cashier or other school official, whether or not the student has an outstanding meals balance.~~

~~E. When a student has a negative account balance, the student will not be allowed to charge a snack item.~~

~~F. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the student's accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.~~

~~C. Transferring of funds between student sibling accounts requires the approval of the parent or guardian. Graduating senior student account balances will be automatically transferred to a sibling at the end of school year. Parent(s) or guardian(s) with graduating students will be requested to advise the school office if they want their positive senior students account balance refunded, or transferred to the districts meal donation account.~~

## ~~II. MEAL ACCOUNT PURCHASES~~

~~Students may purchase second meals or ala carte items when funds have been deposited into their meal account.~~

~~Ala Carte Purchases: The Falls High School cafeteria offers ala carte items for purchase. Students will not be allowed ala carte purchases if their meal account does not have a prepaid balance to cover the cost of purchase.~~

~~Parent(s) or guardian(s) may choose to block items from being purchased, such as extra milk and ala carte items by contacting Michelle Hopkins at 218-283-2571 ext. 1181 or via email at [mhopkins@isd361.org](mailto:mhopkins@isd361.org)~~

~~Second Meal Purchases: Any second (2<sup>nd</sup>) breakfast or lunch meal purchased by any student regardless of meal application status or kindergarten free breakfast status will be charged at the second meal price. Students must have positive meal account balance to purchase the second (2<sup>nd</sup>) meal.~~

## ~~III. LOW OR NEGATIVE ACCOUNT BALANCE BALANCES – NOTIFICATION~~

~~Parent(s) or guardian(s) are encouraged to utilize Skyward Family Access to manage their student(s) meal account(s). A mobile application for Family Access is also offered by Skyward.~~

~~A. The school district will make reasonable efforts to notify families when meal account balances are low or fall below zero as follows. Parent(s) or guardian(s) can also set a low balance email notification via Skyward Family Access.~~

~~B. Families will be notified when of an outstanding negative balance once the student~~

~~account is at \$10.00 or less via the district telephone and e-mail notification system on Tuesday of each week.~~

~~Parent(s) or guardian(s) negative balance reaches \$[insert amount] or [insert number of meals]. Families will be notified when a student account is at negative \$10.00 via the district telephone/e-mail notification system on Monday of each week by [insert the method used to notify families (e.g., automated calling system, email, letters sent home)].~~

~~C. Reminders for payment of outstanding student meal balances will not demean or stigmatize any student participating in the school lunch program, including, but not limited to, dumping meals, withdrawing a meal that has been served, announcing or listing students' names publicly, providing alternative meals not specifically related to dietary needs; providing nonreimbursable meals; or affixing stickers, stamps, or pins.~~

#### **~~Policy for Meal Accounts with \$0 or Negative Balances:~~**

##### ~~Meal Account Balances at negative \$25.00~~

~~A meal statement will be sent requesting payment within 30 days. Invoices will be sent electronically to the parent(s) or guardian(s) guardians email address on file. If no email address is on file an invoice will be mailed to the address on file.~~

~~The district will continue to serve these students a first quantity breakfast and/or lunch meal. Second quantity meals and ala carte purchases will be denied.~~

##### ~~Meal Account Balances at Negative \$50.00 or more~~

~~A meal statement will be sent requesting payment within 30 days. Invoices will be sent electronically to the parent(s) or guardian(s) guardians email address on file. If no email address is on file an invoice will be mailed to the address on file.~~

~~The district will continue to serve these students a first quantity breakfast and/or lunch meal. Second quantity meals and ala carte purchases will be denied.~~

##### ~~Meal Account Balances at Negative \$100 or more~~

~~When a student's meal account balance reaches negative \$100 the parent/guardian will receive a final notification from the Districts Business Manager to make payment to resolve the outstanding balance due to District within 10 days. If this notification does not result in a consistent payment plan by the parent(s) or guardian(s) any amounts owed at negative \$100 or more will be sent to collections.~~

~~The district will continue to serve these students a first quantity breakfast and/or lunch meal. Second quantity meals and ala carte purchases will be denied.~~

#### **IV. UNPAID MEAL CHARGES**

~~A. The school district will make reasonable efforts to communicate **and work** with families to resolve the matter of unpaid **meal** charges. ~~When~~Where appropriate, families ~~will~~may be encouraged to apply for ~~meal benefits~~ free or reduced-price meals for their ~~students~~children.~~

~~Assistance from county social services may be requested by the building principal, food service director, school social worker or superintendent of schools for possible neglect~~

~~when attempts to resolve the unpaid meal debt are not successful or disregarded by the parent(s) or guardian(s).~~

~~B. \_\_\_\_\_~~ The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.

~~C. \_\_\_\_\_~~ Negative balances of more than ~~\$(insert amount)~~, not paid prior to ~~[enter time period (e.g., end of the month, end of the semester, end of the school year)]~~, will be turned over to the superintendent or superintendent's designee for collection. In some instances, the school district does use a collection agency to collect unpaid school meal debts after reasonable efforts first have been made by the school district to collect the ~~debt~~. Collection options ~~for delinquent unpaid meal accounts~~ may include, but are not limited to, use of collection agencies, claims in ~~the~~ conciliation court, or any other legal ~~methods~~method permitted by law.

~~During the year meal statements will be sent monthly to families with unpaid balances due to non-payment of meal charges, meal charges incurred prior to qualifying for meal benefits, negative balances incurred during a lapse in meal benefits, or the student has left the district with a negative lunch balance. Meal statements will be sent electronically to the parent(s) or guardian(s) email account on file. If no email account is on file meal statements will be mailed. Invoices will request payment within 30 days.~~

~~At the end of the school year, regardless if the meal account is "stale" or not, unpaid meal account balances will be sent meal statement requesting payment within 10 days. If no payment is made after 10 days, accounts that owe \$50 or more will be referred to the District's collection agency.~~

~~D. \_\_\_\_\_~~ The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.

~~E. \_\_\_\_\_~~ The school district ~~may~~will not ~~deny~~impose any ~~other restriction prohibited under Minnesota Statutes, section 123B.37 due to unpaid student~~ the opportunity to participate meal balances. The school district will not limit a student's participation in any school activities, graduation ceremonies, field trips, athletics, activity clubs, or other ~~commencement~~extracurricular activities ~~due to unpaid meal charges.~~

### ~~III. — STAFF MEALS~~

~~Staff have the option of purchasing meals or ala-carte access to materials, technology, or other items through a staff provided to students due to an unpaid student meal account. This option is offered to staff as a prepayment meal account. Staff meal accounts require a payroll deduction form be on file with payroll, and maintain a positive account balance. Staff with negative meal account balances will be refused service.~~

~~A. — The district provides a reoccurring payment option to staff through the~~

~~online payment system via RevTrak. Staff are encouraged to utilize this option if they struggle to maintain a positive meal account.~~

~~B. At the termination of employment any outstanding negative meal account balance will be required to be paid in full or the amount owed will be deducted from the employee's last paycheck. Any positive meal account balance will be refunded to the staff member, or the staff member may elect to donate the balance to the districts meal donation account.~~

**V. COMMUNICATION OF POLICY**

A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:

1. all households at or before the start of each school year;

2. students and families who transfer into the school district, at the time of enrollment; and

3. all school district personnel who are responsible for enforcing this policy.

B. The school district will post ~~the~~this policy on the school district's website, or the website of the organization where the meal is served, in addition to providing the required written notification described above.

C. If the school district contracts with a third party for its meal services, it will provide the vendor with its school meals policy. The school district will ensure that any third-party provider with whom the school district enters into either an original or modified contract after July 1, 2021, adheres to the school district's school meals policy.

**Legal References:** Minn. Stat. § 123B.37 (Prohibited Fees)  
Minn. Stat. § 124D.111; (School Meals Policies; Lunch Aid; Food Service Accounting)  
42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)  
7 C.F.R. § 210 *et seq.* (School Lunch Program Regulations)  
7 C.F.R. § 220.8 (School Breakfast Program Regulations)  
USDA Policy Memorandum SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies (2016)  
USDA Policy Memorandum SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments (2016)  
USDA Policy Memorandum SP 23-2017, Unpaid Meal Charges: Guidance and Q&A

**Cross References:** ~~—~~ None

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY      535  
Service Animals in Schools**

Adopted \_\_\_\_\_ **November 2019** \_\_\_\_\_

Revised **March 2024**

**535 SERVICE ANIMALS IN SCHOOLS**

**I. PURPOSE**

The purpose of this policy is to establish parameters for the use of service animals by students, employees, and visitors within school buildings and on school grounds.

**II. GENERAL STATEMENT OF POLICY**

Individuals with disabilities shall be permitted to bring their service animals into school buildings or on school grounds in accordance with, and subject to, this policy.

**III. DEFINITIONS**

**A. Handler**

A "handler" is an individual with a disability who uses a service animal. In the case of an individual who is unable to care for and supervise the service animal for reasons such as age or disability, "handler" means the person who cares for and supervises the animal on that individual's behalf. School district personnel are not responsible for the care, supervision, or handling responsibilities of a service animal.

**B. Service Animal**

A "service animal" is a dog (regardless of breed or size) or miniature horse that is individually trained to perform "work or tasks" for the benefit of an individual with a disability, including an individual with a physical, sensory, psychiatric, intellectual, or mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals. Service animals are working animals that perform valuable functions; they are not pets. The work or tasks performed by the service animal must be directly related to the individual's disability. An animal accompanying an individual for the sole purpose of providing emotional support, therapy, comfort, or companionship is not a service animal.

**C. Trainer**

A "trainer" is a person who is training a service animal and is affiliated with a recognized training program for service animals. ~~Handler~~

~~A "handler" is an individual with a disability who uses a service animal. In the case of an individual who is unable to care for and supervise the service animal for reasons such as age or disability, "handler" means the person who cares for and supervises the animal on that individual's behalf. School district personnel are not responsible for the care, supervision, or handling responsibilities of a service animal.~~

D. Work or Tasks

1. "Work or tasks" are those functions performed by a service animal.
2. Examples of "work or tasks" include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.
3. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship are not "work or tasks" for the purposes of this policy.

**IV. ACCESS TO PROGRAMS AND ACTIVITIES; PERMITTED INQUIRIES**

A. In general, handlers (i.e., individuals with disabilities or trainers) are permitted to be accompanied by their service animals in all areas of school district properties where members of the public, students, and employees are allowed to go. A handler has the right to be accompanied by a service animal whenever and to the same extent that the handler has the right: (a) to be present on school district property or in school district facilities; (b) to attend or participate in a school-sponsored event, activity, or program; or (c) to be transported in a vehicle that is operated by or on behalf of the school district.

B. It is an unfair discriminatory practice to prohibit a person with a disability from taking a service animal into the public place or conveyance to aid persons with disabilities, and if the service animal is properly harnessed or leashed so that the person with a disability may maintain control of the service animal.

C. The school district shall not require a person with a disability to make an extra payment or pay an additional charge when taking a service animal into any school district building.

**[NOTE: The 2024 Minnesota legislature revised Minnesota Statutes, section 3631.19, as reflected in Paragraphs B. and C.]**

D. When an individual with a disability brings a service animal to a school district property, school district employees shall not ask about the nature or extent of a person's disability, but may make the following two inquiries to determine whether the animal qualifies as a service animal:

1. Is the service animal required because of a disability; and
2. What work or tasks is the service animal trained to perform.

E. School district employees shall not make these inquiries of an individual with a disability bringing a service animal to school district property when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability. However, school district employees may inquire whether the individual with a disability has completed and submitted the request form described in Part VI., below.

F. An individual with a disability may not be required to provide documentation such as proof that the animal has been certified, trained, or licensed as a service animal.

## **V. REQUIREMENTS FOR ALL SERVICE ANIMALS**

- A.** The service animal must be required for the individual with a disability.
- B.** The service animal must be individually trained to do work or tasks for the benefit of the individual with a disability.
- C.** A service animal must have a harness, leash, or other tether, unless either the handler is unable, because of a disability, to use a harness, leash, or other tether, or the use of a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case, the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).
- D.** The service animal must be housebroken.
- E.** The service animal must be under the control of its handler at all times. The handler is responsible for the care and supervision of a service animal, including walking the service animal, feeding the service animal, grooming the service animal, providing veterinary care to the service animal, and responding to the service animal's need to relieve itself, including the proper disposal of the service animal's waste.
- F.** The school district is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal.
- G.** In the case of a student who is unable to care for and/or supervise his or her service animal, the student's parent/guardian is responsible for arranging for such care and supervision. In the case of an employee or other individual who is unable to care for and/or supervise his or her service animal, the employee or other individual's authorized representative is responsible for arranging for a service animal's care and supervision.
- H.** The service animal must be properly licensed and vaccinated in accordance with applicable state laws and local ordinances.

