

## **Policy Committee**

Monday, January 26, 2026 6:00 PM

Waconia City Hall, 201 S Vine Street, Waconia, MN 55387

1. **MSBA Redlines from Oct. 2025**
2. **306 Administrator Code of Ethics**

## 306 ADMINISTRATOR CODE OF ETHICS

### I. PURPOSE

The purpose of this policy is to establish the requirements of the school board that school administrators adhere to the standards of ethics and professional conduct in this policy and Minnesota law.

### II. GENERAL STATEMENT OF POLICY

- A. A school administrator must provide professional educational services in a nondiscriminatory manner.
- B. A school administrator must take reasonable action to protect students and staff from conditions harmful to health and safety.
- C. A school administrator must take reasonable action to provide an atmosphere conducive to learning.
- D. A school administrator must not use professional relationships with students, parents and caregivers, staff, or colleagues to private advantage.
- E. A school administrator must disclose confidential information about individuals only when a compelling professional purpose is served in accordance with state and federal laws and school district policies.
- F. A school administrator must not knowingly falsify or misrepresent records or facts relating to the administrator's qualifications or to the qualifications of other staff or personnel.
- G. A school administrator must not knowingly make false or malicious statements about students, students' families, staff, or colleagues.
- H. A school administrator must not accept gratuities, gifts, or favors that impair professional judgement, nor offer any favor, service, or item of value to obtain special advantage.
- I. A school administrator must only accept a contract for a position when licensed for the position or when a school district is issued a variance by the board.
- J. A school administrator, in filling positions requiring licensure, must employ, recommend for employment, and assign only appropriately licensed personnel, or persons for whom the school district has been issued a variance by the appropriate state board or agency, unless, after making reasonable efforts to obtain a variance, an appropriately licensed person cannot be assigned and the position must be

filled to meet a legitimate emergency educational need.

K. A school administrator must not engage in conduct involving dishonesty, fraud, or misrepresentation in the performance of professional duties.

~~A. An educational administrator's professional behavior must conform to an ethical code. The code must be idealistic and at the same time practical, so that it can apply reasonably to all educational administrators. The administrator acknowledges that the schools belong to the public the administrator serves for the purpose of providing educational opportunities to all. However, the administrator assumes responsibility for providing professional leadership in the school and community. This responsibility requires the administrator to maintain standards of exemplary professional conduct. It must be recognized that the administrator's actions will be viewed and appraised by the community, professional associates, and students. To these ends, the administrator must subscribe to the following standards:~~

~~B. The Educational Administrator:~~

- ~~1. Makes the well-being of students the fundamental value of all decision-making and actions.~~
- ~~2. Fulfills professional responsibilities with honesty and integrity.~~
- ~~3. Supports the principle of due process and protects the civil and human rights of all individuals.~~
- ~~4. Obeys local, state, and national laws and does not knowingly join or support organizations that advocate, directly or indirectly, the overthrow of the government.~~
- ~~5. Implements the school board's policies.~~
- ~~6. Pursues appropriate measures to correct those laws, policies, and regulations that are not consistent with sound educational goals.~~
- ~~7. Avoids using positions for personal gain through political, social, religious, economic, or other influence.~~
- ~~8. Accepts academic degrees or professional certification only from duly accredited institutions.~~
- ~~9. Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.~~
- ~~10. Honors all contracts until fulfillment, release, or dissolution is mutually~~

~~agreed upon by all parties to the contract.~~

~~11. Adheres to the Code of Ethics for School Administrators in Minnesota Rule.~~

***Legal References:*** Minn. Stat. § 122A.14, Subd. 4 (Code of Ethics)  
Minn. Rules Part 3512.5200 (Code of Ethics for School Administrators)

***Cross References:***

Policy Adopted: November 2007

Reviewed: November 2012, December 2017, December 2022, August 2025

Independent School District No. 110

Waconia, MN

### 3. 606 Textbooks and Instructional Materials

## **606 TEXTBOOKS AND INSTRUCTIONAL MATERIALS**

### **I. PURPOSE**

The purpose of this policy is to provide direction for selection of textbooks and instructional materials.

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

The school board recognizes that selection of textbooks and instructional materials is a vital component of the school district's curriculum. The school board also recognizes that it has the authority to make final decisions on selection of all textbooks and instructional materials.

### **III. RESPONSIBILITY OF SELECTION**

- A. While the school board retains its authority to make final decisions on the selection of textbooks and instructional materials, the school board recognizes the expertise of the professional staff and the vital need of such staff to be primarily involved in the recommendation of textbooks and instructional materials. Accordingly, the school board delegates to the superintendent [or designee] the responsibility to direct the professional staff in formulating recommendations to the school board on textbooks and other instructional materials.
- B. In reviewing textbooks and instructional materials during the selection process, the professional staff shall select materials that:
  - 1. support the goals and objectives of the education programs;
  - 2. consider the needs, age, and maturity of students;
  - 3. foster respect and appreciation for cultural diversity and varied opinion;
  - 4. fit within the constraints of the school district budget;
  - 5. are in the English language. Another language may be used, pursuant to Minnesota Statutes section 124D.59 to\_124D.61;
  - 6. permit grade-level instruction for students to read and study America's founding documents, including documents that contributed to the foundation or maintenance of America's representative form of limited government, the Bill of Rights, our free-market economic system, and patriotism; and
  - 7. do not censor or restrain instruction in American or Minnesota state history or heritage based on religious references in original source documents, writings, speeches, proclamations, or records.
- C. The superintendent [or designee] shall be responsible for developing procedures and guidelines to establish an orderly process for the review and recommendation of textbooks and other instructional materials by the professional staff. Such procedures and guidelines shall be coordinated with the school district's curriculum development effort and may utilize the Teaching and Learning Advisory Council for input and consideration.

### **IV. SELECTION OF TEXTBOOKS AND OTHER INSTRUCTIONAL MATERIALS**

- A. The superintendent [or designee] shall be responsible for keeping the school board informed of progress on the part of staff and others involved in the textbook and other instructional materials review and selection process.

- B. The superintendent [or designee] shall present a recommendation to the school board on the selection of textbooks and other instructional materials after completion of the review process as outlined in this policy.

**V. RECONSIDERATION OF TEXTBOOKS OR OTHER INSTRUCTIONAL MATERIALS**

- A. The school district shall provide a process for members of the school district community to seek reconsideration of the use of select textbooks or instructional materials.
- B. The superintendent [or designee] shall be responsible for the development of guidelines and procedures to identify the steps to be followed to seek reconsideration of textbooks or other instructional materials.
- C. The superintendent [or designee] shall present a procedure to the school board for review and approval regarding reconsideration of textbooks or other instructional materials. When approved by the school board, such procedure shall be an addendum to this policy.

D. 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 applicable program shall be available for inspection by the parents or guardians of the students.

