



Independent School District #146
Regular School Board Meeting
6:30 PM on September 18, 2023
Barnesville High School
302 3rd Street South
Barnesville, MN 56514

1. Call to Order

The meeting was called to order by Chair Bredman at 6:30 PM.

2. Roll Call

Board Members present: Marla Field, Ryan Lindbom, Crystal Henderson, Dion Bredman, Jacob Thompson, Andy Maier, David Herbranson and Superintendent Ellerbusch

Guests present: Bryan Strand, Todd Henrickson, Aaron Schindler, Michael Stein, Jodi Samuelson and Brooke Fradet

3. Pledge of Allegiance

4. Approval of Agenda

5. Approval of Minutes

1. Call to Order

The meeting was called to order by Chair Bredman at 7:01 PM.

2. Roll Call

Board members present: Marla Field, Ryan Lindbom, Crystal Henderson, Dion Bredman, Jacob Thompson, Dave Herbranson and Andy Maier (arrived at 7:23 pm).

Guests present: Jeff Anderson, Erin Ellingson, Aaron Schindler , Todd Henrickson, Bryan Strand, Jodi Samuelson and Brooke Fradet.

3. Pledge of Allegiance

4. Approval of Agenda

Vote to approve the agenda as presented/amended moving item #13 Quit claim deed immediately following the financials. This motion, made by Jacob Thompson and seconded by Crystal Henderson, Passed.

5. Approval of Minutes

Vote to approve the minutes of the regular school board meeting on July 17, 2023 as presented/amended. This motion, made by David Herbranson and seconded by Ryan Lindbom, Passed.

6. Claims, Accounts and Financial

Vote to approve claims, wires and all other financial reports as presented. This motion, made by David Herbranson and seconded by Marla Field, Passed.

7. Appreciation, Recognition and Presentations

8. Recognition of Citizens for Input Purposes

9. Reports/News

9.A. High School Principal's Report

9.B. Elementary Principal's Report

9.C. Director of Student Activities and Community Education Coordinator's Report

9.D. Superintendent's Report

9.E. Board Committee Reports

10. Removal of Consent Items for Discussion

11. Approval of Consent Items

Vote to approve the consent agenda items as presented/amended. This motion, made by Jacob Thompson and seconded by Marla Field, Passed.

11.A. Personnel

11.A.1) Shadaisa Stalberger as Special Education Teacher

11.A.2) Lauryn Braton as Health Aide/MA Billing Para

11.A.3) Kari Wilson as Elementary Administrative Assistant

11.A.4) Michaela Bang as Behavior Interventionist Paraprofessional Supporting Elementary Social Worker

11.A.5) Madelyn Anderson as Title I Paraprofessional

11.A.6) Carol Clauson as Substitute Paraprofessional

11.A.7) Racheal Green as Substitute Paraprofessional

11.A.8) Cassie Blomberg as Kids Club Co-Coordinator

- 11.A.9) Chris Caylor as Co-Musical Director
- 11.A.10) Emma Nielsen as C-team Girls Basketball Coach
- 11.A.11) Madison Haman as Volunteer Volleyball Coach for the 2023 Season
- 11.A.12) Taylor Karger as Volunteer Volleyball Coach for the 2023 Season
- 11.A.13) Aaron Schindler as Volunteer Football Coach for the 2023 Season
- 11.A.14) Breanna Mueller's Resignation as an Ag Teacher
- 11.A.15) Tammy Maesse's Resignation as Elementary Secretary
- 11.A.16) Lane Change for Nicky Nelson from BA + 20 to BA +30
- 11.A.17) Lane Change for Jennifer Gylland from BA to BA +20
- 11.A.18) Lane Change for Mary Spillum from BA to BA +10

11.B. Donations

- 11.B.1) \$1,950 Donation from Microsoft Benevity Fund for Softball Auxiliary Account
- 11.B.2) \$1,007.96 Donation from Trojan Action Committee for FFA Auxiliary
- 11.B.3) \$100 Donation from Barnesville Booster Club for Summer Recreation T-Shirts
- 11.B.4) \$100 Donation from Brent Berg Agency for Summer Recreation T-Shirts
- 11.B.5) \$100 Donation from Dean's Bulk for Summer Recreation T-Shirts
- 11.B.6) \$100 Donation from Farmer's Co-Operative Oil for Summer Recreation T-Shirts
- 11.B.7) \$30 Donation from Bell Bank (custom debit cards) to General Fund

12. New Business

12.A. Items for Remaining Voter Approved Authority

Vote to approve presented list of items using dollars made available by remaining voter approved authority. This motion, made by Jacob Thompson and seconded by Dion Bredman, Passed.

12.B. Compensation for Concession Manager

Vote to approve paying the concession manager \$90 per event and up to an additional 8 hours each week for tasks related to inventorying, purchasing, restocking and cleaning. The pay rate for the additional hours will be \$21.81 per hour. This motion, made by Jacob Thompson and seconded by Dion Bredman, Passed.

13. Quit Claim Deed

Motion to approve the quit claim deed for the transfer of title to Myrna Anderson, Jeffrey Anderson and Brenda Drewlow for 1 acre tract of land. This motion, made by Jacob Thompson and seconded by Ryan Lindbom, Passed.

14. School District Policies

- 14.A. First Reading of Policies
- 14.B. Second Reading of Policies
- 14.C. Approval of Policies

15. Discussion/Information

16. Enrollment Update

17. Dates to Remember

17.A. Regular School Board Meeting

- 17.A.1) Monday, September 18, 2023, 6:30 PM, Barnesville High School

18. Adjournment

Vote to adjourn the meeting at 7:46 PM. This motion, made by Ryan Lindbom and seconded by Andrew Maier, Passed.

1. Call to Order

The meeting was called to order by Clerk Ryan Lindbom at 7:00 PM.

2. Roll Call

Board Members preset: Marla Field, Ryan Lindbom, Crystal Henderson, Andy Maier, Dave Herbranson and Superintendent Ellerbusch.

Guests present: Ley Bouchard, Erin Ellingson, Bryan Strand, Todd Henrickson, Aaron Schindler, Jodi Samuelson and Brooke Fradet

3. Pledge of Allegiance

4. Approval of Agenda

Vote to approve the agenda as presented/amended. This motion, made by David Herbranson and seconded by Andrew Maier, Passed.

5. Recognition of Citizens for Input Purposes

6. New Business

Motion to approve new business items 6.A - 6.U as listed. This motion, made by Marla Field and seconded by Crystal Henderson, Passed.

6.A. Dates of Regular School Board Meetings

6.B. Official Newspaper

6.C. School Legal Services

6.D. Breakfast and Lunch Prices

6.E. Dairy Products

6.F. Activity Prices

6.G. Activity Fees

6.H. Fees for Driver's Education

6.I. Substitute Teacher Pay

6.J. Substitute Non-certified Pay

6.K. Official Depository

6.L. Institutes of Investments

6.M. TD Ameritrade as an Authorized Investment Institute

6.N. Federal Mileage Rate

6.O. Maximum Reimbursement of Expenses

6.P. Authorize the Board Chairperson, Board Clerk, Board Treasurer, Finance Officer, Elementary Principal, and High School Principal to Use Check Plate and Facsimile Signatures

6.Q. Authorize the Superintendent, District Secretary, Finance Officer, Community Education Secretary, Payroll/HR, Elementary Office Staff, and High School Office Staff to Open Official School Mail

6.R. Authorizing the Finance Officer, Elementary Principal, High School Principal and Director of Student Activities and Community Education Coordinator to Approve and Sign the Auxiliary Accounts

6.S. Director of Student Activities and Community Education Coordinator as an Authorized Credit Card User for fiscal year 2024

6.T. Authorize the Finance Officer to Make Wire Transfers

6.U. Authorize the Finance Officer to Issue Payments up to \$3,000

6.V. Resolution Providing Limited Authorization for the Superintendent and Finance Officer to Sign Contracts

Board Member Andy Maier introduced the following resolution and moved its adoption:

RESOLUTION PROVIDING LIMITED AUTHORIZATION FOR THE SUPERINTENDENT AND FINANCE OFFICER TO SIGN CONTRACTS WHEREAS, Independent School District No. 146, Barnesville, Minnesota (the "School District") is an independent school district duly formed and organized pursuant to Minnesota law; and WHEREAS, Minn. Stat. § 123B.52, subd. 2 allows a school board of an independent school district to authorize the superintendent and business manager to sign contracts within the school district's adopted budget, and WHEREAS, Minn. Stat. § 123B.52, subd. 1 stipulates that contracts made without compliance with that statute shall be void. NOW, THEREFORE, BE IT RESOLVED by the School Board that the Superintendent and Finance Officer shall have the authority to execute and deliver contracts within the School District's adopted budget, as approved by the School Board. Any transaction in an amount exceeding the minimum for which bids are required must first be specifically authorized by the School Board and must fulfill all other applicable requirements. This motion, made by Andrew Maier and seconded by David Herbranson, Passed.

Those in favor: Andy Maier, Dave Herbranson, Marla Field, Crystal Henderson and Ryan Lindbom. Those against: None. Resolution passes.

7. Adjournment

Vote to adjourn the meeting at 7:09 PM. This motion, made by Andrew Maier and seconded by Crystal Henderson, Passed.

TREASURER'S REPORT

		<u>2023-24</u>	<u>2022-23</u>
Book Balance 8/1/2023		\$854,111.25	\$980,336.31
Receipts			
8/1/2023	4,459.04		
8/2/2023	353.73		
8/3/2023	1,400.04		
8/4/2023	7,102.29		
8/7/2023	1,553.40		
8/8/2023	3,657.22		
8/9/2023	5,148.81		
8/10/2023	775.76		
8/11/2023	2,260.22		
8/14/2023	1,968.35		
8/15/2023	6,042.43		
8/16/2023	2,098.71		
8/17/2023	2,918.37		
8/18/2023	2,960.91		
8/21/2023	353,342.29		
8/22/2023	4,376.77		
8/23/2023	807.68		
8/24/2023	71,575.90		
8/25/2023	888.01		
8/28/2023	3,097.83		
8/29/2023	2,268.86		
8/30/2023	653.37		
8/31/2023	2,776.92		
Net in Transit	8,985.00	<u>\$491,471.91</u>	<u>\$981,444.64</u>
		\$1,345,583.16	\$1,961,780.95
Disbursements		<u>\$965,533.82</u>	<u>\$924,857.98</u>
Book Balance	8/31/2023	\$380,049.34	\$1,036,922.97
Student Activities		\$155,485.01	\$157,959.32
MSDLAF Investment		\$3,989,309.25	\$2,925,911.98
Bond 2019A Investments		\$204,583.59	\$924,945.29
2023 Bond Investments		\$2,067,935.49	\$0.00
Midwest Money Market		<u>\$647,663.70</u>	<u>\$931,838.87</u>
Actual Balance		<u><u>\$7,445,026.38</u></u>	<u><u>\$5,977,578.43</u></u>

FUND	BEGINNING BALANCE	RECEIPTS	DISBURSEMENTS	BALANCE	BALANCE
General	\$3,100,330.10	\$3,544,404.15	\$2,797,050.16	\$3,847,684.09 *	\$3,846,032.63
Student Activities	\$164,536.15	\$4,343.82	\$13,394.96	\$155,485.01	\$157,959.32
Food Service	\$190,365.57	\$13,876.15	\$36,748.53	\$167,493.19	\$270,057.64
Community Service	(\$53,796.32)	\$68,599.92	\$61,170.29	(\$46,366.69)	(\$101,251.73)
Building Construction	\$2,328,217.82	\$10,009.60	\$70,000.53	\$2,268,226.89	\$951,071.66
Debt Service	\$837,333.18	\$215,170.71	\$0.00	\$1,052,503.89	\$853,708.91
Total	<u>\$6,566,986.50</u>	<u>\$3,856,404.35</u>	<u>\$2,978,364.47</u>	<u>\$7,445,026.38</u>	<u>\$5,977,578.43</u>

* Balance includes \$2,502,602 of restricted/committed funds.
(FIGURE NOT UPDATED YET)

^ Balance includes \$2,502,602 of restricted/committed funds.

Minnesota School District Liquid Asset Fund Plus
August 2023

Max Account	\$3,257,256.01
Liquid Account	\$10,053.24
2023 Bond Proceeds Account	\$2,067,935.49
Certificate of Deposit	<u>\$722,000.00</u>

Investment Date	Institution	Maturity Date	Net Rate	Investment Amount	Value at Maturity
6/26/2023	Global Bank, NY	6/25/2024	5.55%	\$236,000.00	\$249,098.00
7/17/2023	Financial Federal Savings Bank, TN	7/16/2024	5.70%	\$150,000.00	\$158,550.00
4/4/2023	First Internet Bank of Indiana, IN	4/4/2023	5.59%	\$236,000.00	\$249,192.40
8/2/2023	Fieldpoint Private Bank & Trust, CT	8/1/2024	5.75%	\$100,000.00	\$105,750.00
Total Minnesota School District Liquid Asset Fund Plus					<u>\$6,057,244.74</u>

Midwest Bank
P.O. Box 703
Detroit Lakes, MN 56502



RETURN SERVICE REQUESTED

Independent School Dist 146
PO Box 189
Barnesville, MN 56514

Contact Us
218-847-4771
www.midwestbank.net



Account
Independent School Dist 146

Date
08/31/2023

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IntraFi Cash ServiceSM, or ICS[®], Monthly Statement

The following information is a summary of activity in your account(s) for the month of August 2023 and the list of FDIC-insured institution(s) that hold your deposits as of the date indicated. These deposits have been placed by us, as your agent and custodian, in deposit accounts through IntraFi Cash Service. Funds in your deposit accounts at the FDIC-insured institutions at which your funds have been placed will be "deposits," as defined by federal law.

If you have any questions regarding your ICS statement, please contact your local Midwest Bank office.

Summary of Accounts

Account ID	Deposit Option	Interest Rate	Opening Balance	Ending Balance
*****648	Savings	2.52%	\$204,146.26	\$204,583.59
TOTAL			\$204,146.26	\$204,583.59

DETAILED ACCOUNT OVERVIEW

Account ID: *****648
Account Title: Independent School Dist 146



Account Summary - Savings

Statement Period	8/1-8/31/2023	Average Daily Balance	\$204,160.37
Previous Period Ending Balance	\$204,146.26	Interest Rate at End of Statement Period	2.52%
Total Program Deposits	0.00	Statement Period Yield	2.55%
Total Program Withdrawals	(0.00)	YTD Interest Paid	4,269.60
Interest Capitalized	437.33		
Current Period Ending Balance	\$204,583.59		

Account Transaction Detail

Date	Activity Type	Amount	Balance
08/31/2023	Interest Capitalization	\$437.33	\$204,583.59

Summary of Balances as of August 31, 2023

FDIC-Insured Institution	City/State	FDIC Cert No.	Balance
Landmark National Bank	Manhattan, KS	5826	\$141.15
Western Alliance Bank	Phoenix, AZ	57512	204,442.44