## **VI. REQUESTING THE USE OF A SERVICE ANIMAL AT SCHOOL**

- A.** Students with a disability seeking to be accompanied by a service animal are requested to submit the Approval Request Form to the building principal of the school the student attends. The principal will notify the superintendent or the administrator designated with responsibility to address such requests. School district employees seeking to be accompanied by a service animal are requested to submit the Approval Request Form to the superintendent or the administrator designated with responsibility to address such requests.
- B.** Students or employees seeking to bring a service animal onto district premises are requested to identify whether the need for the service animal is required because of a disability and to describe the work or tasks that the service animal is trained to perform.
- C.** The owner of the service animal shall provide written evidence that the service animal has received all vaccinations required by state law or local ordinance.

## **VII. REMOVAL OR EXCLUSION OF A SERVICE ANIMAL**

- A.** A school official may require a handler to remove a service animal from school district property, a school building, or a school-sponsored program or activity, if:
  - 1.** Any of the requirements described in Part V., above, are not met.

2. The service animal is out of control and/or the handler does not effectively control the animal's behavior;

3. The presence of the service animal would fundamentally alter the nature of a service, program or activity; or

4. The service animal behaves in a way that poses a direct threat to the health or safety of others, has a history of such behavior, or otherwise poses a significant health or safety risk to others that cannot be eliminated by reasonable accommodations.

B. If the service animal is properly excluded, the school district shall give the individual with a disability the opportunity to participate in the service, program, or activity without the service animal, unless such individual has violated a law or school rule or regulation that would warrant the removal of the individual.

### **VIII. ADDITIONAL LIMITATIONS FOR MINIATURE HORSES**

In assessing whether a miniature horse may be permitted in a school building or on school grounds as a service animal, the following factors shall be considered:

A. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;

B. Whether the handler has sufficient control of the miniature horse;

C. Whether the miniature horse is housebroken; and

D. Whether the miniature horse's presence in a specific building or on school grounds compromises legitimate health and safety requirements.

### **IX. ALLERGIES; FEAR OF ANIMALS**

If a student or employee notifies the school district that he or she is allergic to a service animal, the school district will balance the rights of the individuals involved. In general, allergies that are not life threatening are not a valid reason for prohibiting the presence of a service animal. Fear of animals is generally not a valid reason for prohibiting the presence of a service animal.

### **X. NON-SERVICE ANIMALS FOR STUDENTS WITH INDIVIDUALIZED EDUCATION PROGRAMS (IEPS) OR SECTION 504 PLANS**

If a special education student or a student with a Section 504 plan seeks to bring an animal onto school property that is not a service animal, the request shall be referred to the student's IEP team or Section 504 team, as appropriate, to determine whether the animal is necessary for the student to receive a free appropriate public education (FAPE) or, in the case of a Section 504 student, to reasonably accommodate the student's access to the school district's programs and activities.

### **XI. NON-SERVICE ANIMAL AS AN ACCOMMODATION FOR EMPLOYEES**

If an employee seeks to bring an animal onto school property that is not a service animal, the request shall be referred to the superintendent or the administrator designated to handle such requests. A school district employee who is a qualified individual with a disability will be allowed to bring such animal onto school property when it is determined that such use is required to enable the employee to perform the essential functions of his or her position or to enjoy the benefits of employment in a manner comparable to those similarly situated non-disabled employees.

## **XII. LIABILITY**

**A.** The owner of the service animal or non-service animal is responsible for any harm or injury to an individual and for any property damage caused by the service animal while on school district property.

**B.** An individual who, directly or indirectly through statements or conduct, intentionally misrepresents an animal in that person's possession as a service animal may be subject to criminal liability.

**Legal References:** Section 504 of the Rehabilitation Act of 1973  
28 C.F.R. § 35.104, ~~28 C.F.R. § 35.130(b)(7)~~, and ~~28 C.F.R. § 35.136~~ (ADA Regulations)  
28 C.F.R. § 35.130(b)(7) (ADA Regulations)  
28 C.F.R. § 35.136 (ADA Regulations)  
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)  
Minn. Stat. § 256C.02 (Public Accommodations)  
Minn. Stat. § 363A.19 (Discrimination Against ~~Blind, Deaf, or Other Persons with Physical or Sensory~~ Disabilities Prohibited)  
Minn. Stat. § 609.226 (Harm Caused by Dog)  
Minn. Stat. § 609.833 (Misrepresentation of Service Animal)

**Cross References:** MSBA/MASA Policy 402 (Disability Nondiscrimination Policy)  
MSBA/MASA Policy 521 (Student Disability Nondiscrimination)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL  
DISTRICT #361**

**BOARD POLICY 608  
Instructional Services – Special Education**

Adopted \_\_\_\_\_ By Reference \_\_\_\_

Revised **April 2023**

**The provisions of this policy substantially reflect statutory and regulatory requirements.]**

**PURPOSE**

The purpose of this policy is to set forth the position of the school board on the need to provide special educational services to some students in the school district.

**GENERAL STATEMENT OF POLICY**

The school board recognizes that some students need special education and further recognizes the importance of providing a free appropriate public education and delivery system for students in need of special education.

**RESPONSIBILITIES**

The school board accepts its responsibility to identify, evaluate and provide special instruction and services for **disabled** children who are properly the responsibility of the school district and who meet the criteria to qualify for special instruction and services as set forth in Minnesota and federal law.

The school district shall ensure that all qualified **disabled** children are provided **the** special instruction and services **which** are appropriate to their educational needs.

When such services require or result from interagency cooperation, the school district shall participate in such interagency activities in compliance with law.

**Legal References:** Minn. Stat. § 124D.03 (Enrollment Options Program)  
Minn. Stat. § 125A.02 (Child with a Disability Defined) Minn. Stat. § 125A.027 (Rulemaking) Minn. Stat. § 125A.03 (Special Instruction for Children with a Disability) Minn. Stat. § 125A.08 (Individualized Education Programs) Minn. Stat. § 125A.15 (Placement in Another District; Responsibility) Minn. Stat. § 125A.29 (Responsibilities of County Boards and School Boards)  
20 U.S.C. 1400 *et. seq.* (Individuals with Disabilities Education Act)

**Cross References:** MSBA/MASA Model Policy 402 (Disability Nondiscrimination) MSBA/MASA Model Policy 508 (Extended School Year for Certain Students with Individual Education Plans) MSBA/MASA Model Policy 509 (Enrollment of Nonresident Students) MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY            611  
Home Schooling**

**Adopted\_\_\_\_\_By Reference\_**

*Revised\_December 2022*

**PURPOSE**

The purpose of this policy is to recognize and provide guidelines in accordance with state law for parents who wish to have their children receive education in a home school that is an alternative to an accredited public or private school.

**GENERAL STATEMENT OF POLICY**

The Compulsory Attendance Law (Minnesota Statutes section 120A.22) provides that the parent or guardian of a child is primarily responsible for assuring that the child acquires knowledge and skills that are essential for effective citizenship.

**CONDITIONS FOR HOME SCHOOLING**

The person in charge of a home school and the school district must provide instruction and meet the requirements specified in Minnesota Statutes section 120A.22.

**IMMUNIZATION**

The parent or guardian of a home-schooled child shall submit statements as required by Minnesota Statutes section 121A.15, Subds. 1, 2, 3, 4 and 12 on the appropriate Minnesota Department of Education form, to the superintendent of the school district in which the child resides by October 1 of the first year of home schooling in Minnesota and the grade 7 year.

**TEXTBOOKS, INSTRUCTIONAL MATERIAL, STANDARD TESTS**

Upon formal request as required by law, the school district will provide textbooks(including a teacher's edition, guide, or other materials that accompany a textbook when the edition, guide, or materials are packaged physically or electronically with textbooks for student use, individualized instructional or cooperative learning materials (including teacher materials that accompany pupil materials), software or other educational technology, and standardized tests and loan or provide them for use by a home-schooled child as provided under state law. The school district is not required to expend any amount for this purpose that exceeds the amount it receives pursuant to state law for this purpose. If curriculum has both physical and electronic components, the school district will, at the request of the student or the student's parent or guardian, make the electronic component accessible to a resident student provided that the school district does not incur more than an incidental cost as a result of providing access electronically.

**PUPIL SUPPORT SERVICES**

Upon formal request, as required by law, the school district will provide pupil support services in the form of health services and counseling and guidance services to a home- schooled child as provided under state law. The school district is not required to expend an amount for any of these purposes that exceeds the amount it receives pursuant to state law.

**EXTRACURRICULAR ACTIVITIES**

Resident pupils who receive instruction in a home school (where five or fewer students receive instruction) may fully participate in extracurricular activities of the school district on the same basis as other public school students.

**SHARED TIME PROGRAMS**

Enrollment in class offerings of the school district.

A home-schooled child who is a resident of the school district may enroll in classes in the school district as a shared time pupil on the same basis as other nonpublic school students. The provisions of this policy shall not be determinative of whether the school district allows the enrollment of any pupils on a shared-time basis.

The school district may limit enrollment of shared-time pupils in such classes based on the capacity of a program, class, grade level, or school building. The school board and administration retain sole discretion and control over scheduling of all classes and assignment of shared time pupils to classes.

**[: The provisions of Article VII - Shared Time Programs do not determine whether Shared Time Programs should be offered to any pupil. However, home-schooled children are required to be treated the same as all other nonpublic school children.]**

## **OPTIONAL COOPERATIVE ARRANGEMENTS**

### Activities.

Minnesota State High School League sponsored activities (**where** six or more students receive instruction in the home school or the home school students are not residents of the school district).

A home school which is a member of the Minnesota State High School League may request that the school district enter into a cooperative sponsorship arrangement as provided in Minnesota State High School League bylaws. The approval of such an arrangement shall

The home school must become a member of the Minnesota State High School League in accordance with the rules of the Minnesota State High School League.

The home school is solely responsible for any costs or fees associated with its application for and/or subsequent membership in the Minnesota State High School League.

The home school is responsible for any and all costs associated with its participation in a cooperative sponsorship arrangement as well as any school district activity fees associated with the Minnesota State High School League activity.

Non-Minnesota State High School League activities **where** six or more students receive instruction in the home school.

A home-schooled child may participate in non-Minnesota State High School League activities offered by the school district upon application and approval from the school board to participate in the activity and the payment of any activity fees associated with the activity. However home school students may not be charged higher activity fees than other public school students. An approval shall be granted at the discretion of the school board.

### Transportation

The school district may provide nonpublic nonregular transportation services to a home-schooled child.

The school board of the school district retains sole discretion and control and management of scheduling routes, establishment of the location of bus stops, manner and method of transportation, control and discipline of school children, and any other matter relating to the provision of transportation services.

**Legal References:** Minn. Stat. § 120A.22 (Compulsory Instruction)  
Minn. Stat. § 120A.24 (Reporting)

Minn. Stat. § 120A.26 (Enforcement and Prosecution)  
Minn. Stat. § 121A.15 (Health Standards; Immunizations; School Children)  
Minn. Stat. § 123B.36 (Authorized Fees) Minn. Stat. § 123B.41 (Definitions)  
Minn. Stat. § 123B.42 (Textbooks, Individual Instruction or Cooperative  
Material; Standard Tests)  
Minn. Stat. § 123B.44 (Provision of Pupil Support Services) Minn. Stat. §  
123B.49 (Extracurricular Activities; Insurance)  
Minn. Stat. § 123B.86 (Equal Treatment – Transportation) Minn. Stat. §  
123B.92 (Transportation Aid Entitlement) Minn. Stat. § 124D.03 (Enrollment  
Options Program) Minn. Rules Chapter 3540 (Nonpublic Schools)

**Cross References:** MSBA/MASA Model Policy 509 (Enrollment of  
Nonresident Students) MSBA/MASA Model Policy 510 (School Activities)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT  
#361**

**BOARD POLICY      613  
Graduation Requirements**

*Adopted \_\_\_\_\_ By Reference \_\_\_\_\_*

*Revised July 2023*

**: The requirements set forth in this policy govern the graduation standards that Minnesota public schools must require for a high school diploma for all students.]**

**PURPOSE**

The purpose of this policy is to set forth requirements for graduation from the school district.

**GENERAL STATEMENT OF POLICY**

The policy of the school district is that all students must demonstrate, as determined by the school district, their satisfactory completion of the credit requirements and their understanding of academic standards. The school district must adopt graduation requirements that meet or exceed state graduation requirements established in law or rule.

**DEFINITIONS**

“Credit” means a student’s successful completion of an academic year of study or a student’s mastery of the applicable subject matter, as determined by the school district.

English “ or “ELL” student means an individual whose first language is not English and whose test performance may be negatively impacted by lack of English language proficiency.

“Required standard” means: (1) a statewide adopted expectation for student learning in the content areas of language arts, mathematics, science, social studies, physical education, and the arts, and (2) a locally adopted expectation for student learning in health.