**Legal References:** Minn. Stat. § 120A.22, Subd. 9 (Compulsory Instruction Curriculum)  
Minn. Stat. § 120B.235 (American Heritage Education)  
Minn. Stat. § 123B.02, Subd. 2 (General Powers of Independent School Districts)  
Minn. Stat. § 123B.09, Subd. 8 (School Board Responsibilities)  
Minn. Stat. § 124D.59-124D.61 (Education for English Learners Act)  
Minn. Stat. § 127A.10 (State Officials and School Board Members to be Disinterested; Penalty)  
20 U.S.C. 1232h(a) (Protection of Pupil Rights)  
*Hazelwood Sch. Dist. v. Kuhlmeier*, 484 U.S. 260 (1988)  
*Pratt v. Independent Sch. Dist. No. 831*, 670 F.2d 771 (8<sup>th</sup> Cir. 1982)

**Cross References:** MSBA/MASA Model Policy 603 (Curriculum Development)  
MSBA/MASA Model Policy 604 (Instructional Curriculum)

Policy Adopted: July 2012  
Revised: December 2020, February 2023, April 2025  
Independent School District No. 110  
Waconia, MN

4. 712 Video Surveillance Other than on Buses

## 712 VIDEO ~~SURVEILLANCE RECORDING~~ OTHER THAN ON BUSES

[See Model Policy 711 for Video Recording on School Buses]

### I. PURPOSE

Maintaining the health, welfare, and safety of students, staff, and visitors while on school district property and the protection of school district property are important functions of the school district. The behavior of individuals who come on to school property is a significant factor in maintaining order and discipline and protecting students, staff, visitors, and school district property. The school board recognizes the value of video/~~electronic surveillance recording~~ systems in monitoring activity on school property in furtherance of protecting the health, welfare, and safety of students, staff, visitors, and school district property.

### II. GENERAL STATEMENT OF POLICY

#### A. Placement

1. School district buildings and grounds may be equipped with video cameras.
2. Video ~~surveillance recording~~ may occur in any school district building or on any school district property.
3. Video ~~surveillance recording~~ will normally not be used in bathrooms or locker rooms, although these areas may be ~~monitored~~ ~~placed under surveillance~~ by individuals of the same sex as the occupants of the bathrooms or locker rooms. ~~Video surveillance in bathrooms or locker rooms will only be utilized in extreme situations, with extraordinary controls, and only as expressly approved by the superintendent.~~

#### B. Use of Video Recordings

1. Video recordings will be viewed by school district personnel on a random basis and/or when problems have been brought to the attention of the school district.
2. A video recording of the actions of students and/or employees may be used by the school district as evidence in any disciplinary action brought against any student or employee arising out of the student's or employee's conduct in school district buildings or on school grounds.
3. A video recording will be released only in conformance with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, and the Family Educational Rights and Privacy Act, 20 United States

Code section 1232g, and the rules and/or regulations promulgated thereunder.

C. Security and Maintenance

1. The school district shall establish appropriate security safeguards to ensure that video recordings are maintained and stored in conformance with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, and the Family Educational Rights and Privacy Act, 20 United States Code section 1232g, and the rules and/or regulations promulgated thereunder.
2. The school district shall ensure that video recordings are retained in accordance with the school district's records retention schedule.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
~~Minn. Stat. § 121A.585 (Notice of Recording Device)~~  
Minn. Stat. § 138.17 (Government Records; Administration)  
Minn. Stat. § 609.746 (Interference with Privacy)  
20 U.S.C. § 1232g (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 406 (Public and Private Personnel Data)  
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 515 (Protection and Privacy of Pupil Records)  
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)  
MSBA/MASA Model Policy 711 (Video Recording on School Buses)

**Resources:** [U.S. Department of Education: FAQs on Photos and Videos under FERPA \(Accessed 10/12/25\)](#)

Policy Adopted: April 2004, April 2007  
Revised: August 2020, September 2023  
Independent School District #110  
Waconia, MN

5. 722 Public Data and Data Subject Requests



## MEMORANDUM

**TO:** ISD 110 School Board

**FROM:** Pam Carman, Director of Finance & Operations  
Jeni Super, Director of Human Resources  
Jessica Kilian, Executive Assistant to the Superintendent

**DATE:** January 26, 2026

**SUBJECT:** Policy 722 – Public Data and Data Subject Requests  
\*\*Retirement of Policy 723 – Access to Data for Individual Data Subjects

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### Purpose of the Update

The purpose of this memo is to provide background and context for the proposed revisions to Policy 722 – Public Data and Data Subject Requests, and the corresponding retirement of Policy 723 – Access to Data for Individual Data Subjects. These changes are intended to clarify processes, reduce duplication, and ensure continued alignment with the Minnesota Government Data Practices Act (MGDPA).

### Background and Policy History

#### April 2015

The School Board adopted two district-developed policies:

- Policy 106 – *Access to Public Data*
- Policy 107 – *Access to Data for Individual Data Subjects*

These policies were created proactively to ensure district compliance with the MGDPA while awaiting publication of MSBA model policies.

#### November 2020

- Policy 106 was retired.
- Policy 107 was renumbered as **Policy 723**.
- The Board adopted **Policy 722 – Public Data and Data Subject Requests**, based on the MSBA model policy.

#### Current MSBA Guidance

MSBA does not maintain a separate Policy 723. Instead, the MSBA model consolidates public data requests and individual data subject rights within a single policy—Policy 722.

## **Rationale for Retiring Policy 723**

A side-by-side review of Policies 722 and 723 confirms that **Policy 722 fully incorporates and expands upon the content of Policy 723**, including:

- Individual data subject rights and access procedures
- Statutory timelines and response requirements
- Copying costs and fee provisions
- Responsible Authority and Data Practices contact information

Policy 723 is therefore duplicative and, in some areas, less detailed than Policy 722. Maintaining two overlapping policies creates unnecessary complexity for staff and the public.

For clarity, consistency, and alignment with MSBA guidance, administration recommends retiring Policy 723 and maintaining Policy 722 as the District's single, comprehensive data practices policy.

## **Streamlining Data Requests and Contact Information**

As part of this update, the District is also streamlining how public data and data subject requests are received and processed.

Historically, individual building principals and department leaders were listed as direct points of contact for certain categories of data requests. While well-intended, this approach resulted in requests being received through multiple channels, creating challenges related to tracking, response timelines, consistency of interpretation, and continuity during staff absences or transitions.

The revised Policy 722 centralizes the intake and coordination of data requests through the Responsible Authority and Data Practices Compliance Official. This approach:

- Improves consistency in how requests are logged, reviewed, and fulfilled;
- Enhances compliance with statutory timelines and documentation requirements;
- Reduces the risk of missed or delayed responses due to decentralized intake;
- Supports staff and building safety by limiting the public dissemination of individual employee contact information; and
- Ensures requests are handled by staff trained in the Minnesota Government Data Practices Act.

This change does not limit public access to data or the rights of data subjects. It is an administrative refinement intended to improve accuracy, efficiency, and compliance.

## **Recommendation**

Administration recommends approval of the revised Policy 722 – Public Data and Data Subject Requests and retirement of Policy 723 – Access to Data for Individual Data Subjects.

## **722 PUBLIC DATA AND DATA SUBJECT REQUESTS**

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

### **I. PURPOSE**

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

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

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

### **III. DEFINITIONS**

#### **A. Confidential Data on Individuals**

Data made not public by statute or federal law applicable to the data and are inaccessible to the individual subject of those data.

#### **B. Data on Individuals**

All government data in which any individual is or can be identified as the subject of that data, unless the appearance of the name or other identifying data can be clearly demonstrated to be only incidental to the data and the data are not accessed by the name or other identifying data of any individual.

#### **C. Data Practices Compliance Officer**

The data practices compliance official is the designated employee of the school district to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems. The responsible authority may be the data practices compliance official.

#### **D. Government Data**

All data collected, created, received, maintained or disseminated by any government entity regardless of its physical form, storage media or conditions of use.

#### **E. Individual**

"Individual" means a natural person. In the case of a minor or an incapacitated person as defined in Minnesota Statutes section 524.5-102, subdivision 6, "individual" includes a parent or guardian or an individual acting as a parent or guardian in the absence of a parent or guardian, except that the responsible authority shall withhold data from parents or guardians, or individuals acting as parents or guardians in the absence of parents or guardians, upon request by the minor if the responsible authority determines that withholding the data would be in the best interest of the minor.

#### **F. Inspection**

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

G. Not Public Data

Any government data classified by statute, federal law, or temporary classification as confidential, private, nonpublic, or protected nonpublic.