**Barnesville Public Schools #146
Revenue Guideline by Source
Period Ending August 31, 2023**

Sequence: Fd, O/S

Description		B24 Annual Budget	Period 202402	Year To Date	% YTD	Encumbrances	% YTD + Enc	Remaining Balance
01	General Fund							
001	Levies	(1,200,930.00)	0.00	0.00	0%	0.00	0%	(1,200,930.00)
004	Tax Increment Finance Revenue	(10,850.00)	0.00	0.00	0%	0.00	0%	(10,850.00)
010	County Apport	(23,260.00)	0.00	(22.93)	0%	0.00	0%	(23,237.07)
019	Misc Local	(20,810.00)	0.00	0.00	0%	0.00	0%	(20,810.00)
021	Revenue from MN Dist	(123,100.00)	0.00	0.00	0%	0.00	0%	(123,100.00)
050	Fees from Patrons	(54,900.00)	(8,445.00)	(8,970.00)	16%	0.00	16%	(45,930.00)
060	Student Activity	(114,300.00)	(14,346.50)	(15,831.85)	14%	0.00	14%	(98,468.15)
061	Entry Fee	(9,500.00)	0.00	0.00	0%	0.00	0%	(9,500.00)
071	Med Assist Fr Dept of HS	(75,000.00)	(1,005.92)	(9,629.57)	13%	0.00	13%	(65,370.43)
092	Interest	(96,000.00)	(15,769.00)	(30,936.56)	32%	0.00	32%	(65,063.44)
093	Rent Facilities	(10,000.00)	0.00	0.00	0%	0.00	0%	(10,000.00)
096	Gifts/Bequests	(29,000.00)	(1,000.00)	(1,130.00)	4%	0.00	4%	(27,870.00)
099	Misc Revene	(25,880.00)	(3,236.00)	(4,072.00)	16%	0.00	16%	(21,808.00)
201	Endowment Fund Appr	(41,100.00)	0.00	0.00	0%	0.00	0%	(41,100.00)
211	Foundation Aid	(7,919,210.00)	(216,366.84)	(436,049.56)	6%	0.00	6%	(7,483,160.44)
212	Literacy Incentive Aid	(63,420.00)	6,341.51	6,341.51	(10%)	0.00	(10%)	(69,761.51)
227	Abatement	(1,430.00)	0.00	0.00	0%	0.00	0%	(1,430.00)
229	Disparity Reduction	(50.00)	4.85	4.85	(10%)	0.00	(10%)	(54.85)
234	Hmstd/Ag Market Value Credit	(5,820.00)	582.13	582.13	(10%)	0.00	(10%)	(6,402.13)
317	LTFM State Aid	(67,900.00)	6,789.75	6,789.75	(10%)	0.00	(10%)	(74,689.75)
360	Spec Ed General	(1,106,260.00)	(82,826.59)	(82,826.59)	7%	0.00	7%	(1,023,433.41)
370	Misc Rev fm MDE	(40,000.00)	9,172.96	9,172.96	(23%)	0.00	(23%)	(49,172.96)
400	Federal Funds and Grants	(222,210.00)	0.00	0.00	0%	0.00	0%	(222,210.00)
401	Federal Funds & Grants	(52,650.00)	0.00	0.00	0%	0.00	0%	(52,650.00)
619	COM Rev Producing Act (Contra)	45,000.00	0.00	0.00	0%	0.00	0%	45,000.00
620	Sale Mat-Rev Producing Act	(90,000.00)	0.00	0.00	0%	0.00	0%	(90,000.00)
621	Sale Mat-Resale Mat	(10,350.00)	(244.94)	(244.94)	2%	0.00	2%	(10,105.06)
624	Sale of Equipment	(5,000.00)	0.00	0.00	0%	0.00	0%	(5,000.00)

**Barnesville Public Schools #146
Revenue Guideline by Source
Period Ending August 31, 2023**

Sequence: Fd, O/S

Description		B24 Annual Budget	Period 202402	Year To Date	% YTD	Encumbrances	% YTD + Enc	Remaining Balance
01	General Fund							
625	Insurance Recovery	(5,000.00)	0.00	0.00	0%	0.00	0%	(5,000.00)
01	General Fund	(11,378,930.00)	(320,349.59)	(566,822.80)	5%	0.00	5%	(10,812,107.20)
02	Food Service							
092	Interest	(1,000.00)	0.00	0.00	0%	0.00	0%	(1,000.00)
099	Misc Revene	(1,300.00)	0.00	0.00	0%	0.00	0%	(1,300.00)
300	State & Grants	(406,500.00)	0.00	0.00	0%	0.00	0%	(406,500.00)
369	Rev-Other State Agen	0.00	0.00	(22,317.00)	0%	0.00	0%	22,317.00
400	Federal Funds and Grants	(6,000.00)	(1,055.49)	(1,055.49)	18%	0.00	18%	(4,944.51)
471	School Lunch Fed	(100,000.00)	0.00	0.00	0%	0.00	0%	(100,000.00)
472	Free & Reduced Meals	(70,000.00)	0.00	0.00	0%	0.00	0%	(70,000.00)
473	Commodity Cash Program	(200.00)	0.00	0.00	0%	0.00	0%	(200.00)
474	Commodities	(35,000.00)	0.00	0.00	0%	0.00	0%	(35,000.00)
476	Breakfast Revenue	(25,000.00)	0.00	0.00	0%	0.00	0%	(25,000.00)
477	Cash In Lieu Commod	(170.00)	(207.09)	(207.09)	122%	0.00	122%	37.09
601	Type A Pupil	(65,000.00)	(18,691.79)	(18,696.79)	29%	0.00	29%	(46,303.21)
606	Type A Adult	(3,530.00)	0.00	0.00	0%	0.00	0%	(3,530.00)
02	Food Service	(713,700.00)	(19,954.37)	(42,276.37)	6%	0.00	6%	(671,423.63)
04	Community Service							
001	Levies	(58,730.00)	0.00	0.00	0%	0.00	0%	(58,730.00)
019	Misc Local	(50.00)	0.00	0.00	0%	0.00	0%	(50.00)
021	Revenue from MN Dist	(14,000.00)	0.00	0.00	0%	0.00	0%	(14,000.00)
050	Fees from Patrons	(327,500.00)	(38,728.00)	(67,773.00)	21%	0.00	21%	(259,727.00)
092	Interest	(180.00)	0.00	0.00	0%	0.00	0%	(180.00)
096	Gifts/Bequests	(25,000.00)	(100.00)	(600.00)	2%	0.00	2%	(24,400.00)
227	Abatement	(10.00)	0.00	0.00	0%	0.00	0%	(10.00)
229	Disparity Reduction	(130.00)	0.63	0.63	(0%)	0.00	(0%)	(130.63)
234	Hmstd/Ag Market Value Credit	(1,570.00)	75.35	75.35	(5%)	0.00	(5%)	(1,645.35)
258	Wetland & Native	(20.00)	0.00	0.00	0%	0.00	0%	(20.00)
300	State & Grants	(78,730.00)	(25,042.17)	(25,042.17)	32%	0.00	32%	(53,687.83)

**Barnesville Public Schools #146
Revenue Guideline by Source
Period Ending August 31, 2023**

Sequence: Fd, O/S

Description		B24 Annual Budget	Period 202402	Year To Date	% YTD	Encumbrances	% YTD + Enc	Remaining Balance
04	Community Service							
301	Non-Public Aid	(370.00)	42.69	42.69	(12%)	0.00	(12%)	(412.69)
04	Community Service	(506,290.00)	(63,751.50)	(93,296.50)	18%	0.00	18%	(412,993.50)
06	Building Construction							
092	Interest	(25,000.00)	(10,009.60)	(19,982.91)	80%	0.00	80%	(5,017.09)
06	Building Construction	(25,000.00)	(10,009.60)	(19,982.91)	80%	0.00	80%	(5,017.09)
07	Debt Redemption							
001	Levies	(1,592,230.00)	0.00	0.00	0%	0.00	0%	(1,592,230.00)
019	Misc Local	(1,500.00)	0.00	0.00	0%	0.00	0%	(1,500.00)
092	Interest	(500.00)	0.00	0.00	0%	0.00	0%	(500.00)
229	Disparity Reduction	(200.00)	(161.37)	(345.46)	173%	0.00	173%	145.46
234	Hmstd/Ag Market Value Credit	(27,300.00)	(1,093.30)	(4,913.19)	18%	0.00	18%	(22,386.81)
258	Wetland & Native	(682,590.00)	(56,616.09)	(181,491.11)	27%	0.00	27%	(501,098.89)
317	LTFM State Aid	(86,700.00)	(5,379.12)	(18,376.94)	21%	0.00	21%	(68,323.06)
07	Debt Redemption	(2,391,020.00)	(63,249.88)	(205,126.70)	9%	0.00	9%	(2,185,893.30)
21	Student Activities Fund							
099	Misc Revene	(200,000.00)	0.00	0.00	0%	0.00	0%	(200,000.00)
21	Student Activities Fund	(200,000.00)	0.00	0.00	0%	0.00	0%	(200,000.00)
Report Totals:		(15,214,940.00)	(477,314.94)	(927,505.28)	6%	0.00	6%	(14,287,434.72)

Barnesville Public Schools #146
Exp Summary - Fd, Pro
Period Ending August 31, 2023

Sequence: Fd, Pro

		B24					% YTD	Remaining
Description		Annual Budget	Period 202402	Year To Date	% YTD	Encumbrances	+ Enc	Balance
01	General Fund							
010	Board-Education	50,350.00	2,859.69	14,080.30	28%	0.00	28%	36,269.70
020	Office/Supt	287,330.00	23,761.01	45,921.49	16%	0.00	16%	241,408.51
050	School Admin	495,560.00	40,673.44	69,501.18	14%	26.14	14%	426,032.68
105	General Adm. Support	7,760.00	1,307.76	1,515.66	20%	0.00	20%	6,244.34
108	Administrative Tech Services	15,000.00	0.00	0.00	0%	0.00	0%	15,000.00
110	Business Services	269,090.00	44,787.11	79,436.47	30%	6,661.26	32%	182,992.27
200	Class Size Reduction	24,330.00	0.00	0.00	0%	0.00	0%	24,330.00
201	Kindergarten	349,390.00	807.34	807.34	0%	0.00	0%	348,582.66
203	Elem Ed	226,640.00	24,225.62	51,379.78	23%	15,028.93	29%	160,231.29
204	First Grade	399,700.00	5,057.21	5,057.21	1%	30.97	1%	394,611.82
205	Second Grade	346,400.00	2,935.12	2,935.12	1%	680.12	1%	342,784.76
206	Third Grade	288,300.00	2,551.37	2,551.37	1%	1,199.36	1%	284,549.27
207	Fourth Grade	283,660.00	1,916.19	1,916.19	1%	60.29	1%	281,683.52
208	Fifth Grade	288,320.00	1,257.45	1,257.45	0%	11.49	0%	287,051.06
209	Sixth Grade	243,480.00	1,468.83	1,468.83	1%	0.00	1%	242,011.17
211	Secondary Ed-Gen	150,590.00	9,299.14	25,489.84	17%	21,026.89	31%	104,073.27
212	Art	148,960.00	0.00	0.00	0%	1,265.03	1%	147,694.97
213	Agriculture - Non Vocational	10,940.00	0.00	0.00	0%	0.00	0%	10,940.00
215	Business	800.00	0.00	0.00	0%	0.00	0%	800.00
216	Educ. Disadvantaged	96,400.00	0.00	0.00	0%	0.00	0%	96,400.00
218	Gifted And Talented	8,600.00	0.00	0.00	0%	0.00	0%	8,600.00
220	English	232,380.00	652.80	652.80	0%	0.00	0%	231,727.20
230	Foreign Language	65,830.00	0.00	0.00	0%	0.00	0%	65,830.00
240	Health/Phys Ed	258,860.00	0.00	0.00	0%	0.00	0%	258,860.00
249	Dr Trg/behind Wheel	16,650.00	0.00	0.00	0%	0.00	0%	16,650.00
250	FACS	44,780.00	0.00	0.00	0%	0.00	0%	44,780.00
254	Barnesville Branderz	3,000.00	0.00	0.00	0%	0.00	0%	3,000.00
255	Industrial Educ	111,900.00	0.00	881.07	1%	0.00	1%	111,018.93
256	Mathematics	290,100.00	0.00	0.00	0%	44.92	0%	290,055.08

Barnesville Public Schools #146
Exp Summary - Fd, Pro
Period Ending August 31, 2023

Sequence: Fd, Pro

Description		B24 Annual Budget	Period 202402	Year To Date	% YTD	Encumbrances	% YTD + Enc	Remaining Balance
01	General Fund							
258	Inst Music	68,530.00	0.00	0.00	0%	175.05	0%	68,354.95
259	Vocal Music	156,960.00	0.00	0.00	0%	0.00	0%	156,960.00
260	Science	310,610.00	0.00	0.00	0%	0.00	0%	310,610.00
261	Science - River Watch	3,800.00	0.00	0.00	0%	0.00	0%	3,800.00
270	Social-Scienc/Study	286,080.00	0.00	0.00	0%	0.00	0%	286,080.00
271	Remedial Reading/Lang Arts	109,220.00	0.00	0.00	0%	0.00	0%	109,220.00
277	Secondary Individualized Instr	31,560.00	0.00	0.00	0%	0.00	0%	31,560.00
288	Flow Thru/Sales	19,500.00	6,394.71	7,844.71	40%	0.00	40%	11,655.29
289	Flo Thru/Sales	23,800.00	3,487.23	3,487.23	15%	0.00	15%	20,312.77
292	Boys/Girls Athletic	58,060.00	9,497.01	9,823.26	17%	4,965.54	25%	43,271.20
294	Boys Athletics	172,970.00	1,062.23	1,579.73	1%	6,572.95	5%	164,817.32
295	Speech/Debate	2,400.00	0.00	0.00	0%	0.00	0%	2,400.00
296	Girls Athletics	128,990.00	0.00	934.00	1%	0.00	1%	128,056.00
298	Extra-Curricular	147,480.00	7,557.34	13,145.10	9%	2,615.00	11%	131,719.90
299	Concessions	46,710.00	0.00	0.00	0%	0.00	0%	46,710.00
301	Agriculture	55,210.00	0.00	522.00	1%	0.00	1%	54,688.00
331	Consumer Homemaking	44,030.00	0.00	0.00	0%	0.00	0%	44,030.00
341	Business and Office Education	103,410.00	0.00	0.00	0%	0.00	0%	103,410.00
400	General Special Education	300.00	0.00	0.00	0%	0.00	0%	300.00
401	Speech/Lang.impaired	139,790.00	0.00	0.00	0%	0.00	0%	139,790.00
402	M.I.-Mild-Moderate	95,600.00	0.00	0.00	0%	0.00	0%	95,600.00
403	M.I.-Moderate-Severe	155,090.00	0.00	0.00	0%	0.00	0%	155,090.00
404	Physically Impaired	27,440.00	0.00	0.00	0%	0.00	0%	27,440.00
405	Deaf-Hard of Hearing	14,300.00	0.00	0.00	0%	0.00	0%	14,300.00
406	Visually Impaired	5,700.00	0.00	0.00	0%	0.00	0%	5,700.00
407	Spec Learning Disabl	212,000.00	0.00	0.00	0%	0.00	0%	212,000.00
408	Emot/Behavior Disord	117,170.00	174.80	174.80	0%	0.00	0%	116,995.20
410	Other Health Impair	254,110.00	0.00	0.00	0%	0.00	0%	254,110.00
411	Autistic	242,930.00	0.00	0.00	0%	0.00	0%	242,930.00

Barnesville Public Schools #146
Exp Summary - Fd, Pro
Period Ending August 31, 2023

Sequence: Fd, Pro

Description		B24 Annual Budget	Period 202402	Year To Date	% YTD	Encumbrances	% YTD + Enc	Remaining Balance
01	General Fund							
412	Develop Delayed	13,600.00	0.00	0.00	0%	0.00	0%	13,600.00
416	Multiple Handicap	58,870.00	0.00	0.00	0%	0.00	0%	58,870.00
420	Special Ed General	98,390.00	0.00	0.00	0%	0.00	0%	98,390.00
422	Early Intervening Services	159,790.00	0.00	0.00	0%	3,359.10	2%	156,430.90
430	Homebound	1,260.00	0.00	0.00	0%	0.00	0%	1,260.00
612	Technology	143,740.00	3,729.55	55,282.35	38%	0.00	38%	88,457.65
620	Educ.media/Library	79,840.00	0.00	2,476.66	3%	0.00	3%	77,363.34
625	Audio/Visual Dept.	280.00	0.00	0.00	0%	0.00	0%	280.00
630	Instruc-Related Technology	63,330.00	2,604.00	6,627.00	10%	0.00	10%	56,703.00
640	Staff Development	105,450.00	8,728.67	8,728.67	8%	0.00	8%	96,721.33
690	Other Inst Support	28,820.00	10,000.00	10,000.00	35%	0.00	35%	18,820.00
710	Counseling/Guidance	90,090.00	0.00	0.00	0%	0.00	0%	90,090.00
715	School Security	4,000.00	0.00	0.00	0%	0.00	0%	4,000.00
716	Drug Abuse Prevention	2,000.00	0.00	0.00	0%	0.00	0%	2,000.00
718	Other School Safety	1,500.00	0.00	0.00	0%	0.00	0%	1,500.00
720	Health Services	88,320.00	807.75	807.75	1%	0.00	1%	87,512.25
740	Social Work Services	53,890.00	0.00	0.00	0%	0.00	0%	53,890.00
760	Pupil Transport	722,380.00	1,235.64	15,515.62	2%	0.00	2%	706,864.38
790	Other Pupil Services	99,500.00	125.00	250.00	0%	0.00	0%	99,250.00
810	Oper/Maintenance	1,137,060.00	134,364.96	213,913.70	19%	0.00	19%	923,146.30
811	Grounds Maint	27,000.00	4,454.17	4,708.78	17%	0.00	17%	22,291.22
812	Buildings Maint	71,000.00	910.28	43,035.14	61%	4,410.53	67%	23,554.33
813	Equip Maint	10,000.00	450.00	2,707.87	27%	0.00	27%	7,292.13
850	Facilities	113,470.00	14,382.73	14,382.73	13%	0.00	13%	99,087.27
865	LTFM Excl'd Costs -Pro 866,867	37,620.00	4,001.48	4,751.48	13%	4,859.00	26%	28,009.52
940	Prop/Other Ins	92,140.00	0.00	92,199.60	100%	0.00	100%	(59.60)
960	Other Non-Recurring Items	26,280.00	0.00	0.00	0%	0.00	0%	26,280.00
01	General Fund	11,378,470.00	377,527.63	817,750.28	7%	72,992.57	8%	10,487,727.15
02	Food Service							