“Section 504 Accommodation” means the defined appropriate accommodations or modifications that must be made in the school environment to address the needs of an individual student with disabilities.

**DISTRICT ASSESSMENT COORDINATOR**

shall be named the District Assessment Coordinator. Said person shall be in charge of all test procedures and shall bring recommendations to the school board annually for approval.

**GRADUATION ASSESSMENT REQUIREMENTS**

Students’ state graduation requirements, based on a longitudinal, systematic approach to student education and career planning, assessment, instructional support, and evaluation, include the following:

Achievement and career and college readiness in mathematics, reading, and writing, as measured against a continuum of empirically derived, clearly defined benchmarks focused on students’ attainment of knowledge and skills so that students, their parents, and teachers know how well students must perform to have a reasonable chance to succeed in a career or college without the need for postsecondary remediation and which facilitates the monitoring of students’ continuous development of and growth in requisite knowledge and skills; analysis of students’ progress and performance levels, identification of students’ academic strengths and

diagnosis of areas where students' require curriculum or instructional adjustments, targeted interventions, or remediation; and determination of students' learning and instructional needs and the instructional tools and best practices that support academic rigor for the student based on

Consistent with this paragraph and 120B.125 (see Policy 604, Section II.H.) age-appropriate exploration and planning activities and career assessments to encourage students to identify personally relevant career interests and aptitudes and help students and their families develop a regularly re-examined transition plan for postsecondary education or employment without need for post secondary remediation.

Based on appropriate state guidelines, students with an IEP may satisfy state graduation requirements by achieving an individual score on the state-identified alternative assessments.

must receive targeted, relevant, academically rigorous, and resourced instruction which may include a targeted instruction and intervention plan focused on improving the student's knowledge and skills in core subjects so that the student has a and in grade 11 or 12 and who are identified as academically ready for a career or college are actively encouraged by the school district to participate in courses and programs awarding college credit to high school students. Students are not required to achieve a specified score or level of proficiency on an assessment to graduate from high school.

A student's progress toward career and college readiness must be recorded on the student's high school transcript.

#### **GRADUATION CREDIT REQUIREMENTS**

Students must successfully complete, as determined by the school district, the following high school level credits for graduation:

##### **A. 24 Credits required for graduation or have met the requirements of an IEP.**

Four credits of language arts sufficient to satisfy all academic standards in English language arts;

Three credits of mathematics, including an algebra II credit or its equivalent, geometry, statistics and probability, or its equivalent, sufficient to satisfy all of the academic standards in mathematics.

##### **B. Students in the graduation class of 2015 and beyond must complete an algebra I credit by the end of 8<sup>th</sup> grade sufficient to satisfy all of the 8<sup>th</sup> grade standards in mathematics;**

Three credits of science, including at least: (a) one credit of biology; (b) one credit of chemistry or physics; and (c) one elective credit of science.

The combination of credits must be sufficient to satisfy (i) all of the academic standards in either chemistry or physics and (ii) all other academic standards in science;

credits (1/2 credit more than State) of social studies, encompassing at least United States history, geography, government and citizenship, world history, and economics sufficient to satisfy all of the academic standards in social studies;

One credit in the music/arts sufficient to satisfy all of the state or local academic

standards in the arts; and

C. One credit in ninth grade PE/Health and one-half (.5) credit in Physical Education in grades 10-12.

D. One credit in Industrial Technology/FACS.

Credit equivalencies.

A one-half credit of economics taught in a school's agricultural, food, and natural resources education or business department may fulfill a one-half credit in social studies under Paragraph E., above, if the credit is sufficient to satisfy all of the academic standards in economics.

An agriculture science or career and technical education credit may fulfill the elective science credit required under Paragraph D., above, if the credit meets the state physical science, life science, earth and space science, chemistry, or physics academic standards or a combination of these academic standards as approved by the school district. An agriculture or career and technical education credit may fulfill the credit in chemistry or physics required under Paragraph D., above, if the credit meets the state chemistry or physics academic standards as approved by the school district. A student must satisfy either all of the chemistry **OR** physics academic standards prior to graduation. An agriculture science or career and technical education credit may not fulfill the required biology credit under Paragraph D., above.

A career and technical education credit may fulfill a mathematics or arts credit requirement under Paragraph B. or Paragraph F., above.

A computer science credit may fulfill a mathematics credit requirement under Paragraph B., above, **Of** the credit meets state academic standards in mathematics.

A Project Lead the Way credit may fulfill a mathematics or science credit requirement under Paragraph B. or Paragraph D., above, if the credit meets the state academic standards in mathematics or science.

An ethnic studies course may fulfill a social studies, language arts, arts, math, or science credit if the course meets the applicable state academic standards. An ethnic studies course may fulfill an elective credit if the course meets applicable local standards or other requirements.

**Starting in the 2026-27 school year, a high school must offer an ethnic studies course; in elementary and middle schools by the 2027-28 school year.]**

E. Students shall have met all requirements for graduation to be eligible to participate in commencement activities. Exception shall be granted for seniors who are lacking ½ credit or less, and who are enrolled in an approved course of study (e.g. correspondence course, on-line learning course) to correct the credit deficiency, or who are enrolled in summer school immediately following commencement to correct for the deficiency. Approval of courses of study shall be responsibility of the high school principal. Enrollment and approval are required prior to participation in commencement activities.

## **GRADUATION STANDARDS REQUIREMENTS**

All students must their understanding of the following academic standards:

School District Standards, Health (K-12);  
School District Standards, Career and Technical Education (K-12); and  
School District Standards, World Languages (K-12).

Academic standards in health, world languages, and career and technical education will be reviewed on an annual basis.\* A school district must use the current world languages standards developed by the American Council on the Teaching of Foreign Languages.

\*Reviews are required to be conducted on a periodic basis. Therefore, this time period may be changed to accommodate individual school district needs.

All students must satisfactorily complete the following required Graduation Standards in accordance with the standards developed by the Minnesota Department of Education (MDE):

Minnesota Academic Standards, English Language Arts K-12:

Minnesota Academic Standards, Mathematics K-12;

Minnesota Academic Standards, Science K-12;

Minnesota Academic Standards, Social Studies K-12; and

Minnesota Academic Standards, Physical Education K-12.

State standards in the Arts K-12 are available, or school districts may choose to develop their own standards.

The academic standards for language arts, mathematics, and science apply to all students except the very few students with extreme cognitive or physical impairments for whom an IEP team has determined that the required academic standards are inappropriate. An IEP team that makes this determination must establish alternative standards.

## *II. GRADUATION REQUIREMENTS OF HOME-SCHOOLED STUDENTS IN RECEIVING AN INTERNATIONAL FALLS SCHOOL DISTRICT DIPLOMA.*

- A. All resident home-educated students must be registered and attend with full seat time in the International Falls Public Schools in grades 11 and 12.
- B. Resident home-educated students or non-public students will show successful **performance by achieving at least a “C” grade in all coursework by the 12<sup>th</sup> week of school. If successful, previous credits earned by a student in a non-accredited school will be recognized.**
- C. The International Falls Public Schools recognizes the home-school transcript as coming from a ‘non-accredited school or secondary school’.
- D. The local school district shall be responsible for the appropriate assignment of a student transferring from a non-accredited school to the class or grade best suited for the student.
- E. Resident home-educated students with full public school seat time in grades 11 & 12 are eligible to participate in the receiving of awards and scholarships offered through the public school.

## **EARLY GRADUATION**

Students may be considered for early graduation, as provided for within Minnesota Statutes, Section 120B.07 upon meeting the following conditions:

All course or standards and credit requirements must be met;

The principal or designee shall conduct an interview with the student and parent or guardian, familiarize the parties with opportunities available in post-secondary education, and arrive at a timely decision; and

The principal's decision shall be in writing and may be subject to review by the superintendent and school board.

**Legal References:** Minn. Stat. Minn. Stat. § 120B.02 (Educational Expectations for Minnesota's Students)  
Minn. Stat. § 120B.018 (Definitions)  
Minn. Stat. § 120B.021 (Required Academic Standards) Minn. Stat. § 120B.023 (Benchmarks)  
Minn. Stat. § 120B.024 (Graduation Requirements; Course Credits) Minn. Stat. § 120B.07 (Early Graduation)  
Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement; Striving for the World's Best Workforce)  
Minn. Stat. § 120B.125 (Planning for Students' Successful Transition to Postsecondary Education and Employment; Personal Learning Plans)  
Minn. Stat. § 120B.30 (Statewide Testing and Reporting System) Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)  
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)  
Minn. Rules Parts 3501.0800-3501.0815 (Academic Standards for the Arts)  
Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)  
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)  
Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)  
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

**Cross References:** MSBA/MASA Model Policy 104 (School District Mission Statement) MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)  
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)  
MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans and LEP Students)  
MSBA/MASA Model Policy 616 (School District System Accountability)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL DISTRICT #361**

**BOARD POLICY 614  
School District Testing Plan and Procedure**

Adopted\_\_\_\_By Reference\_

Revised\_\_\_\_December 2022\_\_\_\_\_

**PURPOSE**

purpose of this policy to set forth the school district’s testing plan and procedure.

**GENERAL STATEMENT OF POLICY**

The policy of the school district is to implement procedures for testing, test security, documentation, and record keeping.

**DUTIES OF SCHOOL DISTRICT PERSONNEL REGARDING TEST ADMINISTRATION**

**[: This listing of school personnel may not be consistent with the personnel in the school district and, consequently, should be amended to reflect the personnel with responsibility for testing in the school district.]**

Superintendent

Responsibilities before testing.

Designate a district assessment coordinator and district technology coordinator.

The superintendent, or designee who has been authorized to be the identified official with authority by the school board, pre- authorizes staff access for applicable Minnesota Department of Education (MDE) secure systems. Annually review and recertify staff who have access to MDE secure systems.

Read and complete the *Assurance of Test Security and Non-Disclosure*.

**[: This form is available on the Minnesota PearsonAccess Next website-see Cross References for website address.]**

Establish a culture of academic integrity.

Fully cooperate with MDE representatives conducting site visits or Minnesota Test of Academic Skills (MTAS) audits during testing.

Ensure student information is current and accurate.

Ensure that a current district test security procedure is in place and that all relevant staff have been provided district training on test administration and test security.

Ensure that a current process is included for tracking which students tested with which test monitors and any other adult(s) who were present in the testing room (e.g. staff providing assistance, paraprofessionals, etc.)

Confirm the district assessment coordinator has current information and training specific to test security and the administration of statewide assessments.

Confirm the district assessment coordinator completes Pre-test Editing in the Test Web Edit System (WES).

Post on the school district website the complete Parent/Guardian Guide and Refusal for Student Participation in Statewide Testing form.

Responsibilities after testing.

Confirm the district assessment coordinator and Minnesota Automated Reporting Student System (MARSS) coordinator complete Post-test Editing in Test WES.

Verify with the district assessment coordinator that all test security issues have been reported to MDE and are being addressed.

Confirm the MARSS coordinator has updated all student records for Post-test Editing.

Confirm the district assessment coordinator has finalized the district's assessment information prior to the close of Post-test Editing in Test WES. Confirm the district assessment coordinator, or designee, has access to the Graduation Requirements Records (GRR) system and enters necessary information.

Discuss assessment results with the district assessment coordinator and school administrators.

#### District Assessment Coordinator

##### Responsibilities before testing.

Serve as primary contact with MDE regarding policy and procedure questions related to test administration.

Read and complete the *Assurance of Test Security and Non-Disclosure*.

Confirm all staff who handle test materials, administer tests, or have access to secure test content have completed the *Assurance of Test Security and Non-Disclosure*.

Maintain the completed *Assurance of Test Security and Non-Disclosure* for two years after the end of the academic school year in which testing took place.

Review with all staff the *Assurance of Test Security and Non-Disclosure* and their responsibilities thereunder.

Identify appropriate tests for students and ensure student data sent to service providers for testing are correct.

Establish district testing schedule within the testing windows specified by the MDE and service providers.

Prepare testing conditions, including user access to service provider websites, preparing readiness for online testing, preparing a plan for tracking which students test on which computers or devices, ensure accommodations are indicated as necessary, providing students with opportunity to become familiar with test format, item types, and tools prior to test administration; establishing process for inventorying and distributing secure test materials where necessary; preparing procedures for expected and unexpected situations occurring during testing; planning for addressing technical issues while testing; identify staff who will enter student responses from paper accommodated test materials and scores from MTAS administration online.

Train school assessment coordinators, test monitors, MTAS test administrators, and ACCESS (test for English language learners) and Alternate ACCESS test administrators.

Provide training on proper test administration and test security (Pearson's Training Management System).