H. Nonpublic Data

Data not on individuals made by statute or federal law applicable to the data: (a) not accessible to the public; and (b) accessible to the subject, if any, of the data.

I. Private Data on Individuals

Data made by statute or federal law applicable to the data: (a) not public; and (b) accessible to the individual subject of those data.

J. Protected Nonpublic Data

Data not on individuals made by statute or federal law applicable to the data (a) not public and (b) not accessible to the subject of the data.

K. Public Data

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

L. Public Data Not on Individuals

Data accessible to the public pursuant to Minnesota Statutes section 13.03.

M. Public Data on Individuals

Data accessible to the public in accordance with the provisions of section 13.03.

N. Responsible Authority

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

O. Summary Data

Statistical records and reports derived from data on individuals but in which individuals are not identified and from which neither their identities nor any other characteristic that could uniquely identify an individual is ascertainable. Unless classified pursuant to Minnesota Statutes section 13.06, another statute, or federal law, summary data is public.

#### **IV. REQUESTS FOR PUBLIC DATA**

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

2. The school district's response time may be affected by the size and complexity of the particular request, including necessary redactions of the data, and also by the number of requests made within a particular period of time.
3. The school district will provide an explanation of technical terminology, abbreviations, or acronyms contained in the responsive data on request.
4. The school district is not required by the MGDPA to create or collect new data in response to a data request, or to provide responsive data in a specific form or arrangement if the school district does not keep the data in that form or arrangement.
5. The school district is not required to respond to questions that are not about a particular data request or requests for data in general.

C. If the school district notifies the requesting person that responsive data or copies are available for inspection or collection, and the requesting person does not inspect the data or collect the copies within five business days of the notification, the school district may suspend any further response to the request until the requesting person inspects the data that has been made available, or collects and pays for the copies that have been produced.

**[NOTE: The 2025 Minnesota legislature enacted Paragraph C.]**

#### **V. REQUEST FOR SUMMARY DATA**

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

#### **VI. DATA BY AN INDIVIDUAL DATA SUBJECT**

- A. Collection and storage of all data on individuals and the use and dissemination of private and confidential data on individuals shall be limited to that necessary for the administration and management of programs specifically authorized by the legislature or local governing body or mandated by the federal government.
- B. Private or confidential data on an individual shall not be collected, stored, used, or disseminated by the school district for any purposes other than those stated to the individual at the time of collection in accordance with Minnesota Statutes section 13.04, except as provided in Minnesota Statutes section 13.05, subdivision 4.
- C. Upon request to the responsible authority or designee, an individual shall be informed whether the individual is the subject of stored data on individuals, and whether it is classified as public, private or confidential. Upon further request, an individual who is the subject of stored private or public data on individuals shall be shown the data without any charge and, if desired, shall be informed of the content and meaning of that data.
- D. After an individual has been shown the private data and informed of its meaning, the data need not be disclosed to that individual for six (6) months thereafter unless a dispute or action pursuant to this section is pending or additional data on the individual has been collected or created.
- E. The responsible authority or designee shall provide copies of the private or public data upon request by the individual subject of the data. The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies.
- F. The responsible authority or designee shall comply immediately, if possible, with any request made pursuant to this subdivision, or within ten (10) days of the date of the request, excluding Saturdays, Sundays and legal holidays, if immediate compliance is not possible.
- G. An individual subject of the data may contest the accuracy or completeness of public or private data. To exercise this right, an individual shall notify in writing the responsible authority describing the nature of the disagreement. The responsible authority shall within 30 days either: (1) correct the data found to be inaccurate or incomplete and attempt to notify past recipients of inaccurate or incomplete data, including recipients named by the individual; or (2) notify the individual that the authority believes the data to be correct. Data in dispute shall be disclosed only if the individual's statement of disagreement is included with the disclosed data.
- H. The determination of the responsible authority may be appealed by a data subject pursuant to the provisions of the Administrative Procedure Act relating to contested cases. Upon receipt of an appeal by an individual, the Commissioner of the Minnesota Department of Administration ("Commissioner") shall, before issuing the order and notice of a contested case hearing required by Minnesota Statutes chapter 14, try to resolve the dispute through education, conference, conciliation, or persuasion. If the parties consent, the commissioner may refer the matter to mediation. Following these efforts, the commissioner shall dismiss the appeal or issue the order and notice of hearing.

- I. Data on individuals that have been successfully challenged by an individual must be completed, corrected, or destroyed by a government entity without regard to the requirements of Minnesota Statutes section 138.17.
- J. After completing, correcting, or destroying successfully challenged data, the school district may retain a copy of the ~~Ce~~commissioner's ~~of administration's~~ order issued under Minnesota Statutes chapter 14 or, if no order were issued, a summary of the dispute between the parties that does not contain any particulars of the successfully challenged data.

## **VII. REQUESTS FOR DATA BY AN INDIVIDUAL SUBJECT OF THE DATA**

- A. All requests for individual subject data must be made in writing directed to the responsible authority.
- B. A request for individual subject data must include the following information:
  - 1. Statement that one is making a request as a data subject for data about the individual or about a student for whom the individual is the parent or guardian;
  - 2. Date the request is made;
  - 3. A clear description of the data requested;
  - 4. Proof that the individual is the data subject or the data subject's parent or guardian;
  - 5. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
  - 6. Method to contact the requestor (such as phone number, address, or email address).
- C. The identity of the requestor of private data is private.
- D. The responsible authority may seek clarification from the requestor if the request is not clear before providing a response to the data request.
- E. Policy 515 (Protection and Privacy of Pupil Records) addresses requests of students or their parents for educational records and data.

## **VIII. COSTS**

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

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

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

**B. Summary Data**

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

**C. Data Belonging to an Individual Subject**

1. The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies.

The responsible authority shall not charge the data subject any fee in those instances where the data subject only desires to view private data.

The responsible authority or designee may require the requesting person to pay the actual costs of making and certifying the copies. Based on the factors set forth in Minnesota Rule 1205.0300, subpart 4, the school district determines that a reasonable fee would be the charges set forth in section VIII.A of this policy that apply to requests for data by the public.

2. The school district may not charge a fee to search for or to retrieve educational records of a child with a disability by the child's parent or guardian or by the child upon the child reaching the age of majority.

**IX. Annual Review and Posting**

- A. The responsible authority shall prepare a written data access policy and a written policy for the rights of data subjects (including specific procedures the school district uses for access by the data subject to public or private data on individuals). The responsible authority shall update the policies no later than August 1 of each year, and at any other time as necessary to reflect changes in personnel, procedures, or other circumstances that impact the public's ability to access data.
- B. Copies of the policies shall be easily available to the public by distributing free copies to the public or by posting the policies in a conspicuous place within the school district

that is easily accessible to the public or by posting them on the school district's website.