Barnesville Public Schools #146
Exp Summary - Fd, Pro
Period Ending August 31, 2023

Sequence: Fd, Pro

Description		B24 Annual Budget	Period 202402	Year To Date	% YTD	Encumbrances	% YTD + Enc	Remaining Balance
02	Food Service							
770	Food Service	713,350.00	11,607.36	22,260.25	3%	0.00	3%	691,089.75
02	Food Service	713,350.00	11,607.36	22,260.25	3%	0.00	3%	691,089.75
04	Community Service							
505	Community Ed	112,230.00	7,504.77	13,966.21	12%	0.00	12%	98,263.79
506	Summer Recreation	73,600.00	4,356.70	35,876.94	49%	0.00	49%	37,723.06
509	Kids Club	125,050.00	26,268.72	38,514.80	31%	0.00	31%	86,535.20
580	Early Childhood	40,350.00	0.00	0.00	0%	0.00	0%	40,350.00
582	School Readiness	147,990.00	1,461.71	1,461.71	1%	12.71	1%	146,515.58
583	Preschool Screening	3,790.00	0.00	0.00	0%	0.00	0%	3,790.00
585	Youth Dev/Youth Serv	12,420.00	0.00	0.00	0%	0.00	0%	12,420.00
590	Other Community Programs	600.00	0.00	0.00	0%	0.00	0%	600.00
04	Community Service	516,030.00	39,591.90	89,819.66	17%	12.71	17%	426,197.63
06	Building Construction							
870	Bldg/Capital Improv.	2,500,000.00	70,000.53	112,650.12	5%	1,520.00	5%	2,385,829.88
06	Building Construction	2,500,000.00	70,000.53	112,650.12	5%	1,520.00	5%	2,385,829.88
07	Debt Redemption							
910	Debt Redemption	2,274,340.00	0.00	431,275.00	19%	0.00	19%	1,843,065.00
07	Debt Redemption	2,274,340.00	0.00	431,275.00	19%	0.00	19%	1,843,065.00
21	Student Activities Fund							
298	Extra-Curricular	200,000.00	0.00	0.00	0%	0.00	0%	200,000.00
21	Student Activities Fund	200,000.00	0.00	0.00	0%	0.00	0%	200,000.00
Report Totals:		17,582,190.00	498,727.42	1,473,755.31	8%	74,525.28	9%	16,033,909.41

Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	17576			WEX HEALTH INC		Wire		
			B 01	215 024	Flex Plan Medical & Dependent Care			\$284.59	
	PO#:	Voucher #:	103149	Invoice	Invoice No: 082123	8/25/2023	Paid Amt:	\$284.59	
							Check Amount:	\$284.59	
0146	MB	17576			WEX HEALTH INC		Wire		
			B 01	215 024	Flex Plan Medical & Dependent Care			\$60.00	
	PO#:	Voucher #:	103150	Invoice	Invoice No: 082523	8/29/2023	Paid Amt:	\$60.00	
							Check Amount:	\$60.00	
0146	MB	17576			WEX HEALTH INC		Wire		
			B 01	215 024	Flex Plan Medical & Dependent Care			\$116.85	
	PO#:	Voucher #:	103151	Invoice	Invoice No: 082623	8/29/2023	Paid Amt:	\$116.85	
							Check Amount:	\$116.85	
0146	MB	17576			WEX HEALTH INC		Wire		
			B 01	215 024	Flex Plan Medical & Dependent Care			\$30.00	
	PO#:	Voucher #:	103152	Invoice	Invoice No: 082723	8/29/2023	Paid Amt:	\$30.00	
							Check Amount:	\$30.00	
0146	MB	17576			WEX HEALTH INC		Wire		
			B 01	215 024	Flex Plan Medical & Dependent Care			\$600.00	
	PO#:	Voucher #:	103153	Invoice	Invoice No: 082823	8/29/2023	Paid Amt:	\$600.00	
							Check Amount:	\$600.00	
0146	MB	12942			MIDWEST BANK		Wire		
			E 01	005 110 000 305 000	Payroll ACH Fee			\$97.75	
	PO#:	Voucher #:	103200	Invoice	Invoice No: 083123	8/31/2023	Paid Amt:	\$97.75	
							Check Amount:	\$97.75	
0146	MB	17576			WEX HEALTH INC		Wire		
			B 01	215 024	Flex Plan Medical & Dependent Care			\$200.00	
	PO#:	Voucher #:	103199	Invoice	Invoice No: 083023	8/31/2023	Paid Amt:	\$200.00	
							Check Amount:	\$200.00	
0146	MB	12942			MIDWEST BANK		Wire		
			E 01	005 110 000 305 000	RDC Monthly fee			\$75.00	
	PO#:	Voucher #:	103201	Invoice	Invoice No: 080123	8/31/2023	Paid Amt:	\$75.00	
							Check Amount:	\$75.00	
0146	MB	13040			JMC COMPUTER SERVICE INC.		Wire		
			E 01	005 110 000 305 000	JMC Fees			\$0.20	
	PO#:	Voucher #:	103202	Invoice	Invoice No: JMC Fees Aug	8/31/2023	Paid Amt:	\$0.20	
							Check Amount:	\$0.20	

Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	17576			WEX HEALTH INC		Wire		
			E 01	005 110 000 305 000	Benefits Fees			\$115.50	
PO#:	Voucher #:	103203	Invoice	Invoice No:	0001790118-IN	8/31/2023	Paid Amt:	\$115.50	
							Check Amount:	\$115.50	
0146	MB	17576			WEX HEALTH INC		Wire		
			B 01	215 024	Flex Plan Medical & Dependent Care			\$203.72	
PO#:	Voucher #:	103231	Invoice	Invoice No:	083123	9/8/2023	Paid Amt:	\$203.72	
							Check Amount:	\$203.72	
0146	MB	17576			WEX HEALTH INC		Wire		
			B 01	215 024	Flex Plan Medical & Dependent Care			\$140.35	
PO#:	Voucher #:	103232	Invoice	Invoice No:	090123	9/8/2023	Paid Amt:	\$140.35	
							Check Amount:	\$140.35	
0146	MB	17576			WEX HEALTH INC		Wire		
			B 01	215 024	Flex Plan Medical & Dependent Care			\$62.50	
PO#:	Voucher #:	103233	Invoice	Invoice No:	90523	9/8/2023	Paid Amt:	\$62.50	
							Check Amount:	\$62.50	
0146	MB	11760			LAKES COUNTRY SERVICE COOP.		Wire		
			B 01	215 026	Health Ins Premium			\$101,583.10	
PO#:	Voucher #:	103236	Invoice	Invoice No:	080123	8/31/2023	Paid Amt:	\$101,583.10	
							Check Amount:	\$101,583.10	
0146	MB	11760			LAKES COUNTRY SERVICE COOP.		Wire		
			B 01	215 026	Health Ins Premium			\$92,629.42	
PO#:	Voucher #:	103237	Invoice	Invoice No:	090123	9/8/2023	Paid Amt:	\$92,629.42	
							Check Amount:	\$92,629.42	
0146	MB	12942			MIDWEST BANK		Wire		
			E 01	005 110 000 305 000	RDC Monthly fee			\$75.00	
PO#:	Voucher #:	103235	Invoice	Invoice No:	090123	9/8/2023	Paid Amt:	\$75.00	
							Check Amount:	\$75.00	
0146	MB	17576			WEX HEALTH INC		Wire		
			B 01	215 024	Flex Plan Medical & Dependent Care			\$36.64	
PO#:	Voucher #:	103234	Invoice	Invoice No:	090323	9/8/2023	Paid Amt:	\$36.64	
							Check Amount:	\$36.64	
0146	MB	17576			WEX HEALTH INC		Wire		
			B 01	215 033	Health Savings Account			\$718.00	
PO#:	Voucher #:	102661	Invoice	Invoice No:	S2023244	8/31/2023	Paid Amt:	\$718.00	
			B 01	215 033	Health Savings Account			\$736.00	
PO#:	Voucher #:	103136	Credit	Invoice No:	Z202324S40	8/31/2023	Paid Amt:	(\$736.00)	

Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	17576			WEX HEALTH INC		Wire		
			B 01	215 033	Health Savings Account			\$368.00	
PO#:	Voucher #:	103147	Invoice	Invoice No:	S202324S42	8/31/2023		Paid Amt:	\$368.00
			B 01	215 033	Health Savings Account			\$368.00	
PO#:	Voucher #:	103187	Invoice	Invoice No:	S202324S42	8/31/2023		Paid Amt:	\$368.00
			B 01	215 033	Health Savings Account			\$163.88	
PO#:	Voucher #:	103198	Invoice	Invoice No:	S2024040	8/31/2023		Paid Amt:	\$163.88
								Check Amount:	\$881.88
0146	MB	12851			REMIT EDUCATORS BENEFIT CONSULTANTS		Wire		
			B 01	215 005	Tax Sheltered Annuities			\$487.52	
PO#:	Voucher #:	103197	Invoice	Invoice No:	S2024040	8/31/2023		Paid Amt:	\$487.52
			B 01	215 005	Tax Sheltered Annuities			\$969.22	
PO#:	Voucher #:	103186	Invoice	Invoice No:	S202324S42	8/31/2023		Paid Amt:	\$969.22
			B 01	215 005	Tax Sheltered Annuities			\$2,027.08	
PO#:	Voucher #:	103135	Credit	Invoice No:	Z202324S40	8/31/2023		Paid Amt:	(\$2,027.08)
			B 01	215 005	Tax Sheltered Annuities			\$969.22	
PO#:	Voucher #:	103146	Invoice	Invoice No:	S202324S42	8/31/2023		Paid Amt:	\$969.22
			B 01	215 005	Tax Sheltered Annuities			\$1,094.07	
PO#:	Voucher #:	102660	Invoice	Invoice No:	S2023244	8/31/2023		Paid Amt:	\$1,094.07
								Check Amount:	\$1,492.95
0146	MB	12860			MINNESOTA TEACHERS RETIREMENT		Wire		
			B 01	215 018	TRA			\$18,724.65	
PO#:	Voucher #:	102659	Invoice	Invoice No:	S2023244	8/31/2023		Paid Amt:	\$18,724.65
			B 01	215 018	TRA			\$12,256.73	
PO#:	Voucher #:	103145	Invoice	Invoice No:	S202324S42	8/31/2023		Paid Amt:	\$12,256.73
			B 01	215 018	TRA			\$24,513.63	
PO#:	Voucher #:	103134	Credit	Invoice No:	Z202324S40	8/31/2023		Paid Amt:	(\$24,513.63)
			B 01	215 018	TRA			\$5,164.62	
PO#:	Voucher #:	103196	Invoice	Invoice No:	S2024040	8/31/2023		Paid Amt:	\$5,164.62
			B 01	215 018	TRA			\$12,256.73	
PO#:	Voucher #:	103185	Invoice	Invoice No:	S202324S42	8/31/2023		Paid Amt:	\$12,256.73
								Check Amount:	\$23,889.10
0146	MB	12861			PUBLIC EMPLOYEES RETIREMENT		Wire		
			B 01	215 017	PERA			\$415.79	
PO#:	Voucher #:	103184	Invoice	Invoice No:	S202324S42	8/31/2023		Paid Amt:	\$415.79
			B 01	215 017	PERA			\$5,195.76	
PO#:	Voucher #:	103195	Invoice	Invoice No:	S2024040	8/31/2023	20	Paid Amt:	\$5,195.76
			B 01	215 017	PERA			\$831.58	
PO#:	Voucher #:	103133	Credit	Invoice No:	Z202324S40	8/31/2023		Paid Amt:	(\$831.58)

Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	12861			PUBLIC EMPLOYEES RETIREMENT		Wire		
			B 01	215 017	PERA			\$415.79	
PO#:	Voucher #:	103144	Invoice	Invoice No:	S202324S42	8/31/2023		Paid Amt:	\$415.79
			B 01	215 017	PERA			\$3,631.30	
PO#:	Voucher #:	102658	Invoice	Invoice No:	S2023244	8/31/2023		Paid Amt:	\$3,631.30
								Check Amount:	\$8,827.06
0146	MB	12862			REMIT EDUCATORS BENEFIT CONSULTANTS		Wire		
			B 01	215 005	Tax Sheltered Annuities			\$500.02	
PO#:	Voucher #:	103191	Invoice	Invoice No:	S2024040	8/31/2023		Paid Amt:	\$500.02
								Check Amount:	\$500.02
0146	MB	14128			INTERNAL REVENUE SERVICE		Wire		
			B 01	215 010	FICA Payable			\$10,641.26	
			B 01	215 011	Federal Tax			\$4,870.68	
PO#:	Voucher #:	103189	Invoice	Invoice No:	S2024040	8/31/2023		Paid Amt:	\$15,511.94
			B 01	215 010	FICA Payable			\$20,874.36	
			B 01	215 011	Federal Tax			\$9,087.20	
PO#:	Voucher #:	102652	Invoice	Invoice No:	S2023244	8/31/2023		Paid Amt:	\$29,961.56
			B 01	215 010	FICA Payable			\$23,117.00	
			B 01	215 011	Federal Tax			\$10,880.72	
PO#:	Voucher #:	103128	Credit	Invoice No:	Z202324S40	8/31/2023		Paid Amt:	(\$33,997.72)
			B 01	215 010	FICA Payable			\$10,597.56	
			B 01	215 011	Federal Tax			\$4,785.64	
PO#:	Voucher #:	103179	Invoice	Invoice No:	S202324S42	8/31/2023		Paid Amt:	\$15,383.20
			B 01	215 010	FICA Payable			\$10,597.56	
			B 01	215 011	Federal Tax			\$4,785.64	
PO#:	Voucher #:	103139	Invoice	Invoice No:	S202324S42	8/31/2023		Paid Amt:	\$15,383.20
								Check Amount:	\$42,242.18
0146	MB	14129			MINN DEPT OF REVENUE		Wire		
			B 01	215 013	State Tax			\$2,227.52	
PO#:	Voucher #:	103141	Invoice	Invoice No:	S202324S42	8/31/2023		Paid Amt:	\$2,227.52
			B 01	215 013	State Tax			\$5,109.32	
PO#:	Voucher #:	103130	Credit	Invoice No:	Z202324S40	8/31/2023		Paid Amt:	(\$5,109.32)
			B 01	215 013	State Tax			\$4,565.08	
PO#:	Voucher #:	102654	Invoice	Invoice No:	S2023244	8/31/2023		Paid Amt:	\$4,565.08
			B 01	215 013	State Tax			\$2,227.52	
PO#:	Voucher #:	103181	Invoice	Invoice No:	S202324S42	8/31/2023		Paid Amt:	\$2,227.52

Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	14129			MINN DEPT OF REVENUE		Wire		
			B 01	215 013	State Tax			\$2,490.25	
PO#:	Voucher #:	103192	Invoice	Invoice No:	S2024040	8/31/2023	Paid Amt:	\$2,490.25	
								Check Amount:	\$6,401.05
0146	MB	14130			NORTH DAKOTA TAX COMMISSIONER		Wire		
			B 01	215 013	State Tax			\$21.13	
PO#:	Voucher #:	103182	Invoice	Invoice No:	S202324S42	8/31/2023	Paid Amt:	\$21.13	
			B 01	215 013	State Tax			\$21.51	
PO#:	Voucher #:	102656	Invoice	Invoice No:	S2023244	8/31/2023	Paid Amt:	\$21.51	
			B 01	215 013	State Tax			\$43.02	
PO#:	Voucher #:	103131	Credit	Invoice No:	Z202324S40	8/31/2023	Paid Amt:	(\$43.02)	
			B 01	215 013	State Tax			\$21.13	
PO#:	Voucher #:	102862	Invoice	Invoice No:	S202324S40	8/31/2023	Paid Amt:	\$21.13	
			B 01	215 013	State Tax			\$21.51	
PO#:	Voucher #:	102883	Credit	Invoice No:	Z202324S30	8/31/2023	Paid Amt:	(\$21.51)	
			B 01	215 013	State Tax			\$21.13	
PO#:	Voucher #:	103142	Invoice	Invoice No:	S202324S42	8/31/2023	Paid Amt:	\$21.13	
								Check Amount:	\$20.37
0146	MB	14968			REMIT EDUCATORS BENEFIT CONSULTANTS		Wire		
			B 01	215 005	Tax Sheltered Annuities			\$1,089.84	
PO#:	Voucher #:	103143	Invoice	Invoice No:	S202324S42	8/31/2023	Paid Amt:	\$1,089.84	
			B 01	215 005	Tax Sheltered Annuities			\$2,181.76	
PO#:	Voucher #:	103132	Credit	Invoice No:	Z202324S40	8/31/2023	Paid Amt:	(\$2,181.76)	
			B 01	215 005	Tax Sheltered Annuities			\$1,422.56	
PO#:	Voucher #:	102657	Invoice	Invoice No:	S2023244	8/31/2023	Paid Amt:	\$1,422.56	
			B 01	215 005	Tax Sheltered Annuities			\$1,089.84	
PO#:	Voucher #:	103183	Invoice	Invoice No:	S202324S42	8/31/2023	Paid Amt:	\$1,089.84	
			B 01	215 005	Tax Sheltered Annuities			\$579.19	
PO#:	Voucher #:	103194	Invoice	Invoice No:	S2024040	8/31/2023	Paid Amt:	\$579.19	
								Check Amount:	\$1,999.67
0146	MB	16537			REMIT EDUCATORS BENEFIT CONSULTANTS		Wire		
			B 01	215 005	Tax Sheltered Annuities			\$871.75	
PO#:	Voucher #:	103188	Invoice	Invoice No:	S2024040	8/31/2023	Paid Amt:	\$871.75	
			B 01	215 005	Tax Sheltered Annuities			\$257.95	
PO#:	Voucher #:	102651	Invoice	Invoice No:	S2023244	8/31/2023	Paid Amt:	\$257.95	
			B 01	215 005	Tax Sheltered Annuities			\$183.26	
PO#:	Voucher #:	103127	Credit	Invoice No:	Z202324S40	8/31/2023	Paid Amt:	(\$183.26)	
			B 01	215 005	Tax Sheltered Annuities			\$91.59	
PO#:	Voucher #:	103138	Invoice	Invoice No:	S202324S42	8/31/2023	Paid Amt:	\$91.59	

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Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	16537	REMIT		EDUCATORS BENEFIT CONSULTANTS		Wire		
			B 01	215 005	Tax Sheltered Annuities			\$91.59	
	PO#:	Voucher #:	103178	Invoice	Invoice No: S202324S42	8/31/2023	Paid Amt:	\$91.59	
							Check Amount:	\$1,129.62	
0146	MB	16936	REMIT		EDUCATORS BENEFITS CONSULTANTS		Wire		
			B 01	215 005	Tax Sheltered Annuities			\$976.16	
	PO#:	Voucher #:	103180	Invoice	Invoice No: S202324S42	8/31/2023	Paid Amt:	\$976.16	
			B 01	215 005	Tax Sheltered Annuities			\$976.16	
	PO#:	Voucher #:	103140	Invoice	Invoice No: S202324S42	8/31/2023	Paid Amt:	\$976.16	
			B 01	215 005	Tax Sheltered Annuities			\$1,869.86	
	PO#:	Voucher #:	103129	Credit	Invoice No: Z202324S40	8/31/2023	Paid Amt:	(\$1,869.86)	
			B 01	215 005	Tax Sheltered Annuities			\$2,660.74	
	PO#:	Voucher #:	102653	Invoice	Invoice No: S2023244	8/31/2023	Paid Amt:	\$2,660.74	
			B 01	215 005	Tax Sheltered Annuities			\$588.17	
	PO#:	Voucher #:	103190	Invoice	Invoice No: S2024040	8/31/2023	Paid Amt:	\$588.17	
							Check Amount:	\$3,331.37	
0146	MB	17576			WEX HEALTH INC		Wire		
			B 01	215 024	Flex Plan Medical & Dependent Care			\$690.51	
	PO#:	Voucher #:	103238	Invoice	Invoice No: 08182023	8/31/2023	Paid Amt:	\$690.51	
							Check Amount:	\$690.51	
0146	MB	17576			WEX HEALTH INC		Wire		
			B 01	215 024	Flex Plan Medical & Dependent Care			\$193.52	
	PO#:	Voucher #:	103239	Invoice	Invoice No: 082023	8/31/2023	Paid Amt:	\$193.52	
							Check Amount:	\$193.52	
0146	MB	17576			WEX HEALTH INC		Wire		
			B 01	215 024	Flex Plan Medical & Dependent Care			\$30.00	
	PO#:	Voucher #:	103440	Invoice	Invoice No: 091323	9/14/2023	Paid Amt:	\$30.00	
							Check Amount:	\$30.00	
0146	MB	17576			WEX HEALTH INC		Wire		
			B 01	215 033	Health Savings Account			\$1,218.83	
	PO#:	Voucher #:	103467	Invoice	Invoice No: S2024050	9/15/2023	Paid Amt:	\$1,218.83	
							Check Amount:	\$1,218.83	
0146	MB	12851	REMIT		EDUCATORS BENEFIT CONSULTANTS		Wire		
			B 01	215 005	Tax Sheltered Annuities			\$2,145.94	
	PO#:	Voucher #:	103466	Invoice	Invoice No: S2024050	9/15/2023	Paid Amt:	\$2,145.94	
							Check Amount:	\$2,145.94	

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Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
0146	MB	12860			MINNESOTA TEACHERS RETIREMENT		Wire
			B 01	215 018	TRA		\$31,328.23
PO#:	Voucher #:	103465	Invoice	Invoice No:	S2024050	9/15/2023	Paid Amt: \$31,328.23
							Check Amount: \$31,328.23
0146	MB	12861			PUBLIC EMPLOYEES RETIREMENT		Wire
			B 01	215 017	PERA		\$9,884.82
PO#:	Voucher #:	103464	Invoice	Invoice No:	S2024050	9/15/2023	Paid Amt: \$9,884.82
							Check Amount: \$9,884.82
0146	MB	12862	REMIT		EDUCATORS BENEFIT CONSULTANTS		Wire
			B 01	215 005	Tax Sheltered Annuities		\$1,139.28
PO#:	Voucher #:	103459	Invoice	Invoice No:	S2024050	9/15/2023	Paid Amt: \$1,139.28
							Check Amount: \$1,139.28
0146	MB	14128			INTERNAL REVENUE SERVICE		Wire
			B 01	215 010	FICA Payable		\$36,833.86
			B 01	215 011	Federal Tax		\$16,020.28
PO#:	Voucher #:	103457	Invoice	Invoice No:	S2024050	9/15/2023	Paid Amt: \$52,854.14
							Check Amount: \$52,854.14
0146	MB	14129			MINN DEPT OF REVENUE		Wire
			B 01	215 013	State Tax		\$8,256.20
PO#:	Voucher #:	103460	Invoice	Invoice No:	S2024050	9/15/2023	Paid Amt: \$8,256.20
							Check Amount: \$8,256.20
0146	MB	14968	REMIT		EDUCATORS BENEFIT CONSULTANTS		Wire
			B 01	215 005	Tax Sheltered Annuities		\$3,085.50
PO#:	Voucher #:	103463	Invoice	Invoice No:	S2024050	9/15/2023	Paid Amt: \$3,085.50
							Check Amount: \$3,085.50
0146	MB	16537	REMIT		EDUCATORS BENEFIT CONSULTANTS		Wire
			B 01	215 005	Tax Sheltered Annuities		\$1,130.10
PO#:	Voucher #:	103455	Invoice	Invoice No:	S2024050	9/15/2023	Paid Amt: \$1,130.10
							Check Amount: \$1,130.10
0146	MB	16936	REMIT		EDUCATORS BENEFITS CONSULTANTS		Wire
			B 01	215 005	Tax Sheltered Annuities		\$4,516.24
PO#:	Voucher #:	103458	Invoice	Invoice No:	S2024050	9/15/2023	Paid Amt: \$4,516.24
							Check Amount: \$4,516.24
0146	MB	85594	14911	REMIT	AMAZON CAPITAL SERVICES		Check
			E 01	300 211 302 530 000	Yizosh Metal Storage Cabinet w/ Lock 72" H 2		\$411.98
PO#: 49359	Voucher #:	103159	Invoice	Invoice No:	1DJC-RJTK-1LJY	24 8/29/2023	Paid Amt: \$411.98
			E 06	005 870 000 401 892	First Aid Kit		\$135.98
			E 06	005 870 000 401 892	Garbage Cans		\$106.40



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Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85594	14911	REMIT	AMAZON CAPITAL SERVICES		Check		
				E 06	005 870 000 401 892	Barn Doors		\$98.50	
				E 06	005 870 000 401 892	Follow Spot		\$276.99	
				E 06	005 870 000 401 892	Stantions		\$223.22	
				E 06	005 870 000 401 892	Stanchion Signs		\$58.10	
				E 06	005 870 000 401 892	Sign Holders		\$32.98	
				E 06	005 870 000 401 892	Barber Chair		\$139.99	
	PO#: 49376	Voucher #: 103160		Invoice	Invoice No: 1GRN-GCFD-HPH3	8/29/2023	Paid Amt:	\$1,072.16	
				E 01	100 408 740 401 000	Bostitch Office Heavy Duty Stapler, 40 Sheet		\$10.76	
				E 01	100 408 740 433 000	SYNARRY 24 Pieces Puzzles for Kids Ages 3-		\$12.99	
				E 01	100 408 740 433 000	Amazon Basics Expanding File Pocket Folder		\$29.18	
				E 01	100 408 740 433 000	Learning Resources Head Full Of Numbers, M		\$17.17	
	PO#: 49366	Voucher #: 103161		Invoice	Invoice No: 1C96-3XVG-DFWH	8/29/2023	Paid Amt:	\$70.10	
				E 01	100 408 740 433 000	Magnetic Blocks Picasso Cubes 108 Piece M		\$104.70	
	PO#: 49366	Voucher #: 103162		Invoice	Invoice No: 1PCY-PV4H-7NJ9	8/29/2023	Paid Amt:	\$104.70	
							Check Amount:	\$1,658.94	
0146	MB	85595	12945		BARNESVILLE CHIROPRACTIC CLINIC		Check		
				E 01	005 760 733 305 000	DOT Physical		\$120.00	
	PO#:	Voucher #: 103157		Invoice	Invoice No: 081823	8/29/2023	Paid Amt:	\$120.00	
							Check Amount:	\$120.00	
0146	MB	85596	17674		BLOOKLET LLC		Check		
				E 01	100 205 000 460 000	Teacher subscription		\$35.88	
	PO#: 49348	Voucher #: 103158		Invoice	Invoice No: 080923	8/29/2023	Paid Amt:	\$35.88	
							Check Amount:	\$35.88	
0146	MB	85597	16086	remit	COLONIAL LIFE INSURANCE COMPANY		Check		
				B 01	215 029	Supplemental Insurance-Voluntary		\$204.94	
	PO#:	Voucher #: 103163		Invoice	Invoice No: 41790570813164	8/29/2023	Paid Amt:	\$204.94	
							Check Amount:	\$204.94	
0146	MB	85598	13450		CROWN TROPHY		Check		
				E 01	300 294 000 401 504	CT - 2605-1 Golf Sculpture Most Valuable Goll		\$30.00	
				E 01	300 294 000 401 504	CT - 2638-GFM Golf Billboard Sculptures		\$15.00	
				E 01	300 294 000 401 504	CT- 2603 Golf Shieldz Sculpture		\$9.75	
				E 01	300 294 000 401 504	6" x 8" Black Ash / Gold Flexi CT Gold Mylar H		\$18.50	
	PO#: 49396	Voucher #: 103164		Invoice	Invoice No: 63435	8/29/2023	Paid Amt:	\$73.25	
							Check Amount:	\$73.25	
0146	MB	85599	15977	REMIT	ELAN FINANCIAL SERVICES		Check		
				E 01	005 020 000 401 000	Zoom subscription (District)		\$17.17	
				E 01	005 020 000 820 000	Dues		\$1,330.00	



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0146	MB	85599	15977	REMIT	ELAN FINANCIAL SERVICES		Check
				E 04	005 509 321 401 000	Brightwheel subscription	\$150.00
				E 01	300 289 000 369 000	HS Auxiliary reimb.	\$1,539.79
				E 01	005 020 000 401 000	General Supplies	\$59.99
				E 04	005 506 321 366 000	State Softball Exp (Smr Rec)	\$259.85
				E 01	100 288 000 401 000	SummerField Trip Exp	\$204.73
				E 01	100 640 316 366 000	Staff Development (Elem)	\$988.16
				E 01	100 640 316 366 000	Gen.trv,Meals, Rooms	\$0.00
PO#:	Voucher #:	103154	Invoice	Invoice No:	August 2023	8/29/2023	Paid Amt: \$4,549.69
							Check Amount: \$4,549.69
0146	MB	85600	15413	remit	FIDELITY SECURITY LIFE		Check
				B 01	215 031	Vision Premium	\$547.90
PO#:	Voucher #:	103165	Invoice	Invoice No:	3017968	8/29/2023	Paid Amt: \$547.90
							Check Amount: \$547.90
0146	MB	85601	17215		GENERATION GENIUS, INC.		Check
				E 01	100 203 302 460 000	Subscription	\$795.00
PO#: 49350	Voucher #:	103166	Invoice	Invoice No:	GG183243-R3	8/29/2023	Paid Amt: \$795.00
							Check Amount: \$795.00
0146	MB	85602	12109		INDEPENDENT SCHOOL DIST. 549		Check
				E 01	300 292 000 369 516	Entry Fees/Student Travel	\$200.00
PO#:	Voucher #:	103167	Invoice	Invoice No:	082523	8/29/2023	Paid Amt: \$200.00
							Check Amount: \$200.00
0146	MB	85603	14269		LAKES COUNTRY SERVICE COOP		Check
				E 01	200 406 740 394 000	FY23 Vision Services Salary	\$1,720.00
				E 01	200 406 740 397 000	FY 23 Vision Services Benefits	\$387.24
				E 01	200 406 740 397 000	FY213 Vision Services Mileage	\$543.11
PO#:	Voucher #:	103148	Invoice	Invoice No:	98031	8/29/2023	Paid Amt: \$2,650.35
							Check Amount: \$2,650.35
0146	MB	85604	15395		MADISON NATIONAL LIFE		Check
				B 01	215 027	Life & LTD	\$1,144.06
PO#:	Voucher #:	103168	Invoice	Invoice No:	September 2023	8/29/2023	Paid Amt: \$1,144.06
							Check Amount: \$1,144.06
0146	MB	85605	17369		NATURE'S PUMPING		Check
				E 01	005 812 000 350 000	Pump out grease traps	\$330.00
PO#: 49398	Voucher #:	103155	Invoice	Invoice No:	8066	8/29/2023	Paid Amt: \$330.00
							Check Amount: \$330.00

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Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85606	15415		NCPERS GROUP LIFE INS.		Check		
				B 01	215 028	PERA Life Insurance		\$128.00	
	PO#:	Voucher #:	103169	Invoice	Invoice No:	108802092023	8/29/2023	Paid Amt:	\$128.00
								Check Amount:	\$128.00
0146	MB	85607	15043		SCHATZ, TAYLOR		Check		
				E 04	005 505 321 305 000	TKD		\$824.00	
				E 04	005 505 321 305 000	Adult Self Defense		\$164.00	
	PO#:	Voucher #:	103156	Invoice	Invoice No:	082123	8/29/2023	Paid Amt:	\$988.00
								Check Amount:	\$988.00
0146	MB	85608	17693		VALLEY GREEN & ASSOCIATES		Check		
				E 01	005 812 000 350 000	Football field sprinkler repair		\$433.31	
	PO#: 49404	Voucher #:	103170	Invoice	Invoice No:	214912	8/29/2023	Paid Amt:	\$433.31
								Check Amount:	\$433.31
0146	MB	85609	15344		EDUCATORS BENEFIT CONSULTANTS		Check		
				E 01	005 110 000 305 000	Fees For Services		\$66.72	
	PO#:	Voucher #:	103177	Invoice	Invoice No:	29479	9/1/2023	Paid Amt:	\$66.72
								Check Amount:	\$66.72
0146	MB	85610	15730		ESSENTIA HEALTH		Check		
				E 01	300 790 000 305 000	monthly sports medicine agreement		\$125.00	
	PO#:	Voucher #:	103172	Invoice	Invoice No:	0324.3010.1707.01	9/1/2023	Paid Amt:	\$125.00
								Check Amount:	\$125.00
0146	MB	85611	17697		LEWIS, KARI & PETER		Check		
				R 02	005 000 707 601 000	Refund		\$240.20	
	PO#:	Voucher #:	103174	Invoice	Invoice No:	082923	9/1/2023	Paid Amt:	\$240.20
								Check Amount:	\$240.20
0146	MB	85612	16818		MN SCHOOL EMPLOYEES ASSOCIATION		Check		
				B 01	215 025	Nea-Mea-Bea Dues Payable		\$311.26	
	PO#:	Voucher #:	102655	Invoice	Invoice No:	S2023244	9/1/2023	Paid Amt:	\$311.26
								Check Amount:	\$311.26
0146	MB	85613	17696		ORR, TERA & BEN		Check		
				R 01	300 298 000 050 000	Refund		\$25.00	
	PO#:	Voucher #:	103173	Invoice	Invoice No:	082923	9/1/2023	Paid Amt:	\$25.00
								Check Amount:	\$25.00
0146	MB	85614	16787		TODAY'S CLASSROOM		Check		
				E 06	005 870 000 401 892	DY82 stack chair dolly		\$391.24	
				E 06	005 870 000 401 892	Est. Shipping 27		\$74.35	
	PO#: 49216	Voucher #:	103171	Invoice	Invoice No:	23-9388	9/1/2023	Paid Amt:	\$465.59
								Check Amount:	\$465.59