Verify staff complete any and all test-specific training.  
Maintain security of test content, test materials, and record of all staff involved.  
Receive secure paper test materials from the service provider and immediately lock them in a previously identified secure area, inventory same, and contact service provider with any discrepancies.

Organize secure test materials for online administrations and keep them secure.

Define chain of custody for providing test materials to test monitors and administrators. The chain of custody must address the process for providing test materials on the day of testing, distributing test materials to and collecting test materials from students at the time of testing, keeping test materials secure between testing sessions, and returning test materials after testing is completed.

Confirm that all students have appropriate test materials.

#### Responsibilities on testing day(s).

Conduct random, unannounced visits to testing rooms to observe staff adherence to test security and policies and procedures.

Fully cooperate with MDE representatives conducting site visits or MTAS audits.

Contact the MDE assessment contact within 24 hours of a security breach and submit the *Test Security Notification* in Test WES within 48 hours.

Address invalidations and test or accountability codes.

#### Responsibilities after testing.

Ensure that student responses from paper accommodated test materials and MTAS scores are entered.

Arrange for secure disposal of all test materials that are not required to be returned within 48 hours after the close of the testing window.

Return secure test materials as outlined in applicable manuals and resources.  
Collect security documents and maintain them for two years from the end of the academic school year in which testing took place.

Review student assessment data and resolve any issues.

Distribute Individual Student Reports no later than fall parent/teacher conferences.

### School Principal

#### Responsibilities before testing.

Designate a school assessment coordinator and technology coordinator for the building.

Be knowledgeable about proper test administration and test security as outlined in manuals and directions.

Read and complete the *Assurance of Test Security and Non-Disclosure*.

Communicate the importance of test security and expectation that staff will keep test content secure and act with honesty and integrity during test administration.

Provide adequate secure storage space for secure test materials before, during, and after testing until they are returned to the service provider or securely disposed of.

Ensure adequate computers and/or devices are available and rooms appropriately set up for online testing.

Verify that all test monitors and test administrators receive proper training for test administration.

Ensure students taking specified tests have opportunity to become familiar with test format, item types, and tools prior to test administration.

Include the complete Parent/Guardian Guide and Refusal for Student Participation in Statewide Testing form in the student handbook. Responsibilities on testing day(s).

Ensure that test administration policies and procedures and test security requirements in all manuals and directions are followed.

Fully cooperate with MDE representatives conducting site visits or MTAS audits.

Responsibilities after testing.

Ensure all secure test materials are collected, returned, and/or disposed of securely as required in any manual.

Ensure requirements for embargoed final assessment results are followed.

School Assessment Coordinator

Responsibilities before testing.

Implement test administration and test security policies and procedures.

Read and complete the *Assurance of Test Security and Non-Disclosure*.

Ensure all staff who handle test materials, administer tests, or have access to secure test content read and complete the *Assurance of Test Security and Non-Disclosure*.

Identify appropriate tests for students and ensure student data sent to service providers for testing are correct.

Prepare testing conditions, including the following: schedule rooms and computer labs; arrange for test monitors and administrators; arrange for additional staff to assist with unexpected situations; arrange for technology staff to assist with technical issues; develop a plan for tracking which students test on which computers or devices; plan seating arrangements for students; ensure preparations are completed for Optional Local Purpose Assessment (OLPA), Minnesota Comprehensive Assessment (MCA), and ACCESS online testing; ensure accommodations are properly reported; confirm how secure paper test materials will arrive and quantities to expect; address accommodations and specific test administration procedures; determine staff who will enter the student responses from paper

Train staff, including all state-provided training materials, policies and procedures, and test-specific training.

Maintain security of test content and test materials.

Receive secure paper test materials from the service provider and immediately lock them in a previously identified secure area,

inventory same, and contact service provider with any discrepancies.

Organize secure test materials for online administrations and keep them secure.

Follow chain of custody for providing test materials to test monitors and administrators. The chain of custody must address the process for providing test materials on the day of testing, distributing test materials to and collecting test materials from students at the time of testing, keeping test materials secure between testing sessions, and returning test materials after testing is completed.

Identify need for additional test materials to district assessment coordinator.

Provide MTAS student data collection forms if necessary.

Distribute applicable ACCESS and Alternate ACCESS *Test Administrator Scripts* and *Test Administration Manuals* to test administrators so they can become familiar with the script and prepare for test administration.

Confirm that all students taking ACCESS and Alternate ACCESS have appropriate test materials and preprinted student information on the label is accurate.

#### Responsibilities on testing day(s).

Distribute materials to test monitors and ACCESS test administrators and ensure security of test materials between testing sessions and that district procedures are followed.

Ensure *Test Monitor and Student Directions* and *Test Administrator Scripts* are followed and answer questions regarding same. Fully cooperate with MDE representatives conducting site visits or MTAS audits, as applicable.

Conduct random, unannounced visits to testing rooms to observe staff adherence to test security and test administration policies and procedures.

Report testing irregularities to district assessment coordinator using the *Test Administration Report*.

**[: This form is included in the 614 Form file of the Policy Reference Manual.]**

Report security breaches to the district assessment coordinator as soon as possible.

#### Responsibilities after testing.

Ensure that all paper test materials are kept locked and secure and security checklists completed.

Ensure that student responses from paper accommodated test materials and MTAS scores are entered.

Arrange for secure disposal of all test materials that are not required to be returned within 48 hours after the close of the testing window.

Return secure test materials as outlined in applicable manuals and resources.

Prepare materials for pickup by designated carrier on designated date(s).  
Maintain security of all materials.

Ensure requirements for embargoed final assessment results are followed.

#### Technology Coordinator

Ensure that district is prepared for online test administration and provide technical support to district staff.

Acquire all necessary user identifications and passwords.

Read and complete the *Assurance of Test Security and Non-Disclosure*.

Fully cooperate with MDE representatives conducting site visits or MTAS audits.  
Attend district training and any service provider technology training.

Review, use, and be familiar with all service provider technical documentation.

Prepare computers and devices for online testing.

Confirm site readiness.

Provide all necessary accessories for testing, technical support/troubleshooting during test administration and contact service provider help desks as needed.

#### Test Monitor

##### Responsibilities before testing.

Read and complete the *Assurance of Test Security and Non-Disclosure*.

Attend trainings related to test administration and security.

Complete required training course(s) for tests administering.

Be knowledgeable about how to contact the school assessment coordinator during testing, where to pick up materials on day of test, and plan for securing test materials between test sessions.

Be knowledgeable regarding student accommodations.

Remove or cover any instructional posters or visual materials in the testing room.

##### Responsibilities on testing day(s).

###### Before test.

Receive and maintain security of test materials.

Verify that all test materials are received.

Ensure proper number of computers/devices or paper accommodated test materials are present.

Verify student testing tickets and appropriate allowable materials. Assign numbered test books to individual students.

Complete information as directed.

Record extra test materials.

###### During test.

Verify that students are logged in and taking the correct test or using the correct grade-level and tier test booklet for students with paper accommodated test materials.

Follow all directions and **scripts** exactly.

Follow procedures for restricting student access to cell phones and other electronic devices, including wearable electronic devices.

Stay in testing room and remain attentive during entire test session. Practice active monitoring by circulating throughout the room during testing.

**: School districts may allow test monitors to use their cell phones only to alert other staff of issues. If allowed, the school district should train the test monitors on proper and improper use.]**

Be knowledgeable about responding to emergency or unusual circumstances and technology issues.

Do not review, discuss, capture, email, post, or share test content in any format.

Ensure all students have been provided the opportunity to independently demonstrate their knowledge.

Fully cooperate with MDE representatives conducting site visits or MTAS audits.

Document the students who tested with the test monitor and any other adult(s) who were present in the testing room (e.g., staff providing assistance, paraprofessionals, etc.)

Document students who require a scribe or translated directions or any unusual circumstances and report to school assessment coordinator.

Report any possible security breaches as soon as possible.

After test.

Follow directions and scripts exactly.

Collect all materials and keep secure after each session. Upon completion return to the school assessment coordinator.

Immediately report any missing test materials to the school assessment coordinator.

MTAS Test Administrator

Before testing.

Read and complete the *Assurance of Test Security and Non-Disclosure*.

Attend trainings related to test administration and security.

Complete required training course(s) for tests administering.

a. Be knowledgeable as to when and where to pick up MTAS materials and the school's plan for keeping test materials secure.

Prepare test materials for administration, including objects and manipulatives, special instructions, and specific adaptations for each student.

Responsibility on testing day(s).

Before the test.

Maintain security of materials.

Confirm appropriate MTAS materials are available and prepared for student.

During the test.

Administer each task to each student and record the score.

Be knowledgeable about how to contact the district or school assessment coordinator, if necessary, and responding to emergency and unusual circumstances. Fully cooperate with MDE representatives conducting site visits or MTAS audits.

Document and report **any** unusual circumstances to district or school assessment coordinator.

After the test.

Keep materials secure.

Return all materials.

Return objects and manipulatives to classroom.

Enter MTAS scores online or return data collection forms to the district or school assessment coordinator.

MARSS Coordinator

Responsibilities before testing.

Confirm all eligible students have unique state student identification (SSID) or MARSS numbers.

Ensure English language and special education designations are current and correct for students testing based on those designations.

Submit MARSS data on an ongoing basis to ensure accurate student demographic and enrollment information.

Responsibilities after testing.

Ensure accurate enrollment of students in schools during the accountability windows.

Ensure MARSS identifying characteristics are correct, especially for any student not taking an accountability test.

Work with district assessment coordinator to edit discrepancies during the Post-test Edit window in Test WES.

Any Person with Access to Test Materials

Read and complete the *Assurance of Test Security and Non-Disclosure*.

**TEST SECURITY**

Test Security Procedures will be adopted by school district administration.

**: This form is available on the Minnesota PearsonAccess Next website- see Cross References for website address]**

Students will be informed of the following:

The importance of test security;  
Expectation that students will keep test content secure;

Expectation that students will act with honesty and integrity during test administration;

Expectation that students will not access cell phones, wearable technology (e.g., smart watches, fitness trackers), or other devices that can electronically send or receive information. The test of a student who wears a device during testing must be invalidated.

If a student completes testing and then accesses a cell phone or other prohibited device (including wearable technology), the school district must take further action to determine if the test should be invalidated, rather than automatically invalidating the test.

Availability of the online Test Security Tip Line on the MDE website for reporting suspected incidents of cheating or other improper or unethical behavior.

Staff will be informed of the following:

Availability of the online Test Security Tip Line on the MDE website for reporting suspected incidents of cheating or other improper or unethical behavior.

Other contact information and options for reporting security concerns.

#### **REQUIRED DOCUMENTATION FOR PROGRAM AUDIT**

The school district shall maintain records necessary for program audits conducted by MDE. The records must include documentation consisting of the following:

Signed *Assurance of Test Security and Non-Disclosure* forms must be maintained for two years after the end of the academic year in which the testing took place. School district security checklists provided in the test materials shipment must be maintained for two years after the end of the academic school year in which testing took place.

School security checklists provided in the test materials shipment must be maintained for two years after the end of the academic school year in which testing took place.

Test Monitor Test Materials Security Checklist provided for each group of students assigned to a test monitor must be maintained for two years after the end of the academic school year in which testing took place.

*[Note: This form is included in the 614 Form file of the Policy Reference Manual.]*

School district test monitor tracking documentation must be maintained for two years after the end of the academic year in which the tracking took place.

ACCESS and Alternate ACCESS Packing List and Security Checklist provided in the test materials shipment must be maintained for two years after the end of the academic school year in which testing took place.

Documentation of school district staff training on test administration and test security must be maintained for two years after the end of the academic school year in which testing took place.

*Test Security Notification* must be maintained for two years after the end of the academic school year in which testing took place.

*Test Administration Report* must be maintained for one year after the end of the academic school year in which testing took place.

Record of staff trainings and test-specific trainings must be maintained for one year after the end of the academic year in which testing took place.

- Legal References:** Minn. Stat. § 13.34 (Examination Data)  
Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum Instruction, and Student Achievement; Striving for the World's Best Workforce))  
Minn. Stat. § 120B.30 (Statewide Testing and Reporting System) Minn. Stat. § 120B.36, Subd. 2 (School Accountability)  
Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)  
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)  
Minn. Rules Parts 3501.082 (Academic Standards for the Arts)  
Minn. Rules Parts 3501.0900-3501.0955 (Academic Standards in Science)  
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)  
Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)  
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)
- Cross References:** MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)  
MSBA/MASA Model Policy 613 (Graduation Requirements) MSBA/MASA Model Policy 615 (Testing, Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)  
MSBA/MASA Model Policy 616 (School District System Accountability)  
Minnesota PearsonAccess Next Resources and Forms:  
<http://minnesota.pearsonaccessnext.com/policies-and-procedures/>

**INTERNATIONAL FALLS PUBLIC SCHOOLS  
INDEPENDENT SCHOOL DISTRICT #361**

**BOARD POLICY 617**

**School District Ensurance of Preparatory and High School Standards**

Adopted \_\_\_ April 2023 \_\_\_

Revised \_\_\_ July 2023 \_\_\_

*[Note: With repeal of the Profile of Learning, school districts no longer are required to comply with the procedures set forth in this policy. School districts that retain any portion of the Profile of Learning graduation requirements, however, may choose to retain all or a portion of this policy and may implement and manage the Profile of Learning content standards in whatever manner they deem appropriate.]*

**I. PURPOSE**

The purpose of this policy is to ensure that all locally adopted preparatory and high school content standards of the Profile of Learning are addressed directly in both curriculum and assessment for all students, including those with special needs.