**Data Practices Contacts**

**Responsible Authority:**

Dr. Brian Gersich, Superintendent  
 Educational Services Center  
 512 Industrial Blvd  
 Waconia, MN 55387  
 (952) 442-0600 bgersich@isd110.org

**Data Practices Compliance Official:**

~~Dr. Enid Schonewise~~, Pam Carman, Director of Finance and Operations  
 Educational Services Center  
 512 Industrial Blvd  
 Waconia, MN 55387  
 (952) 442-0600 ~~eschonewise@isd110.org~~ pcarman@isd110.org

**Data Practices Designee(s):**

Type of Data Requested	Name	Position	Email Address	Telephone Number
Public Personnel Data	<del>Dr. Enid Schonewise</del> <del>Jeni Super</del>	Director of Human Resources	<del>eschonewise@isd110.org</del> <del>jsuper@isd110.org</del>	952-442-0600
Public Financial Data	<del>Dr. Enid Schonewise</del> <del>Pam Carman</del>	Director of Finance and Operations	<del>eschonewise@isd110.org</del> <del>pcarman@isd110.org</del>	952-442-0600
Public Data Southview Elementary	Dr. Khuzana DeVaan	Building Principal	<a href="mailto:kdevaan@isd110.org">kdevaan@isd110.org</a>	952-442-0620
Public Data Bayview Elementary	Ann Swanson	Building Principal	<a href="mailto:aswanson@isd110.org">aswanson@isd110.org</a>	952-442-0630
Public Data Laketown Elementary	Keith Baune	Building Principal	<a href="mailto:kbaune@isd110.org">kbaune@isd110.org</a>	952-442-0690
Public Data Waconia Middle School	Shane Clausen	Building Principal	<a href="mailto:sclausen@isd110.org">sclausen@isd110.org</a>	952-442-0650
Public Data Waconia High School and WLC	Paul Sparby	Building Principal	<a href="mailto:psparby@isd110.org">psparby@isd110.org</a>	952-442-0670

**Legal References:**

- Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
- Minn. Stat. § 13.01 (Government Data)
- Minn. Stat. § 13.02 (Definitions)
- Minn. Stat. § 13.025 (Government Entity Obligation)
- Minn. Stat. § 13.03 (Access to Government Data)
- Minn. Stat. § 13.04 (Rights of Subjects to Data)
- Minn. Stat. § 13.05 (Duties of Responsible Authority)
- Minn. Stat. § 13.32 (Educational Data)
- Minn. Rules Part 1205.0300 (Access to Public Data)
- Minn. Rules Part 1205.0400 (Access to Private Data)

**Cross References:**

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

**Resources:**

MN Department of Administration: *Actual Cost*

MN Department of Administration: *Copy Costs*

MN Department of Administration: *Education Data*

Policy adopted: Nov 2020

Revised: December 2022, July 2024

Independent School District No. 110

Waconia, MN 55387

## **723 ACCESS TO DATA FOR INDIVIDUAL DATA SUBJECTS**

### **I. PURPOSE**

The purpose of this policy is to explain the process for an employee or other individual to review or obtaining data about that individual or that individual's minor child maintained by the school district and to comply with the Minnesota Government Data Practices Act (MGDPA), Minnesota Statutes Chapter 13.

### **II. DEFINITIONS AND CONSTRUCTION**

This policy must be construed as consistent with the MGDPA and Minnesota Rules Chapter 1205. All terms used herein that are defined by the MGDPA must be given the same definition as listed in the MGDPA and Rules Chapter 1205. This policy does not confer upon an individual the right to access data not otherwise provided in any applicable or other school district policy. Nothing in this policy shall be interpreted to contradict any other school district policy.

### **III. RIGHT TO ACCESS DATA FOR INDIVIDUAL DATA SUBJECTS**

Upon request to a responsible authority or designee, an individual shall be informed whether that individual, the individual's minor child or person for whom the individual has been appointed legal guardian, is the subject of stored data and whether it is classified as public, private or confidential. Upon further request, an individual who is the subject of stored private or public data shall be shown that public or private data about themselves without any charge and, if desired, shall be informed of the content and meaning of that data. Except as required by law, after an individual has been shown this data and informed of its meaning, then the school district need not disclose the data to that individual for six (6) months unless additional data on the individual has been collected or created.

### **IV. MAKING A DATA REQUEST**

To review or request copies of data on the individual that are in the school district's possession, the individual should make a written request using the form found in Attachment B and submit this request to the appropriate data practices contact described in Attachment C. The school district reserves the right to accept verbal requests for data or reduce verbal requests to writing, at its sole discretion.

### **V. PROCESSING A DATA REQUEST**

If possible, the school district will respond to a written request submitted pursuant to this policy immediately. If immediate compliance is not possible, then the school district will respond within ten (10) business days of the written request. If it is unclear what data the individual is requesting, then the school district will seek clarification. If the school district does not have the data requested, then it will notify the individual in writing as soon as reasonably possible.

If the school district has the data requested, and the data may lawfully be disclosed to the individual, then the school district will respond to the request by doing one of the following:

- a. Arrange a date, time, and place for the individual to review the data without cost to the individual; or
- b. Provide the individual with copies of the data. The individual may choose to pick up the copies, or the school district will mail or fax copies of the data to the individual. The school district will provide electronic copies (such as email or CD-ROM) only if the school district keeps the data in electronic format. Prepayment of copies is required unless other arrangements are approved by the responsible authority or designee. Additional information about copy charges is included on Attachment B.

If the school district determines that the requested data is classified so as to deny the requesting individual access, then the school district shall inform the requesting individual of that determination either verbally at the time of the data request, or in writing as soon as reasonably possible.

Upon the request of any individual that has been denied access to data, the responsible authority or designee will certify in writing the denial of the request and cite the specific statutory section, temporary classification, or specific provision of law upon which the denial was based.

## **VI. CREATING NEW DATA OR RESPONDING TO QUESTIONS**

Nothing in this policy or the MGDPA requires the school district to create data in response to a data request, collect new data in response to a data request, or to provide data in a specific form or arrangement if the school district does not keep the data in that form or arrangement.

Nothing in this policy or the MGDPA requires the school district to respond to questions that are not requests for data.

## **VII. IDENTIFICATION**

The school district reserves the right to require an individual requesting private data on the individual or the individual's minor child to provide valid and sufficient photo identification at the time that the data is requested or provided.

The school district will not disclose private data on anyone other than the individual requesting the data or that individual's minor child without receiving a valid release signed by the subject of the data.

## **VIII. RIGHTS OF DATA SUBJECTS**

### **A. Challenging Inaccurate or Incomplete Data**

Consistent with the MGDPA, any individual who believes that information contained in the school district's records regarding that individual, the individual's minor child or person for whom the individual has been appointed legal guardian, is inaccurate or incomplete may request that the school district amend those records. To exercise this right, the individual must notify the responsible authority or designee described in Attachment C in writing of the nature of the disagreement. Upon receiving such notification, the school district will take action as required by the MGDPA. Please note that the submission of a challenge to data does not guarantee that the school district will amend its records.

### **B. Information Provided When Data is Requested by the School District**

Consistent with the MGDPA and other applicable law, certain circumstances may require the school district to notify an individual who is asked to provide the school district with private or confidential data concerning that individual of the ways in which the school district can use the data collected.

### **C. Other Rights of Data Subjects**

Nothing in this policy shall be construed as limiting the rights provided by the MGDPA. Individuals that are the subject of data in the school district's possession have all of the rights afforded by Minnesota Statutes Section 13.04.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)  
Minn. Stat. § 13.02 (Definitions)  
Minn. Stat. § 13.025 (Public Data Access Policy; Data Subject Rights and Access Policy; Availability of Public Data Access Policies)  
Minn. Stat. § 13.03 (Access to Government Data; Costs for Providing Copies of Data)  
Minn. Stat. § 13.37 (General Nonpublic Data)  
Minn. Stat. § 13.43 (Civil Investigative Data)  
Minn. Stat. § 122A.20, subd. 2 (Mandatory Reporting)  
Minn. Rules Part 1205.1200, subpart 2 (Duty of Responsible Authority to Inform Public Where to Direct Inquiries)  
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)  
Minnesota Department of Administration Advisory Opinion 13-007  
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)

**Cross References:** MSBA/MASA Model Policy 406 (Public and Private Personnel Data)  
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)  
MSBA/MASA Model Policy 506 (Student Discipline)  
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)  
Waconia Public Schools Records Retention Schedule

Policy Adopted: April 2015  
Renumbered: Nov 2020, revised September 2023  
Waconia Public Schools  
Waconia, MN

**Attachment A**  
**Copy Costs – Requests for Data on Individuals**

The school district charges individuals for copies as authorized under Minnesota Statutes Section 13.03, subdivision 3(c). An individual must pay for the copies before the school district will provide the copies requested.