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Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85615	11606		U.S. POSTAL SERVICE		Check		
				E 04	005 505 321 329 000	Postage		\$785.82	
PO#:		Voucher #:	103176	Invoice	Invoice No: 083123	9/1/2023	Paid Amt:	\$785.82	
							Check Amount:	\$785.82	
0146	MB	85616	12478		WHPETON PUBLIC SCHOOL		Check		
				E 01	300 292 000 369 516	Entry Fees/Student Travel		\$120.00	
PO#:		Voucher #:	103175	Invoice	Invoice No: 083023	9/1/2023	Paid Amt:	\$120.00	
							Check Amount:	\$120.00	
0146	MB	85617	12945		BARNESVILLE CHIROPRACTIC CLINIC		Check		
				E 01	005 760 733 305 000	DOT Physical		\$120.00	
PO#:		Voucher #:	103204	Invoice	Invoice No: 083023	9/8/2023	Paid Amt:	\$120.00	
							Check Amount:	\$120.00	
0146	MB	85618	17704		BONTJES, JAIDA		Check		
				E 01	300 296 000 305 512	Fees For Services		\$61.00	
PO#:		Voucher #:	103205	Invoice	Invoice No: 083123	9/8/2023	Paid Amt:	\$61.00	
				E 01	300 296 000 305 512	Fees For Services		\$61.00	
PO#:		Voucher #:	103206	Invoice	Invoice No: 090723	9/8/2023	Paid Amt:	\$61.00	
							Check Amount:	\$122.00	
0146	MB	85619	17705		BROWN, KIMBERLY		Check		
				R 02	005 000 701 601 000	Refund		\$500.00	
PO#:		Voucher #:	103207	Invoice	Invoice No: 090523	9/8/2023	Paid Amt:	\$500.00	
							Check Amount:	\$500.00	
0146	MB	85620	16344		CHUINARD, JORDAN R.		Check		
				E 01	300 294 000 305 502	Fees For Services		\$70.00	
PO#:		Voucher #:	103208	Invoice	Invoice No: 090523	9/8/2023	Paid Amt:	\$70.00	
							Check Amount:	\$70.00	
0146	MB	85621	10001		CITY OF BARNESVILLE		Check		
				E 01	005 810 000 332 000	Electricity		\$16,088.13	
				E 01	005 810 000 331 000	Water-Sewage		\$1,718.41	
				E 01	005 810 000 330 000	Garbage		\$23.78	
				E 04	005 505 321 320 000	Communication		\$32.63	
				E 01	005 810 000 320 000	Communication		\$675.10	
PO#:		Voucher #:	103209	Invoice	Invoice No: 10104170	9/8/2023	Paid Amt:	\$18,538.05	
							Check Amount:	\$18,538.05	
0146	MB	85622	15760		ENGEL, ROD		Check		
				E 01	300 294 000 305 502	Fees For Services 28		\$90.00	
PO#:		Voucher #:	103210	Invoice	Invoice No: 090523	9/8/2023	Paid Amt:	\$90.00	
							Check Amount:	\$90.00	

Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85623	16088		FUHS, TAYLOR		Check		
				E 01	300 294 000 305 502		Fees For Services	\$130.00	
	PO#:	Voucher #:	103211	Invoice	Invoice No: 090123	9/8/2023		Paid Amt:	\$130.00
								Check Amount:	\$130.00
0146	MB	85624	15724		GULER, BRIAN		Check		
				E 01	300 294 000 305 503		Fees For Services	\$130.00	
	PO#:	Voucher #:	103212	Invoice	Invoice No: 090123	9/8/2023		Paid Amt:	\$130.00
								Check Amount:	\$130.00
0146	MB	85625	14156	VB	HAWLEY VOLLEYBALL		Check		
				E 01	300 296 000 369 512		7th Grade	\$75.00	
	PO#:	Voucher #:	103213	Invoice	Invoice No: 090723	9/8/2023		Paid Amt:	\$75.00
								Check Amount:	\$75.00
0146	MB	85626	10406		HEALY AWARDS INC.		Check		
				E 01	300 294 000 401 502		02-CHD-1C Trojan Head Logo pairs	\$238.80	
				E 01	300 294 000 401 502		02-HT1 1" white stripe	\$53.02	
				E 01	300 294 000 401 502		shipping	\$35.13	
	PO#: 49357	Voucher #:	103214	Invoice	Invoice No: INV079824	9/8/2023		Paid Amt:	\$326.95
								Check Amount:	\$326.95
0146	MB	85627	16345		HERDING, MORIAH		Check		
				E 01	300 296 000 305 512		Fees For Services	\$130.00	
	PO#:	Voucher #:	103215	Invoice	Invoice No: 090723	9/8/2023		Paid Amt:	\$130.00
								Check Amount:	\$130.00
0146	MB	85628	16965		HOLLAND, DANA JR		Check		
				E 01	300 294 000 305 502		Fees For Services	\$90.00	
	PO#:	Voucher #:	103216	Invoice	Invoice No: 090523	9/8/2023		Paid Amt:	\$90.00
								Check Amount:	\$90.00
0146	MB	85629	16454		LINDBERG, JAN-ERIK		Check		
				E 01	300 296 000 305 513		Fees For Services	\$130.00	
	PO#:	Voucher #:	103217	Invoice	Invoice No: 090123	9/8/2023		Paid Amt:	\$130.00
								Check Amount:	\$130.00
0146	MB	85630	17436		LUTTIO, JEREMY		Check		
				E 01	300 296 000 305 512		Fees For Services	\$130.00	
	PO#:	Voucher #:	103218	Invoice	Invoice No: 083123	9/8/2023		Paid Amt:	\$130.00
				E 01	300 296 000 305 512		Fees For Services	\$130.00	
	PO#:	Voucher #:	103219	Invoice	Invoice No: 090723	9/8/2023		Paid Amt:	\$130.00
								Check Amount:	\$260.00

Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85631	16827		MINNESOTA TECHNOLOGY & ENGINEERING EDUCATORS ASSOCIA		Check		
				E 01	300 640 316 366 000	Gen.trv,Meals, Rooms		\$260.00	
	PO#:	Voucher #:	103221	Invoice	Invoice No: 090823	9/8/2023	Paid Amt:	\$260.00	
							Check Amount:	\$260.00	
0146	MB	85632	16818		MN SCHOOL EMPLOYEES ASSOCIATION		Check		
				B 01	215 025	Nea-Mea-Bea Dues Payable		\$189.66	
	PO#:	Voucher #:	103193	Invoice	Invoice No: S2024040	9/8/2023	Paid Amt:	\$189.66	
							Check Amount:	\$189.66	
0146	MB	85633	12886	cross	MSUM CROSS COUNTRY		Check		
				E 01	300 292 000 369 516	Entry Fees/Student Travel		\$300.00	
	PO#:	Voucher #:	103220	Invoice	Invoice No: 090823	9/8/2023	Paid Amt:	\$300.00	
							Check Amount:	\$300.00	
0146	MB	85634	14821		OLE & LENA'S PIZZERIA		Check		
				R 01	300 299 000 619 000	Concessions Cost of Sales		\$333.60	
	PO#:	Voucher #:	103222	Invoice	Invoice No: 6690	9/8/2023	Paid Amt:	\$333.60	
							Check Amount:	\$333.60	
0146	MB	85635	15725		RIEWER, MICHAEL		Check		
				E 01	300 294 000 305 502	Fees For Services		\$130.00	
	PO#:	Voucher #:	103223	Invoice	Invoice No: 090123	9/8/2023	Paid Amt:	\$130.00	
							Check Amount:	\$130.00	
0146	MB	85636	17706		SKOGEN, MCKENZIE		Check		
				E 01	300 296 000 305 512	Fees For Services		\$61.00	
	PO#:	Voucher #:	103224	Invoice	Invoice No: 090723	9/8/2023	Paid Amt:	\$61.00	
							Check Amount:	\$61.00	
0146	MB	85637	10140		STEIN'S INC		Check		
				E 01	005 813 000 350 000	Floor scrubber repair		\$296.90	
	PO#: 49402	Voucher #:	103225	Invoice	Invoice No: 923553	9/8/2023	Paid Amt:	\$296.90	
							Check Amount:	\$296.90	
0146	MB	85638	17707		SWEGARDEN, MASON J		Check		
				E 01	300 294 000 305 502	Fees For Services		\$130.00	
	PO#:	Voucher #:	103226	Invoice	Invoice No: 090123	9/8/2023	Paid Amt:	\$130.00	
							Check Amount:	\$130.00	
0146	MB	85639	14246	remit	TEACHER DIRECT		Check		
				E 01	100 207 000 401 000	9021 TCR Oh Happy Day Calendar Bulletin Bc		\$0.00	
				E 01	100 207 000 401 000	9022 TCR Oh Happy Day Pennants Welcome		\$13.88	
				E 01	100 207 000 401 000	LL918 HOA 6ct Stamp of Approval LT		\$14.88	
				E 01	100 207 000 401 000	735019 DOW 6ct Big Push Pin Magnets LT		\$12.48	

Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85639	14246	remit	TEACHER DIRECT		Check		
				E 01	100 207 000 401 000	9088 TCR Oh Happy Day Stripes Straight Bor		\$4.88	
	PO#: 49273	Voucher #: 103227		Invoice	Invoice No: INV/2023/11823	9/8/2023	Paid Amt:	\$46.12	
				E 01	100 207 000 401 000	Credit		\$10.00	
	PO#:	Voucher #: 103228		Credit	Invoice No: INV/2023/11691	9/8/2023	Paid Amt:	(\$10.00)	
							Check Amount:	\$36.12	
0146	MB	85640	16653		VERIFIED FIRST		Check		
				E 01	005 105 000 305 000	Background Checks		\$291.06	
	PO#:	Voucher #: 103229		Invoice	Invoice No: INV-000436738	9/8/2023	Paid Amt:	\$291.06	
							Check Amount:	\$291.06	
0146	MB	85641	17582		WULFEKUHLE, CASSIE R		Check		
				E 01	300 296 000 305 512	Fees For Services		\$130.00	
	PO#:	Voucher #: 103230		Invoice	Invoice No: 083123	9/8/2023	Paid Amt:	\$130.00	
							Check Amount:	\$130.00	
0146	MB	85642	16256		ADA-BORUP-WEST PUBLIC SCHOOL		Check		
				E 01	300 292 000 369 516	Entry Fees/Student Travel		\$175.00	
	PO#:	Voucher #: 103306		Invoice	Invoice No: 091323	9/15/2023	Paid Amt:	\$175.00	
							Check Amount:	\$175.00	
0146	MB	85643	15412		AFLAC		Check		
				B 01	215 029	Supplemental Insurance-Voluntary		\$493.54	
	PO#:	Voucher #: 103240		Invoice	Invoice No: 240378	9/15/2023	Paid Amt:	\$493.54	
							Check Amount:	\$493.54	
0146	MB	85645	17217		ALL FINISH CONCRETE, INC		Check		
				E 06	005 870 000 520 803	Combo Bldg & Site Concrete		\$55,356.00	
	PO#:	Voucher #: 103437		Invoice	Invoice No: Draw #38	9/15/2023	Paid Amt:	\$55,356.00	✓
							Check Amount:	\$55,356.00	
0146	MB	85646	14911	REMIT	AMAZON CAPITAL SERVICES		Check		
				E 01	005 760 733 401 000	Safety 1st Grand 2 in 1 Car Seat w/Harness B		\$224.97	
	PO#: 49435	Voucher #: 103241		Invoice	Invoice No: 16C3-JJF4-16LY	9/15/2023	Paid Amt:	\$224.97	
				E 06	005 870 000 401 892	Garment Rack A		\$119.99	
				E 06	005 870 000 401 892	XLR 25ft (6)		\$65.88	
				E 06	005 870 000 401 892	LED Par 4pack		\$89.99	
				E 06	005 870 000 401 892	iPad case		\$69.00	
	PO#: 49413	Voucher #: 103242		Invoice	Invoice No: 16K4-4FDY-7G6R	9/15/2023	Paid Amt:	\$344.86	
				E 01	100 288 000 401 000	Avery Matte White Round Labels with Sure Fe		\$18.00	
				E 01	100 288 000 401 000	Freight		\$1.04	
	PO#: 49406	Voucher #: 103243		Invoice	Invoice No: 1X3T-TV74-MKC6	9/15/2023	Paid Amt:	\$19.04	
				E 01	300 260 000 430 000	Amazon Basics 8-Pack 9 Volt Alkaline Perform		\$12.99	✓

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Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
0146	MB	85646	14911	REMIT	AMAZON CAPITAL SERVICES		Check
				E 01	300 260 000 430 000	AUSTOR 6 Pack 60-40 Rosin Core Solder, So	\$10.99
				E 01	300 260 000 430 000	Swingline Stapler, 20 Sheet Capacity, Light Du	\$5.41
				E 01	300 260 000 430 000	8 Pieces Plastic Syringe Set, Industrial Syringe	\$13.99
				E 01	300 260 000 430 000	Soldering Iron Kit, 80W 110V Fast Heat up in	\$11.98
				E 01	300 260 000 430 000	MiscXAJH Bamboo Wood Toothpicks 7200 PC	\$12.49
				E 01	300 260 000 430 000	Microyn Borosilicate Glass Petri Dish with Lid,	\$29.95
				E 01	300 260 000 430 000	Mini Clothes Pins for Photo, Small Clothespins	\$7.99
				E 01	300 260 000 430 000	stonylab Watch Glasses, 10pk 100 mm Watch	\$16.98
				E 01	300 260 000 430 000	Yinpecky Stainless Steel Extended Comprese	\$11.29
				E 01	300 260 000 430 000	MENSI 4 Pack Spark Torch Igniter Single Flint	\$27.98
				E 01	300 260 000 430 000	Utile 10pcs of 5.1oz(150ml) Low Form Glass E	\$20.98
				E 01	300 260 000 430 000	Maccx 1.7oz(50ml) Sturdy Glass Beaker, 3.3 E	\$20.98
				E 01	300 260 000 430 000	TRYMAG 50Pcs Strong Neodymium Magnets,	\$11.99
				E 01	300 260 000 430 000	AHIER 50PCS Plastic Dropper Bottle, Eye Drc	\$14.99
				E 01	300 260 000 430 000	Eisco Labs Evaporating Basin - Porcelain - Fla	\$23.67
				E 01	300 260 000 430 000	smseace 30-Pack(13 Assorted Sizes) Black O	\$29.98
PO#: 49426	Voucher #:	103244	Invoice	Invoice No:	114Y-W6PK-TMRF	9/15/2023	Paid Amt: \$284.63
			E 06	005 870 000 401 892	Bench Set	\$269.99	
			E 06	005 870 000 401 892	Garment Rack B	\$89.99	
			E 06	005 870 000 401 892	XLR Cable 6ft	\$47.12	
			E 06	005 870 000 401 892	DMX Cable 6pack	\$23.59	
			E 06	005 870 000 401 892	DJ Light	\$89.99	✓
			E 06	005 870 000 401 892	Light Control	\$38.95	
PO#: 49413	Voucher #:	103245	Invoice	Invoice No:	1DQ9-JHRL-W1NL	9/15/2023	Paid Amt: \$559.63
			E 01	100 288 000 401 000	MiscSmartdealspro Set of 100 1 Inch Opaque	\$232.50	
PO#: 49406	Voucher #:	103246	Invoice	Invoice No:	1LYM-XXXV-YCFL	9/15/2023	Paid Amt: \$232.50
			E 01	300 292 000 401 505	ABCCANOPY 10' X 10" Tent	\$269.94	
PO#: 49418	Voucher #:	103247	Invoice	Invoice No:	113L-TRJJ-XDTV	9/15/2023	Paid Amt: \$269.94
			E 01	100 201 000 401 000	53 Pcs Party Favors for Kids Boys Girls 4-8 8-	\$17.99	
			E 01	100 201 000 401 000	Clipboards 20 Pack Happyhapi Letter Size Cli	\$22.99	
			E 01	100 201 000 401 000	Wodison 18-Packs 3 Ring Pencil Pouch with C	\$26.99	
PO#: 49417	Voucher #:	103248	Invoice	Invoice No:	1NHL-QFHN-WQWJ	9/15/2023	Paid Amt: \$67.97
			E 01	100 201 000 401 000	Barbie Careers Doll & Playset, Firefighter Play	\$14.49	
PO#: 49394	Voucher #:	103249	Invoice	Invoice No:	1GGC-1CPN-W6VR	9/15/2023	Paid Amt: \$14.49
			E 01	100 201 000 401 000	Avery Easy Peel Return Address Labels for Inl	\$12.99	
			E 01	100 201 000 401 000	Raymond Geddes B82 Day Number 2 Pencils	\$13.46	
			E 01	100 201 000 401 000	Happy Birthday Badge Stickers It's My Birthda	\$9.99	
			E 01	100 201 000 401 000	Trend Enterprises Kindergarten Certificates (T	\$8.48	

Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
0146	MB	85646	14911	REMIT	AMAZON CAPITAL SERVICES		Check
				E 01	100 201 000 401 000	Clipboards, PANDRI 26 Pack Hardboard Office	\$29.87
				E 01	100 201 000 401 000	Back to School Decorations, 70.9 x 43.3 Inche	\$8.99
				E 01	100 201 000 401 000	Teacher Created Resources 5222 All About Me	\$12.99
				E 01	100 201 000 401 000	Mr. Pen- Sticky Notes, 12 Pads, 3"x3", Vintage	\$8.98
				E 01	100 201 000 401 000	Flying Childhood Felt Pin Board Bar Strips Bul	\$15.99
				E 01	100 201 000 401 000	Barbie Teacher Dolls & Playset with Fashion C	\$22.99
				E 01	100 201 000 401 000	Click N' Play CNP30640 Urban Firefighting 12'	\$19.10
PO#: 49394	Voucher #:	103250	Invoice	Invoice No:	1GT9-QGD6-9WFD	9/15/2023	Paid Amt: \$163.83
			E 01	100 201 000 401 000	Amazon Basics Sticky Easel Pad, 25 x 30-Incl	\$36.68	
PO#: 49394	Voucher #:	103251	Invoice	Invoice No:	1MHH-Y9QT-DQQ1	9/15/2023	Paid Amt: \$36.68
			E 01	300 258 000 401 000	X-ACTO(R) SchoolPro(R) Electric Pencil Shar	\$28.98	
PO#: 49412	Voucher #:	103252	Invoice	Invoice No:	1X64-GMPW-MCPF	9/15/2023	Paid Amt: \$28.98
			E 01	100 206 000 401 000	UCreate Watercolor Paper, White, Package, 1	\$68.88	
			E 01	100 206 000 401 000	Carson Dellosa 36 Pc. Modern Cursive Desk N	\$8.99	
			E 01	100 206 000 401 000	EXPO Low Odor Dry Erase Markers, Chisel Tip	\$26.91	
			E 01	100 206 000 401 000	Tru-Ray® Construction Paper, 50% Recycled,	\$9.81	
			E 01	100 206 000 401 000	Recycled Tru-Ray Construction Paper, 12" x 1:	\$21.90	
PO#: 49393	Voucher #:	103253	Invoice	Invoice No:	1KXX-G6QW-YMLC	9/15/2023	Paid Amt: \$136.49
			E 04	005 582 344 401 000	Amazon Basics pack of 100 manilla folders	\$21.46	
			E 04	005 582 344 401 000	Amazon basics pack of 25 hanging folders	\$12.81	
PO#: 49375	Voucher #:	103254	Invoice	Invoice No:	1CKX-WQKV-FQMV	9/15/2023	Paid Amt: \$34.27
			E 06	005 870 000 401 892	Benches	\$139.99	
			E 06	005 870 000 401 892	booster seats	\$643.90	✓
PO#: 49376	Voucher #:	103255	Invoice	Invoice No:	1PDH-NGR3-K3LW	9/15/2023	Paid Amt: \$783.89
			E 01	100 206 000 401 000	Storex Large Book Bin, Linking Storage Bin, D	\$72.17	
PO#: 49405	Voucher #:	103256	Invoice	Invoice No:	1FLX-JWXN-H939	9/15/2023	Paid Amt: \$72.17
			E 01	100 203 302 530 000	SNAPZ Building Bricks 400 pieces	\$79.98	
			E 01	100 203 302 530 000	TOMYOU 400 pieces pieces building blocks	\$28.99	
			E 01	100 203 302 530 000	SnapCircuits Arcade	\$100.00	
			E 01	100 203 302 530 000	snap circuits 203 electronics exploration kit	\$92.52	
			E 01	100 203 302 530 000	Botley 2.0 Coding Robot	\$150.38	
			E 01	100 203 302 530 000	Sphero Mini Ball	\$199.96	
			E 01	100 203 302 530 000	DASH Coding Robot	\$290.00	
			E 01	100 203 302 530 000	KEVA Contraptions Plank Set	\$89.20	
PO#: 49395	Voucher #:	103257	Invoice	Invoice No:	1KLN-HGKG-Y9KX	9/15/2023	Paid Amt: \$1,031.03
			E 01	100 411 740 433 000	CanDo TheraPutty Standard Hand Exercise Pl	\$27.66	
			E 01	100 411 740 433 000	Guided Reading Strips Highlight Strips, Set of	\$10.59	
			E 01	100 411 740 433 000	BIC White-Out Brand Shake 'n Squeeze Corre	\$11.12	

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Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85646	14911	REMIT	AMAZON CAPITAL SERVICES		Check		
				E 01	100 411 740 433 000	Kinetic Sand, Crystal Pink 2lb Bag of All-Natur		\$0.00	
				E 01	100 411 740 433 000	Amazon Basics Facial Tissue, 2-Ply, 2880 Co		\$36.28	
				E 01	100 411 740 433 000	Kinetic Sand, Twinkly Teal 2lb Bag of All-Natur		\$0.00	
				E 01	100 411 740 433 000	Scotch Thermal Laminating Pouches, 100 Pac		\$29.14	
	PO#: 49367	Voucher #: 103425		Invoice	Invoice No: 1KPT-TTD3-DKFL	9/15/2023	Paid Amt:	\$114.79	
				E 01	300 050 000 401 000	Scotch Tape Dispenser		\$4.75	
				E 01	300 050 000 401 000	Bulletin Board borders		\$12.98	
				E 01	300 050 000 401 000	AA Batteries		\$8.41	
	PO#: 49425	Voucher #: 103426		Invoice	Invoice No: 1FR7-CRF4-LXV9	9/15/2023	Paid Amt:	\$26.14	
				E 01	100 201 000 401 000	Lavigo Kitchen Timer		\$24.99	
				E 01	100 201 000 401 000	Freight		\$6.99	
	PO#: 49450	Voucher #: 103427		Invoice	Invoice No: 1R1J-T9RM-1CR3	9/15/2023	Paid Amt:	\$31.98	
				R 01	300 299 000 619 000	Concessions Cost of Sales		\$296.30	
	PO#:	Voucher #: 103428		Invoice	Invoice No: 137R-M3TG-1DRT	9/15/2023	Paid Amt:	\$296.30	
				E 01	005 760 733 401 000	Graco TurboBooster 2.0 Backless Booster Se		\$57.96	
	PO#: 49438	Voucher #: 103429		Invoice	Invoice No: 1V7V-YRTR-KVJ6	9/15/2023	Paid Amt:	\$57.96	
								Check Amount:	\$4,832.54
0146	MB	85647	17694		AMERICAN ENGINEERING TESTING INC		Check		
				E 06	005 870 000 305 896	Trip Charge		\$340.00	
				E 06	005 870 000 305 896	Project Assistant		\$35.00	
				E 06	005 870 000 305 896	Engineer/Project Manager		\$160.00	
				E 06	005 870 000 305 896	Engineering Technical III		\$150.00	
	PO#: 49480	Voucher #: 103276		Invoice	Invoice No: INV-145774	9/15/2023	Paid Amt:	\$685.00	
								Check Amount:	\$685.00
0146	MB	85648	15512		ANDERSON COACH OF FRAZEE INC		Check		
				E 01	300 294 733 360 502	FB		\$1,390.00	
				E 01	300 289 733 360 000	Auxiliary acct		\$805.00	
	PO#:	Voucher #: 103258		Invoice	Invoice No: 22253	9/15/2023	Paid Amt:	\$2,195.00	
								Check Amount:	\$2,195.00
0146	MB	85649	15900		ANDERSON ELECTRIC LLC		Check		
				E 06	005 870 000 305 895	Install electrical for combi oven and washer/dr		\$1,620.00	
				E 06	005 870 000 305 895	Materials		\$1,700.00	
				E 06	005 870 000 305 895	Inspection fee		\$100.00	
	PO#: 49407	Voucher #: 103259		Invoice	Invoice No: 7653	9/15/2023	Paid Amt:	\$3,420.00	
				E 01	005 812 000 350 000	Relocate outlets in kitchen		\$180.00	
	PO#: 49487	Voucher #: 103359		Invoice	Invoice No: 7681	34 9/15/2023	Paid Amt:	\$180.00	
				E 01	005 865 383 350 000	Replaced water damaged lights, labor		\$1,125.00	



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Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85649	15900		ANDERSON ELECTRIC LLC		Check		
				E 01	005 865 383 350 000	Replace water damaged lights, material		\$2,230.00	
	PO#: 49487	Voucher #: 103360		Invoice	Invoice No: 7682	9/15/2023		Paid Amt:	\$3,355.00
				E 06	005 870 000 305 895	classroom outlets, labor		\$6,665.00	
				E 06	005 870 000 305 895	classroom outlets, materials		\$2,059.00	
				E 06	005 870 000 305 895	classroom outlets, inspection fee		\$125.00	
	PO#: 49487	Voucher #: 103361		Invoice	Invoice No: 7691	9/15/2023		Paid Amt:	\$8,849.00
								Check Amount:	\$15,804.00
0146	MB	85650	10002	remit	ARAMARK		Check		
				E 02	005 770 701 382 000	Laundry/Dry Cleaning		\$169.76	
	PO#:	Voucher #: 103260		Invoice	Invoice No: 2520251342	9/15/2023		Paid Amt:	\$169.76
				E 02	005 770 701 382 000	Laundry/Dry Cleaning		\$169.76	
	PO#:	Voucher #: 103261		Invoice	Invoice No: 2520242347	9/15/2023		Paid Amt:	\$169.76
								Check Amount:	\$339.52
0146	MB	85651	10685		BARNESVILLE BUS COMPANY, INC.		Check		
				E 04	005 509 321 360 000	Kids Club		\$298.50	
				E 01	300 289 000 369 000	Football Auxiliary		\$666.00	
				E 01	300 294 733 360 502	Football		\$691.00	
				E 01	300 296 733 360 512	Volleyball		\$1,043.50	
	PO#:	Voucher #: 103263		Invoice	Invoice No: Aug 23 Extra	9/15/2023		Paid Amt:	\$2,699.00
								Check Amount:	\$2,699.00
0146	MB	85652	10685		BARNESVILLE BUS COMPANY, INC.		Check		
				E 01	005 760 720 360 000	Monthly Fee		\$57,800.00	
	PO#:	Voucher #: 103262		Invoice	Invoice No: September 2023	9/15/2023		Paid Amt:	\$57,800.00
								Check Amount:	\$57,800.00
0146	MB	85653	12945		BARNESVILLE CHIROPRACTIC CLINIC		Check		
				E 01	005 760 733 305 000	DOT Physical		\$120.00	
	PO#:	Voucher #: 103453		Invoice	Invoice No: 090823	9/15/2023		Paid Amt:	\$120.00
								Check Amount:	\$120.00
0146	MB	85654	12156		BARNESVILLE C-STORE		Check		
				E 01	005 760 733 401 000	Car Wash		\$9.00	
	PO#:	Voucher #: 103269		Invoice	Invoice No: 8803-2	9/15/2023		Paid Amt:	\$9.00
				E 01	005 760 733 401 000	Car Wash		\$7.00	
	PO#:	Voucher #: 103270		Invoice	Invoice No: 9170-1	9/15/2023		Paid Amt:	\$7.00
				E 01	005 760 733 401 000	Car Wash		\$9.00	
	PO#:	Voucher #: 103271		Invoice	Invoice No: 9189-1	9/15/2023		Paid Amt:	\$9.00
				E 01	005 760 733 401 000	Car Wash	35	\$7.00	
	PO#:	Voucher #: 103272		Invoice	Invoice No: 9215-1	9/15/2023		Paid Amt:	\$7.00



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Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
0146	MB	85654	12156		BARNESVILLE C-STORE		Check
				E 01	005 760 733 401 000 Car Wash		\$7.00
PO#:	Voucher #:	103273	Invoice		Invoice No: 9427-1	9/15/2023	Paid Amt: \$7.00
				E 01	005 760 733 401 000 Car Wash		\$9.00
PO#:	Voucher #:	103274	Invoice		Invoice No: 9064-2	9/15/2023	Paid Amt: \$9.00
				E 01	005 760 733 401 000 Car Wash		\$9.00
PO#:	Voucher #:	103275	Invoice		Invoice No: 9053-2	9/15/2023	Paid Amt: \$9.00
				E 01	005 811 000 442 000 Gasoline		\$27.20
PO#:	Voucher #:	103277	Invoice		Invoice No: 1160-1	9/15/2023	Paid Amt: \$27.20
				E 01	005 811 000 442 000 Gasoline		\$30.72
PO#:	Voucher #:	103278	Invoice		Invoice No: 2880-2	9/15/2023	Paid Amt: \$30.72
				E 01	005 811 000 442 000 Gasoline		\$31.85
PO#:	Voucher #:	103279	Invoice		Invoice No: 4361-2	9/15/2023	Paid Amt: \$31.85
				E 01	005 811 000 442 000 Gasoline		\$27.70
PO#:	Voucher #:	103280	Invoice		Invoice No: 5236-1	9/15/2023	Paid Amt: \$27.70
				E 01	005 811 000 442 000 Gasoline		\$22.38
PO#:	Voucher #:	103281	Invoice		Invoice No: 6281-1	9/15/2023	Paid Amt: \$22.38
				E 01	005 760 733 442 000 Gasoline		\$20.92
PO#:	Voucher #:	103282	Invoice		Invoice No: 6255-2	9/15/2023	Paid Amt: \$20.92
				E 01	005 760 733 401 000 Car Wash		\$9.00
PO#:	Voucher #:	103431	Invoice		Invoice No: 9217-1	9/15/2023	Paid Amt: \$9.00
Check Amount:							\$226.77
0146	MB	85655	16618		BARNESVILLE DRUG & HARDWARE		Check
				E 01	005 811 000 420 000 Repair Supplies		\$46.97
PO#:	Voucher #:	103283	Invoice		Invoice No: 139834	9/15/2023	Paid Amt: \$46.97
				E 01	005 810 000 410 000 Custodial Supplies		\$5.00
PO#:	Voucher #:	103284	Invoice		Invoice No: 139518	9/15/2023	Paid Amt: \$5.00
				E 01	005 812 000 420 000 Repair Supplies		\$66.41
PO#:	Voucher #:	103285	Invoice		Invoice No: 135754	9/15/2023	Paid Amt: \$66.41
				E 01	005 811 000 420 000 Fence and posts for FB Field		\$370.51
PO#:	Voucher #:	103286	Invoice		Invoice No: 139809	9/15/2023	Paid Amt: \$370.51
				E 01	005 810 000 410 000 Custodial Supplies		\$7.03
PO#:	Voucher #:	103287	Invoice		Invoice No: 135914	9/15/2023	Paid Amt: \$7.03
				E 01	005 812 000 420 000 Custodial Supplies		\$95.45
PO#:	Voucher #:	103288	Invoice		Invoice No: 136788	9/15/2023	Paid Amt: \$95.45
				E 01	005 810 000 410 000 Custodial Supplies		\$37.98
PO#:	Voucher #:	103289	Invoice		Invoice No: 137237	36 9/15/2023	Paid Amt: \$37.98
				E 01	005 810 000 410 000 Custodial Supplies		\$17.24
PO#:	Voucher #:	103290	Invoice		Invoice No: 137421	9/15/2023	Paid Amt: \$17.24