**II. GENERAL STATEMENT OF POLICY**

- A. The policy of the school district is to implement the Minnesota Graduation Standards, including local adoption of the former Profile of Learning content standards, during the transition to the implementation of the required Minnesota Academic Standards.
  
- B. This policy ensures that all students who qualify and elect to satisfy their graduation requirements will continue to receive instruction, curriculum and assessment which address the preparatory and high school content standards. This policy also defines how technology will be integrated across student learning areas. *[Note: With repeal of the Profile of Learning, school districts are not required to integrate technology across learning areas and may, in their discretion, delete this provision.]* In implementing the preparatory and high school content standards, the school district will work to improve the scope and sequences of curriculum, research-based instructional skills of teachers and other district staff who work with students, and alternative assessments of student achievement while making the transition to the required Minnesota Academic Standards.

### III. ESTABLISHMENT OF CURRICULUM AND INSTRUCTION

#### A. Preparatory Content Standards

*[To the extent school districts retain preparatory content standards as part of their locally adopted academic standards, school districts should insert in this section how their curriculum and instructional opportunities for all students will address the preparatory content standards, including the primary, intermediate and middle level standards. This section should contain an outline of each learning area's sequence in a manner which provides notice as to when various achievements are expected.]*

#### B. High School Content Standards

The school district will follow Policy 613, Graduation Requirements, as it implements the graduation standards. This policy ensures that all students will receive instruction, curriculum and assessment which addresses the high school content standards of the Profile of Learning in all learning areas and that the uses of technology are integrated across student learning areas. *[Note: With the repeal of the Profile of Learning, school districts are not required to integrate technology across learning areas and may, in their discretion, delete this provision.]*

*[Note: School districts should examine existing graduation requirements and align them to the new requirements.]*

#### C. Assessment of Content Standards

*[School districts should insert their procedure for determining where student achievement of preparatory and high school content standards will be assessed.]*

#### D. Additional Requirements

*[School districts may wish to consider including additional graduation requirements beyond those required by the Minnesota Academic Standards.]*

#### E. Special Needs Students

*[School districts should insert their procedure for addressing preparatory and high school content standards for students with special needs.]*

#### F. Integration of Technology

*[School districts may insert their procedure for addressing how technology will be integrated across the learning areas. With the repeal of the Profile of Learning, school districts are not required to integrate technology across learning areas and may, in their discretion, delete this provision.]*

G. Evaluation and Remediation of Student Difficulties and Achievement

*[School districts should insert their procedure for addressing how diagnosis of student difficulties and remediation will be accomplished as well as how diagnosis of student achievement and acceleration or continuous progress will be accomplished.]*

**Legal References:** Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota’s Students)  
Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement; Striving for the World’s Best Workforce)  
Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)  
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)  
Minn. Rules Parts 3501.0820 (Academic Standards for the Arts)  
Minn. Rules Parts 3501.0900-3501.0960 (Academic Standards in Science)  
Minn. Rules Parts 3501.1200-3501.1210 (Academic Standards for English Language Development)  
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)  
Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)

**Cross References:** MSBA/MASA Model Policy 104 (School District Mission Statement)  
MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)  
MSBA/MASA Model Policy 613 (Graduation Requirements)  
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)  
MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)  
MSBA/MASA Model Policy 616 (School District System Accountability)  
MSBA/MASA Model Policy 618 (Assessment of Student Achievement)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL  
DISTRICT #361**

**BOARD POLICY      618  
Assessment of Student Achievement**

**Adopted\_\_\_\_\_By Reference\_**

*Revised\_July 2023\_\_\_\_\_*

**PURPOSE**

The purpose of this policy is to institute a process for the establishment and revision of assessments to measure achievement toward meeting the Minnesota Academic Standards, track academic progress over time, and provide Minnesota graduates information related to career and college readiness.

**GENERAL STATEMENT OF POLICY**

The school district has established a procedure by which students shall complete the Graduation Requirements. This procedure includes the adoption of performance assessment methods to be used in measuring student performance. The school district strives to continually enhance, student achievement of the Graduation Requirements.

**DEFINITIONS**

“Academic standard” means a summary description of student learning in a required content area or elective content area.

“Benchmark” means the specific knowledge or skill that a student must master to complete part of an academic standard by the end of the grade level or grade band.

“Career and college ready,” for purposes of statewide accountability, means a high school graduate has the knowledge, skills, and competencies to successfully pursue a career pathway, including postsecondary credit leading to a degree, diploma, certificate, or industry-recognized credential and employment. Students who are career and college ready are able to successfully complete credit-bearing coursework at a two- or four-year college or university or other credit-bearing postsecondary program without need for remediation.

“Cultural competence,” for purposes of statewide accountability, means the ability and will to interact effectively with people of different cultures, native languages, and socioeconomic backgrounds.

“Elective standards” means a locally adopted expectation for student learning in career and technical education and world languages.

“Experiential learning” means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, or other cooperative work experience, youth apprenticeship, or employment.

“Required standard” means a statewide adopted expectation for student learning in the content areas of **English** language arts, mathematics, science, social studies, physical education, and the arts **Or** a locally adopted expectation for student learning in health **or the arts**.

## **ESTABLISHMENT OF CRITERIA FOR ASSESSMENT**

The **superintendent** shall establish criteria by which student performance of local academic standards and elective standards are to be evaluated and approved. The criteria will be submitted to the school board for approval. Upon approval by the school board, the criteria shall be deemed part of this policy.

The superintendent shall ensure that students and parents or guardians are provided with notice of the process by which academic standards will be assessed.

Staff members will be expected to utilize staff development opportunities to the extent necessary to ensure effective implementation and continued improvement of the implementation of assessments under the Minnesota Academic Standards.

## **STANDARDS FOR MINNESOTA ACADEMIC STANDARDS PERFORMANCE ASSESSMENTS**

### Benchmarks

The school district will offer and students must achieve all benchmarks for an academic standard to satisfactorily complete that state standard. These benchmarks will be used by the school district and its staff in developing tests to measure student academic knowledge and skills.

**[NOTE: School districts are required to formally establish a periodic review cycle for academic standards and related benchmarks in health, world languages, and career and technical education.]**

### Statewide Academic Standards Testing

The school district will utilize statewide assessments developed from and aligned with the state's required academic standards as these tests become available to evaluate student progress toward career and college readiness in the context of the state's academic standards.

The school district will administer annually, in accordance with the process determined by the Minnesota Department of Education, the state-constructed tests aligned with state standards to all students in grades 3 through 8 and at the high school level as follows:

computer-adaptive reading and mathematics assessments in grades 3 through 8;

high school reading in grade 10, mathematics in grade 11, and a high school writing test, when it becomes available; and

science assessments in one grade in the grades 3 through 5 span, the grades 6 through 8 span, and a life science assessment in the grades 9 through 12 span (a passing score on high school science assessments is not a condition of receiving a diploma).

The school district will develop and administer locally constructed tests in social studies, health and physical education, and the arts to determine if a student has met the required academic standards in these areas.

The school district may use a student's performance on a statewide assessment as one of the multiple criteria to determine grade promotion or retention. The school district also may use a high school student's performance on a statewide assessment as a percentage of the student's final grade in a course, or place a

student's assessment score on the student's transcript.

For students in grade 8 in the 2012-2013 school year and later, the school district must record on the high school transcript a student's progress toward career and college readiness. For other students, this record of progress must be made as soon as practicable. In addition, the school district may include a notation of high achievement on the high school diplomas of those graduating seniors who, according to established school board criteria, demonstrate exemplary academic achievement during high school.

Students who do not meet or exceed the Minnesota Academic Standards, as measured by the Minnesota Comprehensive Assessments administered in high school, must be informed that admission to a public school is free and available to any resident under 21 years of age. The school district will determine how this notice is given.

#### Student Participation

The Minnesota Commissioner of Education must create and publish a form for parents and guardians that:

- explains the need for state academic standards;
- identifies the state assessments that are aligned with state standards;
- identifies the consequences, if any, the school or student may face if a student does not participate in state or locally required standardized assessments;

- states that students who receive a college ready benchmark on the high school Minnesota Comprehensive Assessment are not required to take a remedial, noncredit course at a Minnesota state college or university in the corresponding subject area;

- summarizes the provisions in Minnesota Statutes section 120B.301(a) and (c);
- and

- notifies a parent of the right to not have the parent's child participate in the state and locally required assessments and asks a parent that chooses to not have a child participate in the assessments the basis for the decision.

The school district must post the form created by the Commissioner on the school district website and include it in the school district's student handbook.

#### **RIGOROUS COURSE OF STUDY WAIVER**

Upon receiving a student's application signed by the student's parent or guardian, the school district must declare that a student meets or exceeds a specific academic standard required for graduation if the school board determines that the student:

- is participating in a course of study, including an advanced placement or international baccalaureate course or program; a learning opportunity outside the curriculum of the school district; or an approved preparatory program for employment or post- secondary education that is equally or more rigorous than the corresponding state or local academic standard required by the school district;

1. would be precluded from participating in the rigorous course of study, learning opportunity, or preparatory employment or post-secondary education program if the student were required to achieve the academic standard to be waived; and

satisfactorily completes the requirements for the rigorous course of study, learning opportunity, or preparatory employment or post-secondary education program.

The school board also may formally determine other circumstances in which to declare that a student meets or exceeds a specific academic standard that the site requires for graduation under this section.

A student who satisfactorily completes a post-secondary enrollment options course or program or an advanced placement or international baccalaureate course or program **that meet state standards** is not required to complete other requirements of the academic standards corresponding to that specific rigorous course of study.

### **CAREER EXPLORATION ASSESSMENT**

Student assessments, in alignment with state academic standards, shall include clearly defined career and college readiness benchmarks and satisfy Minnesota's postsecondary admissions requirements. Achievement and career and college readiness in mathematics, reading, and writing must also be assessed. When administering formative or summative assessments used to measure the academic progress, including the oral academic development, of English learners and inform their instruction, schools must ensure that the assessments are accessible to the students and students have the modifications and supports they need to sufficiently understand the assessments.

On an annual basis, the school district must use the career exploration elements in these assessments, beginning no later than grade 9, to help students and their families successfully develop, pursue, review, and revise an individualized plan for postsecondary education or a career. This process must help increase students' engagement in and connection to school, improve students' knowledge and skills, and deepen students' understanding of career pathways as a sequence of academic and career courses that lead to an industry-recognized credential, an associate's degree, or a bachelor's degree and are available to all students, whatever their interests and career goals.

All students, except those eligible for alternative assessments, will be encouraged to participate ~~On~~ a nationally normed college entrance exam in grade 11 or 12. A student under this paragraph who demonstrates attainment of required state academic standards on these assessments, which include career and college readiness benchmarks, is academically ready for a career or college and is encouraged to participate in courses awarding college credit to high school students. Such courses and programs may include sequential courses of study

To the extent state funding for college entrance exam fees is available, the school district will pay the cost, one time, for an interested student in grade 11 or 12, who is eligible for a free or reduced-priced meal, to take a nationally recognized college entrance exam before graduating. The school district may require a student who is not eligible for a free or reduced-priced meal to pay the cost of taking a nationally recognized college entrance exam. The school district will waive the cost for a student who is unable to pay.

As appropriate, students through grade 12 must continue to participate in targeted instruction, intervention, or remediation and be encouraged to participate in courses awarding college credit to high school students.

In developing, supporting, and improving students' academic readiness for a career or college, the school district must have a continuum of empirically derived, clearly defined benchmarks focused on students' attainment of knowledge and skills so that students, their parents, and teachers know how well students must perform to have a reasonable chance to succeed in a career or college without need for postsecondary remediation.