**For 100 or Fewer Paper Black and White Copies -- \$0.25 per Page**

The charge for 100 or fewer pages of black and white, letter or legal size paper copies is \$0.25 for a one-sided copy and \$0.50 for a two-sided copy.

**Most Other Types of Copies – Actual Cost**

The charge for more than 100 pages of black and white copies, or other types of copies, is the actual cost of searching for and retrieving the data, and making the copies or electronically transmitting the data.

In determining the actual cost, the school district includes the cost of the employee time, the cost of the materials, and any mailing costs. If the request is for copies of data that the school district cannot reproduce itself, such as photographs, then it will charge the requester the actual cost it must pay an outside vendor for the copies.

The cost of employee time to search for the requested data, retrieve the requested data, and make copies of the requested data is based upon the lowest hourly rate of the appropriate school district employee. If, because of the subject matter of your request, the school district finds it necessary for a higher-paid employee to search for and retrieve the data, then the search and retrieval portion of the copy charge will be charged at the higher salary/wage. There is no charge for time spent separating public from not public data.

**Discretionary Copy Charge Waivers**

In some cases, whether the school district charges an individual a copy charge will depend on the costs to the department for providing the copies compared to the costs for collecting and recording a copy charge payment from an individual. If the cost of providing the copies is outweighed by the costs to the school district for collecting and recording payment, then the school district may waive a copy charge.

If the school district determines that it is in the best interests of the public and the school district to release data without copy charges, then the school district may waive such copy charges.

**Attachment B**  
**Data Request Form – Requests for Data on Individuals**

**Date of Request:** \_\_\_\_\_

**Method of Access to Data:**

In-Person Review  Copies  Both (in-person review and copies)

*(Note: In-person review is free, but there is a charge for copies)*

**Description of Requested Public Data:**

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*(Note:*

*Describe the data you are requesting as specifically as possible. If you need more space, please use the back of this form or additional pages.)*

**Contact Information for Individual Requesting Data:**

Name: \_\_\_\_\_

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

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Verification of Identity:**

Driver's License  Personal Knowledge  Other Form of Identification  \_\_\_\_\_

**Return Completed Form To:**

Dr. Enid Schonewise, Data Practices Compliance Official  
Waconia Public Schools  
512 Industrial Boulevard  
Waconia, Minnesota 55387  
eschonewise@isd110.org

You may also direct your data request to one of the school district's other data practices contacts as listed on Attachment C.

**Attachment C  
Data Practices Contacts**

The employees listed below are available to assist you with data practices requests and concerns:

**Responsible Authority**

Brian Gersich, Superintendent  
512 Industrial Boulevard  
Waconia, Minnesota 55387  
Telephone: (952) 442-0600; bgersich@isd110.org

**Data Practices Compliance Official**

Dr. Enid Schonewise, Data Practices Compliance Official  
512 Industrial Boulevard  
Waconia, Minnesota 55387  
Telephone: (952) 442-0600; eschonewise@isd110.org

**Data Practices Designees**

<b>Type of Data Requested</b>	<b>Name</b>	<b>Position</b>	<b>Email Address</b>	<b>Telephone Number</b>
Personnel Data	Dr. Enid Schonewise	Director of Human Resources	eschonewise@isd110.org	952-442-0600
Student Special Education Records	Paul Tordoff	Director of Special Education	ptordoff@isd110.org	952-442-0600
Student Educational Data Southview Elementary	Dr. Khuzana DeVaan	Building Principal	kdevaan@isd110.org	952-442-0620
Student Educational Data Bayview Elementary	Ann Swanson	Building Principal	aswanson@isd110.org	952-442-0630
Student Educational Data Laketown Elementary	Keith Baune	Building Principal	kbaune@isd110.org	952-442-0690
Student Educational Data Clearwater Middle School	Shane Clausen	Building Principal	sclausen@isd110.org	952-442-0650
Student Educational Data High School and WALC	Paul Sparby	Building Principal	psparby@isd110.org	952-442-0670



INDEPENDENT SCHOOL DISTRICT NO. 110  
**PUBLIC DATA REQUEST FORM**

**TO BE COMPLETED BY THE REQUESTOR**

REQUESTOR NAME (NOT REQUIRED):	PHONE NUMBER:*
ADDRESS:*	EMAIL ADDRESS:*
DATE OF REQUEST:	
DESCRIPTION OF THE INFORMATION REQUESTED: (attach additional page if necessary)	
MANNER IN WHICH RESPONSIVE DATA IS TO BE PROVIDED:	
INSPECTION ONLY _____ COPIES ONLY** _____ BOTH INSPECTION AND COPIES _____ **	
**Inspection is free, but there is a charge for copies. Payment must be received before copies will be provided.	

**FOR OFFICE USE ONLY**

DATE REQUEST RECEIVED:	REQUEST RECEIVED BY:
DATE OF RESPONSE:	RESPONSE PROVIDED BY:

\* Requestor's name is optional. However, contact information is necessary to mail/email the data. Also, contact information is needed if the school district does not understand the request. We will not work on such a request until clarified.

6. **3-Year Review**

7. **101 Legal Status of the School District**

## **101 LEGAL STATUS OF THE SCHOOL DISTRICT**

### **I. PURPOSE**

A primary principle of this nation is that the public welfare demands an educated and informed citizenry. The power to provide for a general and uniform quality public education is a state function vested in the state legislature and delegated to local school districts. The purpose of this policy is to clarify the legal status of the school district.

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

- A. The school district is a public corporation subject to the control of the legislature, limited only by constitutional restrictions. The school district has been created for educational purposes.
- B. The legislature has authority to prescribe the school district's powers and privileges, its boundaries and territorial jurisdictions.
- C. The school district has only the powers conferred on it by the legislature; however, the school board's authority to govern, manage, and control the school district, to carry out its duties and responsibilities, and to conduct the business of the school district includes implied powers in addition to any specific powers granted by the legislature.

### **III. RELATIONSHIP TO OTHER ENTITIES**

- A. The school district is a separate legal entity.
- B. The school district is coordinate with and not subordinate to the county(ies) in which it is situated.
- C. The school district is not subservient to municipalities within its territory.

### **IV. POWERS AND AUTHORITY OF THE SCHOOL DISTRICT**

- A. Funds
  - 1. The school district, through its school board, has authority to raise funds for the operation and maintenance of its schools and authority to manage and expend such funds, subject to applicable law.
  - 2. The school district has wide discretion over the expenditure of funds under its control for public purposes, subject to the limitations provided by law.
  - 3. School district officials occupy a fiduciary position in the management

and expenditure of funds entrusted to them.

B. Raising Funds

1. The school district shall, within the limitations specified by law, provide by levy of tax necessary funds for the conduct of schools, payment of indebtedness, and all proper expenses.
2. The school district may issue bonds in accordance with the provisions of Minnesota Statutes Chapter 475, or other applicable law.
3. The school district has authority to accept gifts and donations for school purposes, subject to applicable law.

C. Property

1. The school district may acquire property for school purposes. It may sell, exchange, or otherwise dispose of property which is no longer needed for school purposes, subject to applicable law.
2. The school district shall manage its property in a manner consistent with the educational functions of the district.
3. The school district may permit the use of its facilities for community purposes which are not inconsistent with, nor disruptive of, its educational mission.
4. School district officials hold school property as trustees for the use and benefit of students, taxpayers, and the community.