**Legal References:** Minn. Stat. § 120B.018 (Definitions)  
Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota's Students)  
Minn. Stat. § 120B.021 (Required Academic Standards) Minn. Stat. § 120B.022 (Elective Standards)  
Minn. Stat. § 120B.023 (Benchmarks)  
Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement; Striving for the World's Best Workforce)  
Minn. Stat. § 120B.30 (Statewide Testing and Reporting System) Minn. Stat. § 120B.31 (System Accountability and Statistical Adjustments)  
Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)  
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)  
Minn. Rules Parts 3501.0820 (Academic Standards for the Arts)  
Minn. Rules Parts 3501.0900-3501.0960 (Academic Standards in Science)  
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)  
Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)  
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

**Cross References:** MSBA/MASA Model Policy 104 (School District Mission Statement)  
MSBA/MASA Model Policy 601 (School District Curriculum and Instruction Goals)  
MSBA/MASA Model Policy 613 (Graduation Requirements) MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)  
MSBA/MASA Model Policy 615 (Basic Standards Testing, Accommodations, Modifications, and Exemptions for IEP, Section 504 Accommodation and LEP Students)  
MSBA/MASA Model Policy 616 (School District System Accountability)

**INTERNATIONAL FALLS PUBLIC SCHOOLS INDEPENDENT SCHOOL  
DISTRICT #361**

**BOARD POLICY 619  
Staff Development for Standards**

Adopted\_\_\_\_By Reference\_

Revised\_\_\_\_April 2023\_\_\_\_

**PURPOSE**

The purpose of this policy is to establish opportunities for staff development which advance the staff's ability to work effectively with the Graduation Assessment

**GENERAL STATEMENT OF POLICY**

The school district is committed to developing staff policies and processes for continuous improvement of curriculum, instruction, and assessment to ensure effective implementation of the Graduation Assessment Requirements and federal law at all levels.

**STANDARDS FOR STAFF DEVELOPMENT**

The Advisory Committee for Comprehensive Continuous Improvement of Student Achievement (Committee) shall address the needs of all staff in prioritizing staff development which will ensure effective implementation of the Graduation Assessment Requirements and federal law at all levels. The Committee will advise the school board on the planning of staff development opportunities.

The school district shall place a high priority on staff development including activities, programs, and other efforts to implement the Graduation Assessment Requirements effectively and to upgrade that implementation continuously.

Staff development plans for the school district shall address identified needs for Graduation Assessment Requirements implementation throughout all levels of the school district programs.

In service, staff meeting, and district and building level staff development plans and programs shall focus on improving implementation of the Graduation Assessment Requirements at all levels for all students, including those with special needs.

**TRAINING AND PROFESSIONAL DEVELOPMENT**

Paraprofessionals. The school district will provide each paraprofessional who assists a licensed teacher in providing student instruction with initial training. Such training will include training in emergency procedures, confidentiality, vulnerability, reporting obligations, discipline, policies, roles and responsibilities, and building orientation. Training will be provided within the first 60 days a paraprofessional begins supervising or working with students.

Additionally, with regard to paraprofessionals providing support to special education students, the school district will ensure that annual training opportunities are required to enable the paraprofessional to further develop the knowledge and skills that are specific to the students with whom the paraprofessional works, including understanding disabilities, the unique and individual needs of each student according to the student's disability and how the disability affects the student's education and behavior, following lesson plans, and implementing follow-up instructional procedures and activities.

Teachers/Administrators.

The school district will provide high quality and ongoing professional development activities as required by state and federal laws.

**Legal References:** Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota's Students)  
Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement; Striving for )  
Minn. Stat. § 120B.363 (Credential for Education Paraprofessionals) Minn. Stat. § 122A.16 (Qualified Teacher Defined)  
Minn. Stat. § 122A.60 (Staff Development Program)  
Minn. Rules Parts 3501.0640-3501.0655 (Academic Standards for Language Arts)  
Minn. Rules Parts 3501.0700-3501.0745 (Academic Standards for Mathematics)  
Minn. Rules Parts 3501.0800-0820 (Academic Standards for the Arts) Minn. Rules Parts 3501.0900-3501.0960 (Academic Standards in Science) Minn. Rules Parts 3501.1200-3501.1210 (Academic Standards for English Language Development)  
Minn. Rules Parts 3501.1300-3501.1345 (Academic Standards for Social Studies)  
Minn. Rules Parts 3501.1400-3501.1410 (Academic Standards for Physical Education)  
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)  
**Cross References:** MSBA/MASA Model Policy 104 (School District Mission Statement)

**INTERNATIONAL FALLS PUBLIC SCHOOLS  
INDEPENDENT SCHOOL DISTRICT #361**

**BOARD POLICY 621  
Literacy and the READ Act**

Adopted \_\_\_ July 2023 \_\_\_

Revised \_\_\_\_\_

**[Note: By the 2026-2027 school year, the school district must provide evidence-based reading instruction through a focus on student mastery of the foundational reading skills of phonemic awareness, phonics, and fluency, as well as the development of oral language, vocabulary, and reading comprehension skills. Students must receive evidence-based instruction that is proven to effectively teach children to read, consistent with Minnesota Statutes, sections 120B.1117 to 120B.124.]**

**I. PURPOSE**

This policy aligns with Minnesota law established in the Read Act and on other topics related to reading.

**II. GENERAL STATEMENT OF POLICY**

The school district recognizes the centrality of reading in a student's educational experience.

**III. DEFINITIONS**

- A. "Evidence-based" means the instruction or item described is based on reliable, trustworthy, and valid evidence and has demonstrated a record of success in increasing students' reading competency in the areas of phonological and phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension. Evidence-based literacy instruction is explicit, systematic, and includes phonological and phonemic awareness, phonics and decoding, spelling, fluency, vocabulary, oral language, and comprehension that can be differentiated to meet the needs of individual students. Evidence-based instruction does not include the three-cueing system, as defined in subdivision 16.
- B. "Fluency" means the ability of students to read text accurately, automatically, and with proper expression.

- C. "Foundational reading skills" includes phonological and phonemic awareness, phonics and decoding, and fluency. Foundational reading skills appropriate to each grade level must be mastered in kindergarten, grade 1, grade 2, and grade 3. Struggling readers in grades 4 and above who do not demonstrate mastery of grade-level foundational reading skills must continue to receive explicit, systematic instruction to reach mastery.
- D. "Literacy specialist" means a person licensed by the Professional Educator Licensing and Standards Board as a teacher of reading, a special education teacher, or a kindergarten through grade 6 teacher, who has completed professional development approved by the Minnesota Department of Education (MDE) in structured literacy. A literacy specialist employed by the department under Minnesota Statutes, section 120B.123, subdivision 7, or by a district as a literacy lead, is not required to complete the approved training before August 30, 2025.
- E. "Literacy lead" means a literacy specialist with expertise in working with educators as adult learners. A district literacy lead must support the district's implementation of the Read Act; provide support to school-based coaches; support the implementation of structured literacy, interventions, curriculum delivery, and teacher training; assist with the development of personal learning plans; and train paraprofessionals and other support staff to support classroom literacy instruction. A literacy lead may be employed by one district, jointly by two or more districts, or may provide services to districts through a partnership with the regional service cooperatives or another district.
- F. "Multitiered system of support" or "MTSS" means a systemic, continuous improvement framework for ensuring positive social, emotional, behavioral, developmental, and academic outcomes for every student. The MTSS framework provides access to layered tiers of culturally and linguistically responsive, evidence-based practices and relies on the understanding and belief that every student can learn and thrive. Through a MTSS at the core (Tier 1), supplemental (Tier 2), and intensive (Tier 3) levels, educators provide high quality, evidence-based instruction and intervention that is matched to a student's needs; progress is monitored to inform instruction and set goals and data is used for educational decision making.
- G. "Oral language," also called "spoken language," includes speaking and listening, and consists of five components: phonology, morphology, syntax, semantics, and pragmatics.
- H. "Phonemic awareness" means the ability to notice, think about, and manipulate individual sounds in spoken syllables and words.
- I. "Phonics instruction" means the explicit, systematic, and direct instruction of the relationships between letters and the sounds they represent and the application of this knowledge in reading and spelling.
- J. "Progress monitoring" means using data collected to inform whether interventions are working. Progress monitoring involves ongoing monitoring of progress that quantifies rates of improvement and informs instructional practice and the

development of individualized programs using state-approved screening that is reliable and valid for the intended purpose.

- K. "Reading comprehension" means a function of word recognition skills and language comprehension skills. It is an active process that requires intentional thinking during which meaning is constructed through interactions between the text and reader. Comprehension skills are taught explicitly by demonstrating, explaining, modeling, and implementing specific cognitive strategies to help beginning readers derive meaning through intentional, problem-solving thinking processes.
- L. "Structured literacy" means an approach to reading instruction in which teachers carefully structure important literacy skills, concepts, and the sequence of instruction to facilitate children's literacy learning and progress. Structured literacy is characterized by the provision of systematic, explicit, sequential, and diagnostic instruction in phonemic awareness, phonics, fluency, vocabulary and oral language development, and reading comprehension.
- M. "Three-cueing system," also known as "meaning structure visual (MSV)," means a method that teaches students to use meaning, structure and syntax, and visual cues when attempting to read an unknown word.
- N. "Vocabulary development" means the process of acquiring new words. A robust vocabulary improves all areas of communication, including listening, speaking, reading, and writing. Vocabulary growth is directly related to school achievement and is a strong predictor for reading success.

#### **IV. READING SCREENER; PARENT NOTIFICATION AND INVOLVEMENT**

- A. The school district must administer an approved evidence-based reading screener to students in kindergarten through grade 3 within the first six weeks of the school year, and again within the last six weeks of the school year. The screener must be one of the screening tools approved by the Minnesota Department of Education (MDE).
- B. The school district must identify any screener it uses in the district's annual literacy plan, and submit screening data with the annual literacy plan by June 15.
- C. Schools, at least biannually after administering each screener, must give the parent of each student who is not reading at or above grade level timely information about:
  - 1. the student's reading proficiency as measured by a screener approved by MDE;
  - 2. reading-related services currently being provided to the student and the student's progress; and
  - 3. strategies for parents to use at home in helping their student succeed in becoming grade-level proficient in reading in English and in their native language.

- D. The school district may not use this section to deny a student's right to a special education evaluation.

## **V. IDENTIFICATION AND REPORT**

- A. Students enrolled in kindergarten, grade 1, grade 2, and grade 3, including multilingual learners and students receiving special education services, must be universally screened for mastery of foundational reading skills, including phonemic awareness, phonics, decoding, fluency, oral language, and for characteristics of dyslexia as measured by a screening tool approved by MDE. The screening for characteristics of dyslexia may be integrated with universal screening for mastery of foundational skills and oral language.
- B. The school district must submit data on student performance in kindergarten, grade 1, grade 2, and grade 3 on foundational reading skills, including phonemic awareness, phonics, decoding, fluency, and oral language to MDE in the annual local literacy plan submission due on June 15.
- C. Students in grades 4 and above, including multilingual learners and students receiving special education services, who do not demonstrate mastery of foundational reading skills, including phonemic awareness, phonics, decoding, fluency, and oral language, must be screened using a screening tool approved by MDE for characteristics of dyslexia and must continue to receive evidence-based instruction, interventions, and progress monitoring until the students achieve grade-level proficiency. A parent, in consultation with a teacher, may opt a student out of the literacy screener if the parent and teacher decide that continuing to screen would not be beneficial to the student. In such limited cases, the student must continue to receive progress monitoring and literacy interventions.
- D. Reading screeners in English, and in the predominant languages of school district students where practicable, must identify and evaluate students' areas of academic need related to literacy. The school district also must monitor the progress and provide reading instruction appropriate to the specific needs of multilingual learners. The school district must use an approved, developmentally appropriate, and culturally responsive screener and annually report summary screener results to the MDE Commissioner by June 15 in the form and manner determined by the MDE Commissioner.
- E. The school district must include in its literacy plan a summary of the district's efforts to screen, identify, and provide interventions to students who demonstrate characteristics of dyslexia as measured by a screening tool approved by MDE. With respect to students screened or identified under paragraph (a), the report must include:
  - 1. a summary of the school district's efforts to screen for dyslexia;
  - 2. the number of students universally screened for that reporting year;
  - 3. the number of students demonstrating characteristics of dyslexia for that year; and

4. an explanation of how students identified under this subdivision are provided with alternate instruction and interventions under Minnesota Statutes, section 125A.56, subdivision 1.

## **VI. INTERVENTION**

- A. For each student identified under the screening identification process, the school district shall provide reading intervention to accelerate student growth and reach the goal of reading at or above grade level by the end of the current grade and school year.
- B. The school district must implement progress monitoring, as defined in Minnesota Statutes, section 120B.1118, for a student not reading at grade level.
- C. The school district must use evidence-based curriculum and intervention materials at each grade level that are designed to ensure student mastery of phonemic awareness, phonics, vocabulary development, reading fluency, and reading comprehension. Starting July 1, 2023, if the school district purchases new literacy curriculum, or literacy intervention or supplementary materials, the curriculum or materials must be evidence-based as defined in Minnesota Statutes, section 120B.1118.
- D. If a student does not read at or above grade level by the end of the current school year, the school district must continue to provide reading intervention until the student reads at grade level. School district intervention methods shall encourage family engagement and, where possible, collaboration with appropriate school and community programs that specialize in evidence-based instructional practices and measure mastery of foundational reading skills, including phonemic awareness, phonics, decoding, fluency, and oral language.
- E. By the 2025-2026 school year, intervention programs must be taught by an intervention teacher or special education teacher who has successfully completed training in evidence-based reading instruction approved by MDE. Intervention may include but is not limited to requiring student attendance in summer school, intensified reading instruction that may require that the student be removed from the regular classroom for part of the school day, extended-day programs, or programs that strengthen students' cultural connections.
- F. The school district must determine the format of the personal learning plan in collaboration with the student's educators and other appropriate professionals. The school must develop the learning plan in consultation with the student's parent or guardian. The personal learning plan must include targeted instruction that is evidence-based and ongoing progress monitoring, and address knowledge gaps and skill deficiencies through strategies such as specific exercises and practices during and outside of the regular school day, group interventions, periodic assessments or screeners, and reasonable timelines. The personal learning plan may include grade retention, if it is in the student's best interest; a student may not be retained solely due to delays in literacy or not demonstrating grade-level proficiency. A school must maintain and regularly update and modify the personal

learning plan until the student reads at grade level. This paragraph does not apply to a student under an individualized education program.

## **VII. LOCAL LITERACY PLAN**

- A. The school district must adopt a local literacy plan to have every child reading at or above grade level every year beginning in kindergarten and to support multilingual learners and students receiving special education services in achieving their individualized reading goals. The school district must update and submit the plan to the Commissioner of MDE by June 15 each year. The plan must be consistent with the Read Act, and include the following:
1. a process to assess students' foundational reading skills, oral language, and level of reading proficiency and the screeners used, by school site and grade level, under Minnesota Statutes, section 120B.123;
  2. a process to notify and involve parents;
  3. a description of how schools in the school district will determine the targeted reading instruction that is evidence-based and includes an intervention strategy for a student and the process for intensifying or modifying the reading strategy in order to obtain measurable reading progress;
  4. evidence-based intervention methods for students who are not reading at or above grade level and progress monitoring to provide information on the effectiveness of the intervention;
  5. identification of staff development needs, including a plan to meet those needs;
  6. the curricula used by school site and grade level;
  7. a statement of whether the school district has adopted a MTSS framework;
  8. student data using the measures of foundational literacy skills and mastery identified by MDE for the following students:
    - a. students in kindergarten through grade 3;
    - b. students who demonstrate characteristics of dyslexia; and
    - c. students in grades 4 to 12 who are identified as not reading at grade level; and
  9. the number of teachers and other staff that have completed training approved by the department.

- B. The school district must post its literacy plan on the official school district website and submit it to the Commissioner of MDE using the template developed by the Commissioner beginning June 15, 2024.

## **VIII. STAFF TRAINING**

- A. Beginning July 1, 2024, a school district must provide access to the training required under Minnesota Statutes, section 120B.123, subdivision 5, to:
  - 1. intervention teachers working with students in kindergarten through grade 12;
  - 2. all classroom teachers of students in kindergarten through grade 3 and children in prekindergarten programs;
  - 3. special education teachers;
  - 4. curriculum directors;
  - 5. instructional support staff who provide reading instruction; and
  - 6. employees who select literacy instructional materials for a district.
- B. The school district must provide training from a menu of approved evidence-based training programs to all reading intervention teachers, literacy specialists, and other teachers and staff identified in Minnesota Statutes, section 120B.12, subdivision 1, paragraph (b), by July 1, 2025; and by July 1, 2027, to other teachers in the school district, prioritizing teachers who work with students with disabilities, English learners, and students who qualify for the graduation incentives program under Minnesota Statutes, section 124D.68. The Commissioner of MDE may grant a school district an extension to these deadlines.
- C. By August 30, 2025, the school district must employ or contract with a literacy lead, or be actively supporting a designated literacy specialist through the process of becoming a literacy lead. The school board may satisfy the requirements of this subdivision by contracting with another school board or cooperative unit under Minnesota Statutes, section 123A.24 for the services of a literacy lead by August 30, 2025. The school district literacy lead must collaborate with school district administrators and staff to support the school district's implementation of requirements under the Read Act.

## **IX. STAFF DEVELOPMENT**

- A. The school district must provide training programs on evidence-based reading instruction to teachers and instructional staff in accordance with subdivision 1, paragraph (b). The training must include teaching in the areas of phonemic awareness, phonics, vocabulary development, reading fluency, reading comprehension, and culturally and linguistically responsive pedagogy.

- B. The school district shall use the data under Article V. above to identify the staff development needs so that:
1. elementary teachers are able to implement explicit, systematic, evidence-based instruction in the five reading areas of phonemic awareness, phonics, fluency, vocabulary, and comprehension with emphasis on mastery of foundational reading skills as defined in Minnesota Statutes, section 120B.1118 and other literacy-related areas including writing until the student achieves grade-level reading and writing proficiency;
  2. elementary teachers have sufficient training to provide students with evidence-based reading and oral language instruction that meets students' developmental, linguistic, and literacy needs using the intervention methods or programs selected by the school district for the identified students;
  3. licensed teachers employed by the school district have regular opportunities to improve reading and writing instruction;
  4. licensed teachers recognize students' diverse needs in cross-cultural settings and are able to serve the oral language and linguistic needs of students who are multilingual learners by maximizing strengths in their native languages in order to cultivate students' English language development, including oral academic language development, and build academic literacy; and
  5. licensed teachers are well trained in culturally responsive pedagogy that enables students to master content, develop skills to access content, and build relationships.
- C. The school district must provide staff in early childhood programs sufficient training to provide children in early childhood programs with explicit, systematic instruction in phonological and phonemic awareness; oral language, including listening comprehension; vocabulary; and letter-sound correspondence.

## **X. LITERACY INCENTIVE AID USES**

The school district must use its literacy incentive aid to support implementation of evidence-based reading instruction. The following are eligible uses of literacy incentive aid:

1. training for kindergarten through grade 3 teachers, early childhood educators, special education teachers, reading intervention teachers working with students in kindergarten through grade 12, curriculum directors, and instructional support staff that provide reading instruction, on using evidence-based screening and progress monitoring tools;
2. evidence-based training using a training program approved by MDE;

3. employing or contracting with a literacy lead, as defined in Minnesota Statutes, section 120B.1118;
4. materials, training, and ongoing coaching to ensure reading interventions under Minnesota Statutes, section 125A.56, subdivision 1, are evidence-based; and costs of substitute teachers to allow teachers to complete required training during the teachers' contract day.

***Legal References:*** Minn. Stat. § 120B.1118 (Read Act Definitions)  
Minn. Stat. § 120B.12 (Read Act Goal and Interventions)  
Minn. Stat. § 120B.123 (Read Act Implementation)  
Minn. Stat. § 123A.24 (Withdrawing from a Cooperative Unit; Appealing Denial of Membership)  
Minn. Stat. § 124D.68 (Graduation Incentives Program)  
Minn. Stat. § 124D.98 (Literacy Incentive Aid)  
Minn. Stat. § 125A.56 (Alternate Instruction Required before Assessment Referral)

***Cross References:*** None

**INTERNATIONAL FALLS PUBLIC SCHOOLS  
INDEPENDENT SCHOOL DISTRICT #361**

**BOARD POLICY 624  
Online Instruction**

Adopted \_\_\_ By Reference \_\_\_

Revised \_\_\_ July 2023 \_\_\_

*[Note: In 2023, the Minnesota Legislature repealed the Online Learning Option Act (Minnesota Statutes, section 124D.095) and replaced it with the Online Instruction Act (Minnesota Statutes, section 124D.094). This policy fully replaces the old Model Policy 624 ]*

**I. PURPOSE**

The purpose of this policy is to recognize and govern online instruction options of students enrolled in the school district for purposes of compulsory attendance and address enrollment of students with an online instruction site for supplemental or full-time online learning.

**II. GENERAL STATEMENT OF POLICY**

- A. The school district shall not prohibit an enrolled student from applying to enroll in online instruction.
- B. The school district shall grant academic credit for completing the requirements of an online instruction course or program.

**III. DEFINITIONS**

- A. “Blended instruction” means a form of digital instruction that occurs when a student learns part time in a supervised physical setting and part time through online instruction under paragraph (E).
- B. “Digital instruction” means instruction facilitated by technology that offers students an element of control over the time, place, path, or pace of their learning and includes blended and online instruction.
- C. “Enrolling district” means the school district in which a student is enrolled under Minnesota Statutes, section 120A.22, subdivision 4.

- D. "Online course syllabus" means a written document that identifies the state academic standards taught and assessed in a supplemental online course under paragraph (I); course content outline; required course assessments; instructional methods; communication procedures with students, guardians, and the enrolling district under paragraph (C); and supports available to the student.
- E. "Online instruction" is means a form of digital instruction that occurs when a student learns primarily through digital technology away from a supervised physical setting.
- F. "Online instructional site" means a site that offers courses using online instruction under paragraph (E) and may enroll students receiving online instruction under paragraph (E).
- G. "Online teacher" means an employee of the enrolling district under paragraph (C) or the supplemental online course provider under paragraph (J) who holds the appropriate licensure under Minnesota Rules, chapter 8710, and is trained to provide online instruction under paragraph (E).
- H. "Student" means a Minnesota resident enrolled in a school defined under Minnesota Statutes, section 120A.22, subdivision 4, in kindergarten through grade 12 up to the age of 21.
- I. "Supplemental online course" means an online learning course taken in place of a course provided by the student's enrolling district under paragraph (C).
- H. "Supplemental online course provider" means a school district, an intermediate school district, ~~or~~ an organization of two or more school districts operating under a joint powers agreement, or a charter school located in Minnesota that is authorized by the Minnesota Department of Education (MDE) to provide supplemental online courses under paragraph (I).

#### **IV. DIGITAL INSTRUCTION**

- A. An enrolling district may provide digital instruction, including blended instruction and online instruction, to the district's own enrolled students. Enrolling districts may establish agreements to provide digital instruction, including blended instruction and online instruction, to students enrolled in the cooperating schools.
- B. When online instruction is provided, an online teacher shall perform all duties of teacher of record under Minnesota Rules, part 8710.0310. Unless the Commissioner of MDE grants a waiver, a teacher providing online instruction shall not instruct more than 40 students in any one online learning course or section.
- C. Students receiving online instruction full time shall be reported as enrolled in an online instructional site.

- D. Curriculum used for digital instruction shall be aligned with Minnesota's current academic standards and benchmarks.
- E. Digital instruction shall be accessible to students under section 504 of the federal Rehabilitation Act and Title II of the federal Americans with Disabilities Act.
- F. An enrolling district providing digital instruction and a supplemental online course provider shall assist an enrolled student whose family qualifies for the education tax credit under Minnesota Statutes, section 290.0674 to acquire computer hardware and educational software so they may participate in digital instruction. Funds provided to a family to support digital instruction or supplemental online courses may only be used for qualifying expenses as determined by the provider. Nonconsumable materials purchased with public education funds remain the property of the provider. Records for any funds provided must be available for review by the public or MDE.
- G. An enrolling district providing digital instruction shall establish and document procedures for determining attendance for membership and keep accurate records of daily attendance under Minnesota Statutes, section 120A.21.

## **V. SUPPLEMENTAL ONLINE COURSES**

- A. Notwithstanding Minnesota Statutes, sections 124D.03 and 124D.08 and Minnesota Statutes, chapter 124E, procedures for applying to take supplemental online courses other than those offered by the student's enrolling district are as provided in this subdivision.
- B. Any kindergarten through grade 12 student may apply to take a supplemental online course. The student, or the student's parent or guardian for a student under age 17, must submit an application for the proposed supplemental online course or courses. A student may:
  - 1. apply to take an online course from a supplemental online course provider that meets or exceeds the academic standards of the course in the enrolling district they are replacing;
  - 2. apply to take supplemental online courses for up to 50 percent of the student's scheduled course load; and
  - 3. apply to take supplemental online courses no later than 15 school days after the student's enrolling district's term has begun. An enrolling district may waive the 50 percent course enrollment limit or the 15-day time limit.
- C. A student taking a supplemental online course must have the same access to the computer hardware and education software available in a school as all other students in the enrolling district.