D. Contracts

1. The school district is empowered to enter into contracts in the manner provided by law.
2. The school district has authority to enter into installment purchases and leases with an option to purchase, pursuant to Minnesota Statutes section 465.71 or other applicable law.
3. The school district has authority to make contracts with other governmental agencies and units for the purchase, lease or other acquisition of equipment, supplies, materials, or other property, including real property.
4. The school district has authority to enter into employment contracts. As a public employer, the school district, through its designated representatives, shall meet and negotiate with public employees in an appropriate bargaining unit and enter into written collective bargaining agreements

with such employees, subject to applicable law.

E. Textbooks, Educational Materials, and Studies

1. The school district, through its school board and administrators, has the authority to determine what textbooks, educational materials, and studies should be pursued.
2. The school district shall establish and apply the school curriculum.

F. Actions and Suits

The school district has authority to sue and to be sued.

**Legal References:** Minn. Const. art. 13, § 1  
Minn. Stat. Ch. 123B (School Districts, Powers and Duties)  
Minn. Stat. Ch. 179A (Public Employment Labor Relations)  
Minn. Stat. § 465.035 (Public Corporation, Conveyance or Lease of Land)  
Minn. Stat. §§ 465.71; 471.345; 471.6161; 471.6175; 471.64 (Rights, Powers, Duties; Municipalities)  
*Minnesota Association of Public Schools v. Hanson*, 287 Minn. 415, 178 N.W.2d 846 (1970)  
*Independent School District No. 581 v. Mattheis*, 275 Minn. 383, 147 N.W.2d 374 (1966)  
*Village of Blaine v. Independent School District No. 12*, 272 Minn. 343, 138 N.W.2d 32 (1965)  
*Huffman v. School Board*, 230 Minn. 289, 41 N.W.2d 455 (1950)  
*State v. Lakeside Land Co.*, 71 Minn. 283, 73 N.W.970 (1898)

**Cross References:** MSBA/MASA Model Policy 201 (Legal Status of School Board)  
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 705 (Investments)  
MSBA/MASA Model Policy 706 (Acceptance of Gifts)  
MSBA/MASA Model Policy 801 (Equal Access to School Facilities)  
MSBA School Law Bulletin “F” (Contract and Bidding Procedures)

Policy Adopted: July 2007

Reviewed January 2013, reviewed November 2019, revised July 2022, revised September 2023

Independent School District No. 110  
Waconia, MN

8. 103 Complaints - Students, Employees, Parents,  
and Other Persons

## **103 COMPLAINTS – STUDENTS, EMPLOYEES, PARENTS, OTHER PERSONS**

### **I. PURPOSE**

The school district takes seriously all concerns or complaints by students, employees, parents or other persons. If a specific complaint procedure is provided within any other policy of the school district, the specific procedure shall be followed in reference to such a complaint. If a specific complaint procedure is not provided, the purpose of this policy is to provide a procedure that may be used.

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

- A. Students, parents, employees or other persons, may report concerns or complaints to the school district. While written reports are encouraged, a complaint may be made orally. Any employee receiving a complaint shall advise the principal or immediate supervisor of the receipt of the complaint. The supervisor shall make an initial determination as to the seriousness of the complaint and whether the matter should be referred to the superintendent. A person may file a complaint at any level of the school district; i.e., principal, superintendent or school board. However, persons are encouraged to file a complaint at the building level when appropriate.
- B. Depending upon the nature and seriousness of the complaint, the supervisor or other administrator receiving the complaint shall determine the nature and scope of the investigation or follow up procedures. If the complaint involves serious allegations, the matter shall promptly be referred to the superintendent who shall determine whether an internal or external investigation should be conducted. In either case, the superintendent shall determine the nature and scope of the investigation and designate the person responsible for the investigation or follow up relating to the complaint. The designated investigator shall ascertain details concerning the complaint and respond promptly to the appropriate administrator concerning the status or outcome of the matter.
- C. The appropriate administrator shall respond in writing to the complaining party concerning the outcome of the investigation or follow up, including any appropriate action or corrective measure that was taken. The superintendent shall be copied on the correspondence and consulted in advance of the written response when appropriate. The response to the complaining party shall be consistent with the rights of others pursuant to the applicable provisions of Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act) or other law.

**Legal References:** Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)

**Cross References:** MSBA/MASA Model Policy 206 (Public Participation in School Board Meetings/Complaints about Persons at School Board Meetings and Data Privacy Considerations)

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 514 (Bullying Prohibition)  
MSBA Service Manual, Chapter 13, School Law Bulletin “T” (School  
Records – Privacy – Access to Data)

Policy Adopted: July 2007  
Reviewed: May 2016/September 2022  
Independent School District No. 110  
Waconia, MN

9. 502 Search of Student Lockers, Desks, Personal Possessions, and Student's Person

**502 SEARCH OF STUDENT LOCKERS, DESKS, PERSONAL POSSESSIONS, AND STUDENT’S PERSON**

**I. 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.

**II. GENERAL STATEMENT OF POLICY**

A. 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.

B. 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.

C. 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.

D. 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.

**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. “Personal possessions” includes, but is not limited to, purses, backpacks, bookbags, packages, and clothing.
- C. “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.
- D. “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.

#### **IV. PROCEDURES**

- A. 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.
- B. 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.
- C. 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.
- D. 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.
- E. 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.
- F. A school official conducting any other search may determine when it is appropriate to have a second official present as an observer.

- G. 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.

## **V. 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.

## **VI. 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.

## **VII. 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, 105 S.Ct. 733, 83 L.Ed.2d 720 (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 and 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)

Policy Adopted: July 2003, revised November 2005, revised May 11, 2009, revised May 2016, revised June 2023

Independent School District #110  
Waconia, MN

10. **504 Student Dress and Appearance**

## 504 STUDENT DRESS AND APPEARANCE

### I. PURPOSE

The purpose of this policy is to enhance the education of students by establishing expectations of dress and grooming that are related to educational goals and community standards.

### II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to encourage students to be dressed appropriately for school activities and in keeping with the community standards. This is a joint responsibility of the student and the student's parent(s) or guardian(s).
- B. Appropriate clothing includes, but is not limited to, the following:
  - 1. Clothing appropriate for the weather.
  - 2. Clothing that does not create a health or safety hazard.
  - 3. Clothing appropriate for the activity (i.e., physical education or the classroom).
  - 4. Hair, including but not limited to hair texture and hair styles such as braids, locks, and twists.
- C. Clothing must cover areas from one armpit across to the other armpit, down to approximately mid-thighs, applicable to front and back. Tops must have shoulder straps. See-through or mesh garments must not be worn without appropriate coverage underneath that meet the requirements of the dress code.
- D. Inappropriate clothing includes, but is not limited to, the following:
  - 1. Clothing bearing a message that is lewd, vulgar, or obscene.
  - 2. Apparel promoting products or activities that are illegal for use by minors.
  - 3. Objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing or jewelry communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment and/or violence against other individuals as defined in MSBA/MASA Model Policy 413.
  - 4. Any apparel or footwear that would damage school property.
- E. Headgear, including hats or head coverings, are not allowed in the elementary and middle school buildings except with the approval of the building principal (i.e., student undergoing chemotherapy, medical situations, student religious practice or belief).
- F. It is not the intention of this policy 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, or do not advocate violence or harassment against others.

- G. "Gang," as defined 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. "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.

**III. PROCEDURES**

- A. When, in the judgement of the administration, a student’s appearance, grooming, or mode of dress interferes with or disrupts the educational process or school activities, or poses a threat to the health or safety of the student or others, the student will be directed to make modifications or will be sent home for the day. Parents/guardians will be notified.
- B. The administration may recommend a form of dress considered appropriate for a specific event and communicate the recommendation to students and parents/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.
- C. Likewise, an organized student group may recommend a form of dress for students considered appropriate for a specific event and make such recommendation to the administration for approval.