- D. A supplemental online course provider must have a current, approved application to be listed by MDE as an approved provider. The supplemental online course provider must:
1. use an application form specified by MDE;
  2. notify the student, the student's guardian if they are age 17 or younger, and enrolling district of the accepted application to take a supplemental online course within ten days of receiving a completed application;
  3. notify the enrolling district of the course title, credits to be awarded, and the start date of the online course. A supplemental online course provider must make the online course syllabus available to the enrolling district;
  4. request applicable academic support information for the student, including a copy of the IEP, EL support plan, or 504 plan; and
  5. track student attendance and monitor academic progress and communicate with the student, the student's guardian if they are age 17 or younger, and the enrolling district's designated online learning liaison.
- E. A supplemental online course provider may limit enrollment if the provider's school board or board of directors adopts by resolution specific standards for accepting and rejecting students' applications. The provisions may not discriminate against any protected class or students with disabilities.
- F. A supplemental online course provider may request that MDE review an enrolling district's written decision to not accept a student's supplemental online course application. The student may participate in the supplemental online course while the application is under review. Decisions shall be final and binding for both the enrolling district and the supplemental online course provider.
- G. A supplemental online course provider must participate in continuous improvement cycles with MDE.

## **VI. ENROLLING DISTRICT**

- A. An enrolling district may not restrict or prevent a student from applying to take supplemental online courses.
- B. An enrolling district may request an online course syllabus to review whether the academic standards in the online course meet or exceed the academic standards in the course it would replace at the enrolling district.
- C. Within 15 days after receiving notice of a student applying to take a supplemental online course, the enrolling district must notify the supplemental online course provider whether the student, the student's guardian, and the enrolling district agree that academic standards in the online course meet or exceed the academic

standards in the course it would replace at the enrolling district. If the enrolling district does not agree that the academic standards in the online course meet or exceed the academic standards in the course it would replace at the enrolling district, then:

1. the enrolling district must provide a written explanation of the district's decision to the student, the student's guardian, and the supplemental online course provider; and
  2. the online provider must provide a response to the enrolling district explaining how the course or program meets the graduation requirements of the enrolling district.
- D. An enrolling district may reduce the course schedule of a student taking supplemental online courses in proportion to the number of supplemental online learning courses the student takes.
- E. An enrolling district must appoint an online learning liaison who:
1. provides information to students and families about supplemental online courses;
  2. provides academic support information including IEPs, EL support plans, and 504 plans to supplemental online providers; and
  3. monitors attendance and academic progress, and communicates with supplemental online learning providers, students, families, and enrolling district staff.
- F. An enrolling district must continue to provide support services to students taking supplemental online courses as they would for any other enrolled student including support for English learners, case management of an individualized education program, and meal and nutrition services for eligible students.
- G. An online learning student must receive academic credit for completing the requirements of a supplemental online learning course. If a student completes an online learning course that meets or exceeds a graduation standard or the grade progression requirement at the enrolling district, that standard or requirement is met.
- H. Secondary credits granted to a supplemental online learning student count toward the graduation and credit requirements of the enrolling district. The enrolling district must apply the same graduation requirements to all students, including students taking supplemental online courses.
- I. An enrolling district must provide access to extracurricular activities for students taking supplemental online courses on the same basis as any other enrolled student.

## **VII. REPORTING**

Courses that include blended instruction and online instruction must be reported in the manner determined by the Commissioner of MDE.

***Legal References:*** Minn. Stat. § 120A.21 (Enrollment of a Student in Foster Care)  
Minn. Stat. § 120A.22 (Compulsory Instruction)  
Minn. Stat. § 120A.24 (Reporting)  
Minn. Stat. § 124D.03 (Enrollment Options Program)  
Minn. Stat. § 124D.08 (School Board's Approval to Enroll in Nonresident District; Exceptions)  
Minn. Stat. § 124D.094 (Online Instruction Act)  
Minn. Stat. Ch. 124E (Charter Schools)  
Minn. Rules Ch. 8710 (Teacher and Other School Professional Licensing)

***Cross References:*** MSBA/MASA Model Policy 613 (Graduation Requirements)  
MSBA/MASA Model Policy 620 (Credit for Learning)

**RESOLUTION FOR ACCEPTANCE OF GIFTS AND DONATIONS**

**Whereas**, School Board Policy 706 establishes the guidelines for the acceptance of gifts or donations to the District;

**Whereas**, the International Falls School District Board encourages the support of the District’s educational programs through gifts or donations that meet the goals and objectives of the School District;

**Whereas**, Minnesota Statute §465.03 states the School Board may accept a gift, grant or devise of real or personal property only by the adoption of a resolution approved by two-thirds of its members;

**Therefore**, be it resolved, the School Board of International Falls Public Schools, ISD #361, accepts with appreciation the following gifts, donations or grants received by the School District:

District Donations received:

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_, to accept the gifts and donations.

The following voted in favor:

<b>Guns-N-Hoses</b>	<b>Hockey Game Proceeds</b>	<b>\$1,545</b>
<b>Basketball Boosters</b>	<b>Charter Bus for Boys</b>	<b>\$1,012</b>
<b>Karen and Vernon Swenson</b>	<b>In Memory of Wendy Urban, FES PBIS</b>	<b>\$25</b>
<b>Box Tops</b>	<b>FES</b>	<b>\$75.30</b>
	<b>FHS</b>	<b>\$8.40</b>
<b>Kerry Park Hockey Tournament</b>	<b>Basketball Cheer Donation</b>	<b>\$175</b>
	<b>Hockey Cheer Donation</b>	<b>\$175</b>
	<b>Boys Hockey Coach Donation</b>	<b>\$1,000</b>
<b>Prom</b>	<b>Ballan's iSpace</b>	<b>\$100</b>
	<b>Trustar</b>	<b>\$500</b>

Voting against:

**Whereupon**, the resolution was declared adopted.

Minnesota Department of Natural Resources  
Division of Fish and Wildlife  
500 Lafayette Road, Box 20  
Saint Paul, MN 55155

3/31/2026

Larger 193

Linnea Imhof  
International Falls School District ISD 361  
1515 Eleventh Street  
International Falls, MN 56649

Dear Linnea,

Congratulations! Your application for **Icebox Explorers** has been selected for larger grant funding in the 2026 phase of the Minnesota Department of Natural Resources No Child Left Inside Grant Program. You will be awarded **\$19,282.50** in **reimbursable** grant funds. Several steps must be completed before you can begin your project.

**\*\*Complete the attached Award Checklist and return it with all necessary documentation.\*\***  
**DUE by April 17, 2026.** Send to [outreachgrants.dnr@state.mn.us](mailto:outreachgrants.dnr@state.mn.us) .

- 1) **Register as an active vendor with the State of Minnesota or activate an existing account** – Visit the [Supplier Portal](#) to register, view an existing account, or ask for help. For additional assistance, please call the Vendor Assistance Help Desk at 651-201-8100. Accuracy in this account is extremely important. Please ensure you are not duplicating an existing one. Work with your organization’s financial support to maintain the account through 2027, as it is required to complete payment of grant reimbursements.
- 2) **Provide Certificate of Insurance** – Send a one-page summary from your insurance company listing your organization, the amount of liability coverage, and your worker’s compensation coverage. Your insurance company should be familiar with this type of request. The MN DNR does NOT need to be listed as an additional insured party.
- 3) **Verify contact information** – We require contact information for both an authorized grantee representative and a contract signatory. These individuals may or may not be the same person. The authorized grantee representative is the individual who will oversee implementation of the project. The contract signatory is the person with legal authority to sign contracts for your organization.
- 4) **Review contract language** – Please review the attached contract template, which will be used to create your final contract. If there are any conflicts or issues for your organization, please notify us.
- 5) **Review your application** – Please review your original project application, as it will be included in your final grant contract. Notify us if you have identified any errors or corrections and submit revisions. We will not approve any increases in award amounts or changes in audience, focus, or scope of projects.

Once we receive your Award Checklist and necessary documentation, we will draft your grant contract. The timeline and budget submitted with your application will be incorporated into your grant contract. We will utilize DocuSign to collect electronic signatures. The individual(s) with legal signatory authority within your organization must approve and sign the grant contract. Once your contract is ready for signature, we will notify them of the process to sign and approve the agreement through DocuSign.

If you need governing board approval, please secure that approval as soon as possible to meet our contract deadlines. Once returned, additional MN DNR signatures are required. Please allow plenty of time for the grant contract approval process. **Grant contracts are only executed when all signatures, including MN DNR, are obtained.** Grant contracts must be fully executed before June 30, 2026, or your grant award will be rescinded.

All grant paperwork should be completed via email, to expedite the process and reduce paper use. Once the final MN DNR signature is obtained, you will receive an emailed copy of the executed grant contract. **You may not begin any work or incur any costs until the grant contract has been executed, and you receive an Authorization to Proceed by email.** Any work or costs incurred before this execution date will not be reimbursed, nor can they be used as match.

**The No Child Left Inside Grant Program is a reimbursable funding process. You will not receive any funds until your work is complete, and reports are approved.** More information and the necessary forms will be provided with the Authorization to Proceed email containing your executed grant contract. All grantees will be required to submit a final report and reimbursement request with copies of financial receipts. Project work must be completed by June 30, 2027, and final reports and reimbursement requests must be submitted by July 25, 2027. If your project ends at an earlier date, please submit your final report and reimbursement within 30 days of the conclusion of your project.

**If you find these requirements are not manageable for your organization, or you are no longer interested in receiving this award, please [email](#) us as soon as possible, so we can award the next eligible project.**

Thank you for your dedication to introducing youth to Minnesota's wonderful natural resources. We look forward to working with you to complete your grant project.

Sincerely,



Amber Kastner  
Minnesota Department of Natural Resources  
Fish and Wildlife Outreach Grants Specialist

Full Link to Supplier Portal:

[https://guest.supplier.systems.state.mn.us/psc/fmssupap/SUPPLIER/ERP/c/NUI\\_FRAMEWORK.PT\\_LANDINGPAGE.GBL?&](https://guest.supplier.systems.state.mn.us/psc/fmssupap/SUPPLIER/ERP/c/NUI_FRAMEWORK.PT_LANDINGPAGE.GBL?&)

Award Checklist submitted – by April 17, 2026.

Grant Contract routed – varies, May/June 2026.

Project start date – varies depending on contract execution. Wait for Authorization to Proceed by email.

Project end date – varies depending on project. Must be completed by June 30, 2027.

Final report and reimbursement request due – by July 25, 2027, or 30 days after completion of project work, whichever comes first.



05/04/2026

Independent School District 361 International Falls MN  
ATTN Beth Shermoen, Superintendent  
1515 11th Street  
International Falls, MN 56649

I am pleased to present your organization with the attached check from a fund within the American Endowment Foundation. Please note the following details about the grant:

Amount: \$5,000.00  
Purpose: Other - These funds are to support the purchase of 250 individual calming kits. We ask that all publicity materials include mention of the Knudson Fund and that you supply a report to the advisory committee at the conclusion of the project. Best wishes for preparing for emergencies in the school.

Fund: Marshall N. Knudson Family Community Fund  
Recognition: Marshall N. Knudson Family Community Fund

The donor of this fund has already received the appropriate tax acknowledgment from the American Endowment Foundation. If recognition is provided above, it has been shared with the donor's authorization and may be used to express your appreciation. As this is a donor-advised fund (DAF), a separate tax receipt should not be issued.

Please note this grant may only be used for your organization's tax-exempt purposes. It may not be used for any political campaign, to provide anyone a private benefit, or to satisfy a pre-existing pledge.

If you have any questions, please contact the American Endowment Foundation at 888.440.4233.

Let's continue to expand philanthropy. Together.

Sincerely,

American Endowment Foundation  
support@aeonline.org  
888.440.4233



05/04/2026

Independent School District 361, Community Education  
ATTN Angela Scholler, Community Ed  
1515 11th Street  
International Falls, MN 56649

I am pleased to present your organization with the attached check from a fund within the American Endowment Foundation. Please note the following details about the grant:

Amount: \$3,700.00  
Purpose: Other - These funds are to support the 2026 PALS Program at ISD 361 Community Ed. We ask that all publicity materials include mention of the Knudson Fund and that you supply a report to the advisory committee at the conclusion of the project. Best wishes for these opportunities.  
Fund: Marshall N. Knudson Family Community Fund  
Recognition: Marshall N. Knudson Family Community Fund

The donor of this fund has already received the appropriate tax acknowledgment from the American Endowment Foundation. If recognition is provided above, it has been shared with the donor's authorization and may be used to express your appreciation. As this is a donor-advised fund (DAF), a separate tax receipt should not be issued.

Please note this grant may only be used for your organization's tax-exempt purposes. It may not be used for any political campaign, to provide anyone a private benefit, or to satisfy a pre-existing pledge.

If you have any questions, please contact the American Endowment Foundation at 888.440.4233.

Let's continue to expand philanthropy. Together.

Sincerely,

American Endowment Foundation  
support@aefonline.org  
888.440.4233

AMERICAN ENDOWMENT FOUNDATION  
1515 11TH STREET  
INTERNATIONAL FALLS, MN 56649