**IV. CONSEQUENCES FOR WEARING INAPPROPRIATE CLOTHING**

	1st Offense	2nd Offense	3rd Offense
K-12	<ul style="list-style-type: none"> <li>● Record of offense</li> <li>● Student is counseled</li> <li>● Clothing modifications as necessary</li> </ul>	<ul style="list-style-type: none"> <li>● Record of offense</li> <li>● Student is counseled</li> <li>● Clothing modifications as necessary</li> <li>● Parent/guardian notification</li> </ul>	<ul style="list-style-type: none"> <li>● Record of offense</li> <li>● Student is counseled</li> <li>● Clothing modifications as necessary</li> <li>● Parent/guardian notification</li> <li>● Detention or appropriate consequence as assigned</li> </ul>

- 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 (8th Cir. 2009)  
*Lowry v. Watson Chapel Sch. Dist.*, 540 F.3d 752 (8th Cir. 2008)  
*Stephenson v. Davenport Cmty. Sch. Dist.*, 110 F.3d 1303 (8th Cir. 1997)  
*D.B. ex rel. Brogdon v. Lafon*, 217 Fed.Appx. 518 (6th Cir. 2007)  
*Hardwick v. Heyward*, No. 4:06-cv-1042-TLW, 2012 WL761249 (D.S.C. Mar. 8, 2012)  
*Madrid v. Anthony*, 510 F.Supp.2d 425 (S.D. Tex. 2007)  
*McIntire v. Bethel School, Indep. Sch. Dist. No. 3*, 804 F.Supp. 1415 (W.D. Okla. 1992)  
*Hicks v. Halifax County Bd. of Educ.*, 93 F.Supp.2d 649 (E.D. N.C. 1999)  
*Olesen v. Bd. 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)

Policy Adopted: July 2003

Revised November 2005, revised April 2009, reviewed January 2013, revised February 2020, revised July 2023, revised September 2023

Independent School District 110

Waconia, MN

11. 505 Distribution of Non-School Sponsored  
Materials on School Premises by Students and  
Employees

**505 DISTRIBUTION OF NONSCHOOL-SPONSORED MATERIALS ON SCHOOL PREMISES BY STUDENTS AND EMPLOYEES**

**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, nonschool-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 nonschool-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. "Nonschool-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 nonschool-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, 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.

- 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, nonschool-sponsored material.
- B. Requests for distribution of nonschool-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 nonschool-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 nonschool 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 nonschool-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 nonschool-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) nonschool-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 grade level.
  2. Date(s) and time(s) of day intended for distribution.
  3. Location where material will be distributed.
  4. If 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 nonschool-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 nonschool-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.

**Legal References:** U. S. Const., amend. I  
*Hazelwood School District v. Kuhlmeier*, 484 U.S. 260, 108 S.Ct. 562, 98 L.Ed.2d 592 (1988)  
*Bethel Sch. Dist. No. 403 v. Fraser*, 478 U.S. 675, 106 S.Ct. 3159, 92 L.Ed.2d 549 (1986)  
*Tinker v. Des Moines Indep. Sch. Dist.*, 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)  
*Bystrom v. Fridley High School*, 822 F.2d 747 (8<sup>th</sup> 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)

***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 Nonschool Persons)  
Waconia Public Schools Policy 524 (Internet Acceptable Use)

Policy Adopted: May 2003

Revised Nov. 9, 2009, reviewed January 2013, reviewed February 2020, revised June 2023

Independent School District #110

Waconia, MN 55387

12. 508 Extended School Year for Certain Students  
with IEP

**508 EXTENDED SCHOOL YEAR FOR CERTAIN STUDENTS WITH INDIVIDUALIZED EDUCATION PROGRAMS**

***[Note: The provisions of this policy substantially reflect statutory and regulatory requirements.]***

**I. 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).

**II. GENERAL STATEMENT OF POLICY**

- A. 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.
- B. 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:
  - 1. 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
  - 2. 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
  - 3. The IEP team otherwise determines, given the student's unique needs, that ESY services are necessary to ensure the pupil receives a FAPE.
- C. Required Factors Schools Must Consider in Making ESY Determinations. The IEP team must decide ESY eligibility using information including:
  - 1. Prior observations of the student's regression and recoupment over the summer;
  - 2. Observations of the student's tendency to regress over extended breaks in

instruction during the school year; and

3. Experience with other students with similar instructional needs.

D. Additional Factors to Consider, Where Relevant. In making its determination of ESY needs, the following factors must be considered, where relevant:

1. The student's progress and maintenance of skills during the regular school year.

2. The student's degree of impairment.

3. The student's rate of progress.

4. The student's behavioral or physical problems.

5. The availability of alternative resources.

6. The student's ability and need to interact with nondisabled peers.

7. The areas of the student's curriculum which need continuous attention.

8. The student's vocational needs.

E. 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.

F. 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

Policy Adopted: June 11, 2002 / November 2005 / August 2015 / revised May 2023  
Independent School District #110 Waconia, MN

13. 510 Student Activities

## **510 STUDENT ACTIVITIES**

### **I. Purpose**

The purpose of this policy is to identify the position and philosophy of Waconia Independent School District #110 related to the Student Activities program.

### **II. General Statement of Policy**

District 110 recognizes that the Student Activities program is an integral part of the school district's total educational program. Student activities are intended to provide educational experiences not otherwise provided in the instructional curriculum. They complement the curriculum by providing students with additional opportunities for growth and development.

### **III. Definitions**

#### **A. Curricular Activities**

“Curricular activities” means those portions of the school program for which credit is granted, whether the activity is part of a required or elective program.

#### **B. Extra-Curricular Activities**

“Extra-curricular activities” means all direct personal services for students for their education or enjoyment that are managed and operated under the guidance of an adult or staff member hired by the school district. Extra-curricular activities have the following characteristics:

1. They are not offered for school credit nor required for graduation.
2. They generally are conducted outside school hours or, if partly during school hours, at times agreed upon by the participants and approved by school authorities.

### **IV. Responsibilities**

#### **A. School Board**

The responsibilities of the District 110 School Board will include:

1. Developing, adopting and reviewing all District 110 policies related to District 110 Student Activities Communications:
2. Ensuring that any funds raised for extra-curricular activities will be spent only on extracurricular activities.

#### **B. Administration**

The responsibilities of the District 110 Administration will include:

1. Supervision/Evaluation: Supervision and evaluation of District 110 Activities Director and staff.
2. Communications: Ensure timely internal and external communications occur related to the student activities program.
3. Discipline: Assist in facilitating necessary disciplinary action related to student activities, including all District 110 policies and codes of conduct, and the policies of the Minnesota State High School League (MSHSL).

#### C. Activities Director

The responsibilities of the District 110 Activities Director will include:

1. Administration: Administer and oversee all student activities programs, including coordination and scheduling of practices, contests, and events.
2. Supervision/Evaluation: Supervise/evaluate all student activities' advisors, coaches, directors, and support staff.
3. Eligibility: Verify the participation eligibility for all members of interscholastic activities referencing MSHSL and District 110 policies.

#### D. Coaches/Advisors/Directors

1. Provide leadership and complete the duties of their respective students activities area as assigned and defined, and in a professional manner.
2. Coaches/advisors/directors are considered employees of the school district. All coaches/advisors/directors and volunteers must undergo the school district application and background check process at their own expense.
3. All coaches/advisors/directors and volunteers must adhere to all District 110 policies and codes of conduct, as well as the policies of the MSHSL.

#### E. Spectators

All spectators at District 110 sponsored activities, including parents, employees, and other members of the public are expected to behave in an appropriate manner. 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.

#### F. Students

All students who participate in District 110 sponsored activities do so as representatives of their school and community and must show good sportsmanship and adhere to all District 110 and MSHSL policies and codes of conduct.

G. Minnesota State High School League (MSHSL)

Serves as the state governing organization for the interscholastic and fine arts programs of the district.

V. Sponsored Student Activities

A. Student activities are considered District 110 Sponsored provided they meet the following criteria:

1. Organized by a school site's leadership team.
2. Conducted by District 110 personnel.
3. Composed of current student body members.
4. Conduct a majority of meetings, practices, and events at a District 110-approved site.
5. Provide a process for the selection of members.
6. Establish aims, which are educational in value.
7. Meet the interests of the school.

A new proposed student activity must be formally reviewed by District 110 Administration and approved by the District 110 School Board to become a District 110 Sponsored Activity.

- B. Each approved District 110 Sponsored activity should be listed on the District 110 website, and a list should be available at the Student Activities Office (WHS) and the middle school office. The Activities Director will update the list of District 110 Sponsored Activities annually, prior to the start of each school year.
- C. District 110 Student Activities programs are available to all students who meet the eligibility requirements of District 110 and the MSHSL. All participants must meet the registration requirements before participating in any District 110 sponsored activity, including completion of paperwork and payment of the activity fee.
- D. All participants in District 110 Student Activities programs must follow District 110 policies and codes of conduct, and the policies of the MSHSL.
- E. All interscholastic athletic programs must comply with federal Title IX regulations related to gender equity. An annual report must be submitted to the Minnesota Department of Education regarding gender compliance.
- F. The District 110 secondary administration, Activities Director, and appropriate staff will develop procedures and rules to address District 110 Student Activities programs.

## VI. Procedures and Requirements

### A. Seasonal Definitions

All District 110 sponsored extra-curricular programs will have a defined season, which will fall into one of the following categories: 1) Fall Season; 2) Winter Season; 3) Spring Season; or 4) Academic Year Season. Minnesota State High School League sponsored athletic and fine arts activities will follow the season calendar (start & end dates) prescribed by the MSHSL. All other District 110 sponsored extra-curricular activity seasons will be defined by a start and end date for the seasonal category into which the activity is placed. The seasonal definitions and parameters will be made available on the District 110 website, as well as in the District 110 Student Activities (WHS) and the middle school offices.

### B. Participation Levels

The grades for eligibility for all District 110 Student Activities programs are available on the District 110 website, in the District 110 Student Activities Office (WHS) and in the middle school office.

### C. Participation Fees

1. Participation fees may be assessed for student participation in District 110 Student Activities programs. A partial or full waiver participation fee waiver may be an option for eligible students. These forms can be obtained at the District 110 Administrative Office. The fee structure will be made available on the District 110 website, as well as in the District 110 Student Activities (WHS) and the middle school offices. These fees are reviewed and approved by the District 110 Director of Finance and Operations annually.
2. A full refund may be issued prior to the first contest conducted in the activity. Any refunds issued after the first contest shall be made at the discretion of the Activities Director.

### D. Activity Conflicts for the Multiple Activity Participant

Participation in multiple extra-curricular activities can contribute to a broader and well-rounded education. District 110 strongly supports students participating in multiple activities that individually meet their needs and interests. Students who choose to participate in multiple activities can expect to incur additional challenges with time management, organization, and participation commitments. The information, statement of philosophy, and the process and supporting information for students with participation conflicts will be made available on the District 110 website, as well as in the District 110 Student Activities (WHS) and the middle school offices.

#### E. Official Wildcat Logo

The official District 110 school colors of the district are purple and gold. The mascot for District 110 athletic and fine arts teams is the “Wildcat.” The official District 110 logo of the “Wildcat” is for official school district use only. Any non-district use requests for the official “Wildcat” must be approved by District 110 Administration.

#### F. Sportsmanship

Participants, coaches/advisors, parents, spectators, students, and staff are required to exhibit positive sportsmanship at all events and adhere to all District 110 and MSHSL policies and codes of conduct.

#### LEGAL REFERENCES

Minn. Stat. § 123B.025 (School Sponsorship and Advertising Revenue)  
Minn. Stat. § 123B.02, Subd. 6 (Bequests, Donations, Gifts)  
Minn. Stat. § 123B.03 (Background Check Required)  
Minn. Stat. § 123B.36 (Authorized Fees)  
Minn. Stat. § 123B.37 (Prohibited Fees)  
Minn. Stat. § 123B.49 (Extra-Curricular Activities; Insurance)  
Minn. Stat. § 148.271 (Nurse Practice Act)  
Minn. Stat. § 465.03 (Gifts)  
Minn. Stat. § 609.761, Subd. 5 (High School Raffles)  
*Sonkowsky v. Board of Educ. For Indep. Sch. Dist. No. 721*, 327 F.3d 675 (8<sup>th</sup> Cir. 2003)  
Minnesota Department of Education *UFARS Manual*, Chapter 14 (Student Activities Accounting)  
MSHSL Official Handbook, Beliefs  
MSHSL Official Handbook, Calendar of State Events  
MSHSL Bylaw 206.00 § 2  
MSHSL Bylaw 410.00 § 2A

#### CROSS REFERENCES

Policy 102 (Equal Educational Opportunity)  
Policy 103 (Complaints – Students, Employees, Parents, Other Persons)  
Policy 404 (Employment Background Checks)  
Policy 412 (Expense Reimbursement)  
Policy 413 (Harassment and Violence)  
Policy 417 (Chemical Use and Abuse)  
Policy 418 (Drug-free Workplace/Drug-free School)  
Policy 419 (Tobacco Free Environment and Enforcement)  
Policy 420 (Students and Employees with Sexually Transmitted Infections and Diseases and Certain Other Communicable Diseases and Infectious Conditions)  
Policy 421 (Gifts to Employees)  
Policy 423 (Employee-Student Relationships)  
Policy 433 (Volunteer Service in District 110)

Policy 501 (School Weapons Policy)  
Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)  
Policy 505 (Distribution of Non-School Sponsored Materials on School Premises By Students and Employees)  
Policy 503 (Student Attendance)  
Policy 506 (Student Discipline)  
Policy 510 (School Activities)  
Policy 511 (Fundraising)  
Policy 514 (Bullying Prohibition Policy)  
Policy 516 (Student Medication)  
Policy 517 (Student Recruiting)  
Policy 518 (DNR – DNI Orders)  
Policy 519 (Interviews of Students By Outside Agencies)  
Policy 522 (Student Sex Non-Discrimination)  
Policy 524 (Internet Acceptable Use and Safety)  
Policy 525 (Violence Prevention)  
Policy 526 (Hazing Prohibition)  
Policy 610 (Field Trips and Travel)  
Policy 706 (Acceptance of Gifts)  
Policy 707 (Transportation of Public School Students)  
Policy 709 (Student Transportation Safety Policy)  
Policy 710 (Extracurricular Transportation)  
Policy 801 (Equal Access to School Facilities)  
Policy 902 (Facility Use)  
Policy 905 (Advertising)  
Policy 908 (District Acceptance and Use of Contributions from Individuals and Groups for Educational Program Support)  
Policy 910 (Admission to Extra-Curricular Events)  
Policy 911 (Booster Communications)  
District 110 Code of Ethics, District 110 Team/Parent Handbook, Policies/Guidelines  
MN Statute 123B.49, Subd 4 - Board control of extracurricular activities

Policy Adopted: July 2003

Revised: November 2005 / January 2010 / May 2014 / November 2020 / May 2023

Independent School District #110

Waconia, MN