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Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85655	16618		BARNESVILLE DRUG & HARDWARE		Check		
				E 01	005 810 000 410 000	Custodial Supplies		\$21.37	
PO#:	Voucher #:	103291	Invoice		Invoice No: 137983	9/15/2023	Paid Amt:	\$21.37	
				E 01	005 810 000 410 000	Return		\$8.49	
PO#:	Voucher #:	103292	Credit		Invoice No: 137557	9/15/2023	Paid Amt:	(\$8.49)	
				E 01	300 260 000 430 000	Instructional Sup		\$34.95	
PO#:	Voucher #:	103293	Invoice		Invoice No: 139835	9/15/2023	Paid Amt:	\$34.95	
							Check Amount:	\$694.42	
0146	MB	85656	10025		BARNESVILLE RECORD-REVIEW		Check		
				E 01	005 010 000 380 000	Ads		\$1,609.00	
				E 01	005 105 000 380 000	Employment Ads		\$84.00	
				E 04	005 505 321 380 000	Employment Ads CS		\$60.00	
PO#:	Voucher #:	103268	Invoice		Invoice No: 083123	9/15/2023	Paid Amt:	\$1,753.00	
							Check Amount:	\$1,753.00	
0146	MB	85657	17074		BLICK ART MATERIALS		Check		
				E 01	300 212 000 430 000	61412-1100 Grafix Shrink Film - 8.5" x 11", Shi		\$27.70	
				E 01	300 212 000 430 000	61412-1010 Grafix Shrink Film - 8.5" x 11", Sh		\$27.70	
PO#: 49433	Voucher #:	103264	Invoice		Invoice No: 1421436	9/15/2023	Paid Amt:	\$55.40	
				E 01	300 212 000 430 000	20063-0060 Van Gogh Oil Pastel Set - Assorte		\$63.31	
				E 01	300 212 000 430 000	20528-0039 Prismacolor Watercolor Pencil Se		\$102.86	
				E 01	300 212 000 430 000	20411-2009 Prismacolor Ebony Pencil - Graph		\$27.00	
				E 01	300 212 000 430 000	07015-1012 Blick Economy Cotton Canvas Pa		\$109.90	
				E 01	300 212 000 430 000	07031-1008 Blick Super Value Canvas Bulk P:		\$162.37	
				E 01	300 212 000 430 000	61412-1100 Grafix Shrink Film - 8.5" x 11", Shi		\$27.70	
				E 01	300 212 000 430 000	61412-1010 Grafix Shrink Film - 8.5" x 11", Sh		\$27.70	
				E 01	300 212 000 430 000	13649-1009 Blick Studio Mixed Media Pad - 11		\$35.10	
				E 01	300 212 000 430 000	10069-1021 Canson Watercolor Paper - 18-1/2		\$83.44	
				E 01	300 212 000 430 000	10209-1025 Blick Sulphite Drawing Papers - 2		\$286.64	
PO#: 49429	Voucher #:	103265	Invoice		Invoice No: 1424514	9/15/2023	Paid Amt:	\$926.02	
							Check Amount:	\$981.42	
0146	MB	85658	17229		BRAUN INTERTEC CORPORATION		Check		
				E 06	005 870 000 305 889	Construction Testing		\$664.00	
PO#:	Voucher #:	103435	Invoice		Invoice No: Draw #38	9/15/2023	Paid Amt:	\$664.00	
							Check Amount:	\$664.00	
0146	MB	85659	15055	remit	BSN SPORTS LLC		Check		
				E 01	300 298 302 530 000	Jordan Rio Digital Jersey Purple		\$1,251.00	
				E 01	300 298 302 530 000	Jordan Rio Digital Purple Short		\$1,323.00	
				E 01	300 298 302 530 000	Jordan Womens Rio Digital White Jersey		\$1,251.00	
				E 01	300 298 302 530 000	Jordan Women Rio Basketball Shorts white		\$1,323.00	



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0146	MB	85659	15055	remit	BSN SPORTS LLC		Check		
				E 01	300 298 302 530 000	Freight		\$105.10	
	PO#: 49119	Voucher #:	103266	Invoice	Invoice No: 922397034	9/15/2023	Paid Amt:	\$5,253.10	
				E 01	300 298 302 530 000	Nike Women's Digital Track Singlet - Purple		\$1,410.00	
				E 01	300 298 302 530 000	Nike Custom Girls Spandex Short - Purple		\$1,198.50	
				E 01	300 298 302 530 000	Nike Women's Track Short - Purple		\$256.50	
				E 01	300 298 302 530 000	Freight		\$62.20	
	PO#: 49132	Voucher #:	103267	Invoice	Invoice No: 922569761	9/15/2023	Paid Amt:	\$2,927.20	
							Check Amount:	\$8,180.30	
0146	MB	85660	15818	remit	CDW GOVERNMENT		Check		
				E 01	100 205 000 401 000	5573122 Business Source - envelope - 10 in x		\$28.12	
	PO#: 49298	Voucher #:	103294	Invoice	Invoice No: LQ84790	9/15/2023	Paid Amt:	\$28.12	
				E 06	005 870 000 401 887	Draper Mounting Kit for screen		\$91.14	
				E 06	005 870 000 401 887	Darper Targa 165" Matt White Screen		\$1,144.83	✓
	PO#: 49352	Voucher #:	103295	Invoice	Invoice No: LM15279	9/15/2023	Paid Amt:	\$1,235.97	
				E 06	005 870 000 401 887	Epson PowerLite L730U Full HD Laser Project		\$3,888.33	✓
	PO#: 49352	Voucher #:	103296	Invoice	Invoice No: LK89221	9/15/2023	Paid Amt:	\$3,888.33	
							Check Amount:	\$5,152.42	
0146	MB	85661	14584		CENTRAL DOOR & HARDWARE INC.		Check		
				E 06	005 870 000 520 808	Doors, Frames & Hardware		\$12,629.00	✓
	PO#:	Voucher #:	103439	Invoice	Invoice No: Draw #38	9/15/2023	Paid Amt:	\$12,629.00	
							Check Amount:	\$12,629.00	
0146	MB	85662	17395		CHRISTIANSON'S BUSINESS FURNITURE		Check		
				E 06	005 870 000 530 898	Classroom Cabinets		\$74,045.75	
	PO#: 49194	Voucher #:	103305	Invoice	Invoice No: 86276	9/15/2023	Paid Amt:	\$74,045.75	
				E 06	005 870 000 530 898	Classroom Cabinets		\$24,282.55	
				E 06	005 870 000 530 898	rounding		(\$0.05)	✓
	PO#: 49194	Voucher #:	103301	Invoice	Invoice No: 86666	9/15/2023	Paid Amt:	\$24,282.50	
							Check Amount:	\$98,328.25	
0146	MB	85663	13033		CLAY COUNTY COLLABORATIVE		Check		
				E 01	200 690 000 390 000	Partnership Fee		\$100.00	
	PO#:	Voucher #:	103303	Invoice	Invoice No: 24003	9/15/2023	Paid Amt:	\$100.00	
							Check Amount:	\$100.00	
0146	MB	85664	16568		COCA-COLA BOTTLING COMPANY HIGH COUNTRY		Check		
				R 01	300 299 000 619 000	Credit		\$1,006.25	
	PO#:	Voucher #:	103299	Credit	Invoice No: 4399386	9/15/2023	Paid Amt:	(\$1,006.25)	

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0146	MB	85664	16568		COCA-COLA BOTTLING COMPANY HIGH COUNTRY		Check		
				R 01	300 299 000 619 000	Concessions Cost of Sales		\$2,568.50	
PO#:	Voucher #:	103300	Invoice	Invoice No:	4518215	9/15/2023	Paid Amt:	\$2,568.50	
							Check Amount:	\$1,562.25	
0146	MB	85665	16568		COCA-COLA BOTTLING COMPANY HIGH COUNTRY		Check		
				E 02	005 770 707 490 000	Food		\$199.00	
PO#:	Voucher #:	103298	Invoice	Invoice No:	4518216	9/15/2023	Paid Amt:	\$199.00	
							Check Amount:	\$199.00	
0146	MB	85666	17314		COMPLETE BOOK & MEDIA SUPPLY LLC		Check		
				E 01	100 203 302 460 000	9781434228086 There Are No Figure Eights ir		\$78.75	
				E 01	100 203 302 460 000	9781434230799 Who Wants to Play Just for K		\$101.25	
PO#: 49374	Voucher #:	103304	Invoice	Invoice No:	1691347	9/15/2023	Paid Amt:	\$180.00	
							Check Amount:	\$180.00	
0146	MB	85667	15619		CULINEX		Check		
				E 02	005 770 701 401 000	VOL 30262 Steam Pan 1/2 size Deep		\$271.92	
				E 02	005 770 701 401 000	CUL SPJH-106 Full size deep steam pan		\$405.84	
				E 02	005 770 701 401 000	VOL 77250 Food pan cover full size		\$277.20	
				E 02	005 770 701 401 000	CUL SPCH Solid 1/2 pan cover		\$85.44	
PO#: 49419	Voucher #:	103297	Invoice	Invoice No:	INV887534	9/15/2023	Paid Amt:	\$1,040.40	
							Check Amount:	\$1,040.40	
0146	MB	85668	10007		DACOTAH PAPER CO		Check		
				E 01	005 865 352 401 000	Lrg Nitrile Gloves		\$67.24	
				E 01	005 810 000 410 000	can liner 30x36		\$41.71	
				E 01	005 810 000 410 000	Can liner 26x42		\$33.98	
				E 01	005 810 000 410 000	Can liner		\$94.56	
				E 01	005 810 000 410 000	Can liner 38x58		\$144.04	
				E 01	005 810 000 410 000	can liner 33x40		\$82.34	
				E 01	005 810 000 410 000	Foamy q&a		\$77.85	
				E 01	005 810 000 410 000	Foamy q&a qts		\$64.23	
PO#: 49408	Voucher #:	103309	Invoice	Invoice No:	37757	9/15/2023	Paid Amt:	\$605.95	
			R 01	300 299 000 619 000	Concessions Cost of Sales		\$675.06		
PO#:	Voucher #:	103310	Invoice	Invoice No:	34265	9/15/2023	Paid Amt:	\$675.06	
							Check Amount:	\$1,281.01	
0146	MB	85669	17695		DANCE EQUIPMENT INTERNATIONAL		Check		
				E 06	005 870 000 401 892	Dance Mirrors		\$2,334.00	
				E 06	005 870 000 401 892	Freight		\$1,137.03	
PO#: 49436	Voucher #:	103308	Invoice	Invoice No:	6748	9/15/2023	Paid Amt:	\$3,471.03	
							Check Amount:	\$3,471.03	



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Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85670	13220		EARTHGRAINS BAKING CO. INC.		Check		
				E 02	005 770 469 490 000 Food			\$26.96	
PO#:	Voucher #:	103311	Invoice		Invoice No: 52155690001832	9/15/2023	Paid Amt:		\$26.96
				E 02	005 770 469 490 000 Food			\$13.52	
PO#:	Voucher #:	103312	Invoice		Invoice No: 52155690001771	9/15/2023	Paid Amt:		\$13.52
				E 02	005 770 469 490 000 Food			\$20.16	
PO#:	Voucher #:	103313	Invoice		Invoice No: 52155690001804	9/15/2023	Paid Amt:		\$20.16
							Check Amount:		\$60.64
0146	MB	85671	15760		ENGEL, ROD		Check		
				E 01	300 294 000 305 502 Fees For Services			\$90.00	
PO#:	Voucher #:	103445	Invoice		Invoice No: 091423	9/15/2023	Paid Amt:		\$90.00
				E 01	300 294 000 305 502 Fees For Services			\$90.00	
PO#:	Voucher #:	103314	Invoice		Invoice No: 091223	9/15/2023	Paid Amt:		\$90.00
							Check Amount:		\$180.00
0146	MB	85672	10052		FARMERS COOPERATIVE OIL CO		Check		
				E 01	005 760 733 442 000 Gasoline			\$50.11	
PO#:	Voucher #:	103316	Invoice		Invoice No: 5331-1	9/15/2023	Paid Amt:		\$50.11
				E 01	005 760 733 442 000 Gasoline			\$14.99	
PO#:	Voucher #:	103317	Invoice		Invoice No: 7062-2	9/15/2023	Paid Amt:		\$14.99
				E 01	005 760 733 442 000 Gasoline			\$24.51	
PO#:	Voucher #:	103318	Invoice		Invoice No: 7078-2	9/15/2023	Paid Amt:		\$24.51
				E 01	005 760 733 442 000 Gasoline			\$14.13	
PO#:	Voucher #:	103319	Invoice		Invoice No: 7092-2	9/15/2023	Paid Amt:		\$14.13
				E 01	005 760 733 442 000 Gasoline			\$83.31	
PO#:	Voucher #:	103320	Invoice		Invoice No: 7301-2	9/15/2023	Paid Amt:		\$83.31
				E 01	005 811 000 442 000 Gasoline			\$37.70	
PO#:	Voucher #:	103321	Invoice		Invoice No: 8959-2	9/15/2023	Paid Amt:		\$37.70
				E 01	005 810 000 442 000 Gasoline			\$142.50	
PO#:	Voucher #:	103322	Invoice		Invoice No: 9134-1	9/15/2023	Paid Amt:		\$142.50
				E 01	005 760 733 442 000 Gasoline			\$29.23	
PO#:	Voucher #:	103323	Invoice		Invoice No: 7313-2	9/15/2023	Paid Amt:		\$29.23
				E 01	005 810 000 442 000 Gasoline			\$71.12	
PO#:	Voucher #:	103324	Invoice		Invoice No: 2741-2	9/15/2023	Paid Amt:		\$71.12
				E 01	005 760 733 442 000 Gasoline			\$57.77	
PO#:	Voucher #:	103325	Invoice		Invoice No: 2921-2	9/15/2023	Paid Amt:		\$57.77
							Check Amount:		\$525.37

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Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85673	17312		FAR-MOOR ACOUSTICS & FLOORS LLC		Check		
				E 06	005 870 000 305 896	Acoustical ceilings for Math Room HVAC		\$7,045.00	
		PO#: 49149	Voucher #: 103315	Invoice	Invoice No: 11071	9/15/2023	Paid Amt:	\$7,045.00	
							Check Amount:	\$7,045.00	✓
0146	MB	85674	10060		FUCHS SANITATION, INC		Check		
				E 02	005 770 701 330 000	Garbage		\$2,976.87	
				E 02	005 770 701 330 000	Garbage		\$506.07	
		PO#:	Voucher #: 103326	Invoice	Invoice No: 110554	9/15/2023	Paid Amt:	\$3,482.94	
				E 01	005 810 000 330 000	Garbage		\$1,205.83	
		PO#:	Voucher #: 103327	Invoice	Invoice No: 110621	9/15/2023	Paid Amt:	\$1,205.83	
							Check Amount:	\$4,688.77	
0146	MB	85675	16753		GRACENOTES LLC		Check		
				E 01	300 211 302 460 000	Teacher Subscription to Sight reading factory		\$35.00	
				E 01	300 211 302 460 000	Student subscriptions to sight reading factory		\$260.00	
		PO#: 49422	Voucher #: 103328	Invoice	Invoice No: swzudy	9/15/2023	Paid Amt:	\$295.00	
							Check Amount:	\$295.00	
0146	MB	85676	17709		HARRY'S PIZZA LLC		Check		
				R 01	300 299 000 619 000	Concessions Cost of Sales		\$243.00	
		PO#:	Voucher #: 103403	Invoice	Invoice No: 65089	9/15/2023	Paid Amt:	\$243.00	
							Check Amount:	\$243.00	
0146	MB	85677	17355		HILLYARD/HUTCHINSON		Check		
				E 01	005 810 000 410 000	Foaming hand sanitizer		\$104.11	
				E 01	005 810 000 410 000	Foaming hand soap		\$392.60	
				E 01	005 810 000 410 000	Top clean floor cleaner		\$802.80	
				E 01	005 810 000 410 000	Spray clean HD cleaner		\$1,432.40	
				E 01	005 810 000 410 000	Lemon disefct.		\$893.60	
				E 01	005 810 000 410 000	Toilet paper		\$598.20	
				E 01	005 810 000 410 000	paper hand towels		\$832.40	
		PO#: 49414	Voucher #: 103335	Invoice	Invoice No: 605224548	9/15/2023	Paid Amt:	\$5,056.11	
							Check Amount:	\$5,056.11	
0146	MB	85678	10788		INDEPENDENT SCHOOL DIST 150		Check		
				E 01	300 296 000 369 512	Entry Fees/Student Travel		\$200.00	
		PO#:	Voucher #: 103329	Invoice	Invoice No: 091323	9/15/2023	Paid Amt:	\$200.00	
							Check Amount:	\$200.00	
0146	MB	85679	12122		INDEPENDENT SCHOOL DIST. 2164		Check		
				E 01	300 296 000 369 512	Entry Fees/Student Travel		\$100.00	
		PO#:	Voucher #: 103307	Invoice	Invoice No: 091323	9/15/2023	Paid Amt:	\$100.00	
							Check Amount:	\$100.00	

Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85680	17323		INNOVATIVE ERECTORS INC		Check		
				E 06	005 870 000 520 805	Steel Erection		\$34,203.00	
PO#:	Voucher #:	103438	Invoice		Invoice No: Draw #38	9/15/2023	Paid Amt:	\$34,203.00	
							Check Amount:	\$34,203.00	✓
0146	MB	85681	15388	remit	INNOVATIVE OFFICE SOLUTIONS LLC		Check		
				E 01	100 203 302 460 000	ALEEL41ME10B CHAIR,MESH,MLTIFXN,HI,E		\$216.89	
PO#: 49460	Voucher #:	103330	Invoice		Invoice No: IN4320208	9/15/2023	Paid Amt:	\$216.89	
				E 01	300 211 000 401 000	DURDL2025B4PK BATTERY,2025,4PK,SV		\$16.04	
PO#: 49431	Voucher #:	103331	Invoice		Invoice No: IN4312611	9/15/2023	Paid Amt:	\$16.04	
				E 01	300 211 000 401 000	DURMN2400B24000 BATTERY,COPPRTP,AA		\$20.50	
				E 01	300 211 000 401 000	AVE05711 BNDR,RNDR,8.5X11,1"WHT		\$17.30	
PO#: 49431	Voucher #:	103332	Invoice		Invoice No: IN4311521	9/15/2023	Paid Amt:	\$37.80	
				E 01	300 270 000 401 000	MMM23234 TAPE,MSKING BULK.75X60		\$25.66	
				E 01	300 270 000 401 000	UNV92009 SCISSORS,ECON,8,STR,SS		\$2.58	
				E 01	300 270 000 401 000	Freight		\$3.00	
PO#: 49430	Voucher #:	103333	Invoice		Invoice No: IN4311522	9/15/2023	Paid Amt:	\$31.24	
				E 01	005 110 000 401 000	DURMN2400B10Z BATTERY,COPPRTOP,AA		\$12.95	
				E 01	005 110 000 401 000	FALHCN2 COMPUTER,KIT,CLEANER,2OZ		\$8.83	
				E 01	005 110 000 401 000	BICVCGN11BK PEN,ATLANTIS EXACT DZ,B		\$14.06	
PO#: 49380	Voucher #:	103334	Invoice		Invoice No: IN4307116	9/15/2023	Paid Amt:	\$35.84	
				E 01	100 201 000 401 000	UNV05562 CLIPBOARD,LETTER,6/PK,BR		\$27.26	
				E 01	100 201 000 401 000	MMM8452 TAPE,BOOK,TRANS,2X15YDS		\$11.30	
				E 01	100 201 000 401 000	MMM8453 TAPE,BOOK,TRANS,3X15YDS		\$17.18	
				E 01	100 201 000 401 000	MMM209024A TAPE,PAINTERS,BE		\$8.00	
				E 01	100 201 000 430 000	PAC7607 PAPER,CNST12X18,50PK,SKBE		\$4.41	
				E 01	100 201 000 430 000	PAC103039 PAPER,CONST,12X18,TE		\$4.32	
				E 01	100 201 000 430 000	PAC7507 PAPER,CNST,12X18,50PK,BBE		\$5.52	
				E 01	100 201 000 430 000	PAC7707 PAPER,CNST,12X18,50PK,TE		\$2.76	
				E 01	100 201 000 430 000	PAC103049 PAPER,CONST,12X18,RBE		\$8.64	
				E 01	100 201 000 401 000	MMM810K6C38 TAPE,3/4"X1000",6/PK,CR		\$15.61	
				E 01	100 201 000 401 000	AVE5260 LABEL,ADD,W/P,1X2-5/8,750		\$11.73	
				E 01	100 201 000 401 000	UNV72220BX CLIP,JUMBO,SMOOTH,100BX		\$2.25	
PO#: 49472	Voucher #:	103447	Invoice		Invoice No: IN4320748	9/15/2023	Paid Amt:	\$118.98	
							Check Amount:	\$456.79	
0146	MB	85682	16615		JIFFY JONS INC		Check		
				E 01	005 811 000 350 000	Jiffy Jon Rent (Softball/Football)		\$346.00	
PO#:	Voucher #:	103336	Invoice		Invoice No: 73194	42 9/15/2023	Paid Amt:	\$346.00	
							Check Amount:	\$346.00	

Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85683	16034		JO VOLLEYBALL		Check		
				E 01	300 299 000 305 000	Fees For Services		\$3,450.31	
	PO#:	Voucher #:	102032	Invoice	Invoice No: 041623	9/15/2023	Paid Amt:	\$3,450.31	
							Check Amount:	\$3,450.31	
0146	MB	85684	10904		JOHNSON CONTROLS, INC		Check		
				E 02	005 770 701 350 000	Repair refrigerant leak, 90 ton AC unit		\$4,120.00	
	PO#: 49452	Voucher #:	103337	Invoice	Invoice No: 1-130892832274	9/15/2023	Paid Amt:	\$4,120.00	
				E 02	005 770 701 350 000	Replace exhaust fan over kitchen, labor		\$656.10	
				E 02	005 770 701 350 000	repalce exhaust fan over kitchen, parts		\$440.90	
	PO#: 49452	Voucher #:	103338	Invoice	Invoice No: 1-130996940045	9/15/2023	Paid Amt:	\$1,097.00	
							Check Amount:	\$5,217.00	
0146	MB	85685	12685	REMIT	JW PEPPER & SON INC.		Check		
				E 01	300 259 000 430 000	O Christmas Tree POD 11374425 SATB		\$30.00	
				E 01	300 259 000 430 000	Be the Light POD 11515422 3 pt mixed		\$29.50	
	PO#: 49373	Voucher #:	103339	Invoice	Invoice No: 365494929	9/15/2023	Paid Amt:	\$59.50	
				E 01	300 259 000 430 000	Winter Stars 3 pt mixed #11419606		\$64.50	
				E 01	300 259 000 430 000	Auld Lang Syne 11416004 TTBB		\$57.00	
	PO#: 49373	Voucher #:	103340	Invoice	Invoice No: 365542561	9/15/2023	Paid Amt:	\$121.50	
				E 01	300 259 000 430 000	Tomorrow Shall Be My Dancing Day 624783 S		\$78.00	
				E 01	300 259 000 430 000	Heartbeat 11391221 SATB		\$78.00	
				E 01	300 259 000 430 000	Can We sing the Darkness to Light 10994208		\$84.00	
				E 01	300 259 000 430 000	Oye Como Va 11001856 SATB		\$25.80	
				E 01	300 259 000 430 000	Ad Astra 10846403 3 pt mixed		\$90.00	
	PO#: 49373	Voucher #:	103341	Invoice	Invoice No: 365486407	9/15/2023	Paid Amt:	\$355.80	
				E 01	300 259 000 430 000	We Wish You A Merry Christmas 3145984E S		\$22.50	
				E 01	300 259 000 430 000	shipping and handling		\$29.99	
	PO#: 49373	Voucher #:	103342	Invoice	Invoice No: 365485683	9/15/2023	Paid Amt:	\$52.49	
							Check Amount:	\$589.29	
0146	MB	85686	16348	remit	KEMPS LLC dba CASS CLAY CREAMERY		Check		
				E 02	005 770 701 495 000	Milk		\$311.85	
	PO#:	Voucher #:	103343	Invoice	Invoice No: 4765538	9/15/2023	Paid Amt:	\$311.85	
				E 02	005 770 701 495 000	Milk		\$485.97	
	PO#:	Voucher #:	103344	Invoice	Invoice No: 4765539	9/15/2023	Paid Amt:	\$485.97	
				E 02	005 770 469 495 000	Milk		\$105.60	
	PO#:	Voucher #:	103345	Invoice	Invoice No: 4724892	9/15/2023	Paid Amt:	\$105.60	
				E 02	005 770 469 495 000	Milk		\$79.50	
	PO#:	Voucher #:	103346	Invoice	Invoice No: 4734276	43 9/15/2023	Paid Amt:	\$79.50	

Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85686	16348	remit	KEMPS LLC dba CASS CLAY CREAMERY		Check		
				E 02	005 770 469 495 000 Milk			\$303.86	
		PO#:	Voucher #:	103347	Invoice	Invoice No: 4743962	9/15/2023	Paid Amt:	\$303.86
								Check Amount:	\$1,286.78
0146	MB	85687	17670	REMIT	KLEINWOLTERINK, JOSEPH		Check		
				E 01	300 294 000 305 502 Fees For Services			\$90.00	
		PO#:	Voucher #:	103349	Invoice	Invoice No: 091223	9/15/2023	Paid Amt:	\$90.00
				E 01	300 294 000 305 502 Fees For Services			\$90.00	
		PO#:	Voucher #:	103444	Invoice	Invoice No: 091423	9/15/2023	Paid Amt:	\$90.00
								Check Amount:	\$180.00
0146	MB	85688	13701		LIBRARY STORE, INC.		Check		
				E 01	100 203 000 401 000 Laminating Film Item # 30-1706			\$339.80	
				E 01	100 203 000 401 000 Coupon			(\$50.00)	
				E 01	100 203 000 401 000 Shipping			\$41.00	
		PO#: 49437	Voucher #:	103411	Invoice	Invoice No: 649967	9/15/2023	Paid Amt:	\$330.80
								Check Amount:	\$330.80
0146	MB	85689	13729	remit	LITANIA SPORTS GROUP, INC.		Check		
				E 01	300 292 000 401 505 83511 Stellex Spikes 1/8"			\$144.40	
				E 01	300 292 000 401 505 83500 1/4" Steelex Wrench			\$71.25	
				E 01	300 292 000 401 505 77516 Mid-Spin 1.6K Boys Discus			\$114.95	
				E 01	300 292 000 401 505 Shipping			\$55.80	
		PO#: 49421	Voucher #:	103348	Invoice	Invoice No: 644629	9/15/2023	Paid Amt:	\$386.40
								Check Amount:	\$386.40
0146	MB	85690	13592	REMIT	MARCO TECHNOLOGIES LLC		Check		
				E 01	005 110 302 580 000 Copier Contract			\$658.33	
				E 01	300 211 302 580 000 Copier Contract			\$1,316.65	
				E 01	100 203 302 580 000 Copier Contract			\$1,316.65	
				E 01	005 110 302 580 000 Supply Freight			\$7.80	
				E 01	300 211 302 580 000 Supply Freight			\$15.60	
				E 01	100 203 302 580 000 Supply Freight			\$15.60	
				E 01	005 110 302 580 000 copier contract			\$12.95	
		PO#: 49289	Voucher #:	103454	Invoice	Invoice No: 510525975	9/15/2023	Paid Amt:	\$3,343.58
								Check Amount:	\$3,343.58
0146	MB	85691	15976		MARTINSON, RICK S.		Check		
				E 01	300 294 000 305 502 Fees For Services			\$70.00	
		PO#:	Voucher #:	103351	Invoice	Invoice No: 091223	9/15/2023	Paid Amt:	\$70.00

Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85691	15976		MARTINSON, RICK S.		Check		
				E 01	300 294 000 305 502	Fees For Services		\$70.00	
	PO#:	Voucher #:	103446	Invoice	Invoice No: 091423	9/15/2023	Paid Amt:	\$70.00	
								Check Amount:	\$140.00
0146	MB	85692	10439		MASSP		Check		
				E 01	300 640 316 366 000	Registration Law Seminar		\$175.00	
	PO#: 49454	Voucher #:	103441	Invoice	Invoice No: SLS457	9/15/2023	Paid Amt:	\$175.00	
				E 01	300 050 000 820 000	Yearly Dues - MASSP, NASSP, Western Divisi		\$870.00	
	PO#: 49453	Voucher #:	103442	Invoice	Invoice No: 2160	9/15/2023	Paid Amt:	\$870.00	
								Check Amount:	\$1,045.00
0146	MB	85693	17638		MBN ENGINEERING INC		Check		
				E 06	005 870 000 305 890	Electrical Engineering Fee for storage building		\$760.00	
				E 06	005 870 000 305 890	Mechanical Engineering Fee for storage buildi		\$600.00	
	PO#: 48942	Voucher #:	103355	Invoice	Invoice No: 139668	9/15/2023	Paid Amt:	\$1,360.00	
								Check Amount:	\$1,360.00
0146	MB	85694	17189		McCLEARY, ASHLEY		Check		
				R 02	005 000 701 601 000	Refund		\$99.60	
	PO#:	Voucher #:	103430	Invoice	Invoice No: 090823	9/15/2023	Paid Amt:	\$99.60	
								Check Amount:	\$99.60
0146	MB	85695	17278		MENARDS		Check		
				E 01	005 810 000 410 000	Shelving		\$377.80	
				E 01	005 810 000 410 000	Door and lock		\$341.99	
	PO#: 49381	Voucher #:	103357	Invoice	Invoice No: 78451	9/15/2023	Paid Amt:	\$719.79	
				E 01	005 811 000 420 000	Fence supplies		\$61.21	
	PO#: 49441	Voucher #:	103358	Invoice	Invoice No: 79537	9/15/2023	Paid Amt:	\$61.21	
								Check Amount:	\$781.00
0146	MB	85696	14530	remit	MFAC, LLC		Check		
				E 01	300 292 000 401 505	3636-1 Overspeed Trainer		\$149.00	
				E 01	300 292 000 401 505	7280-99 Porta Circle (Combo Pack-Shot Put/L		\$299.00	
				E 01	300 292 000 401 505	Shipping		\$74.70	
	PO#: 49420	Voucher #:	103354	Invoice	Invoice No: inv259365	9/15/2023	Paid Amt:	\$522.70	
								Check Amount:	\$522.70
0146	MB	85697	10217		MINN. STATE HIGH SCHOOL LEAGUE		Check		
				E 01	300 298 000 401 000	MSHSL Yearly Fee		\$1,300.00	
	PO#: 49409	Voucher #:	103356	Invoice	Invoice No: 041534	9/15/2023	Paid Amt:	\$1,300.00	
								Check Amount:	\$1,300.00
0146	MB	85698	17434		MINN-KOTA COMMUNICATIONS INC		Check		
				E 01	005 612 000 305 000	Cat6 Plenum White		\$458.98	



Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85698	17434		MINN-KOTA COMMUNICATIONS INC		Check		
				E 01	005 612 000 305 000	Shop Supplies		\$6.00	
				E 01	005 612 000 305 000	Mileage		\$230.40	
				E 01	005 612 000 305 000	Chad Labor		\$237.50	
				E 01	005 612 000 305 000	Brian Labor		\$237.50	
	PO#: 49466	Voucher #: 103353	Invoice	Invoice No: 15927		9/15/2023	Paid Amt:	\$1,170.38	
							Check Amount:	\$1,170.38	
0146	MB	85699	13860		MN FFA REGION I SEC/TREASURER		Check		
				E 01	300 301 830 433 000	FFA Activity Fee		\$275.00	
	PO#:	Voucher #: 103350	Invoice	Invoice No: 2023-24		9/15/2023	Paid Amt:	\$275.00	
							Check Amount:	\$275.00	
0146	MB	85700	11039		CLASS MSCTC		Check		
				E 01	005 640 316 366 000	Medication Administration for School Personne		\$150.00	
	PO#:	Voucher #: 103352	Invoice	Invoice No: 0906238		9/15/2023	Paid Amt:	\$150.00	
							Check Amount:	\$150.00	
0146	MB	85701	10452	remit	NAPA CENTRAL		Check		
				E 01	005 810 000 410 000	socket set and tail light lens		\$181.88	
	PO#:	Voucher #: 103362	Invoice	Invoice No: 397230		9/15/2023	Paid Amt:	\$181.88	
				E 01	005 810 000 410 000	lens tail cover		\$5.49	
	PO#:	Voucher #: 103363	Invoice	Invoice No: 397364		9/15/2023	Paid Amt:	\$5.49	
							Check Amount:	\$187.37	
0146	MB	85702	17252		PIERCE LEE ROOFING, LLC		Check		
				E 06	005 870 000 401 895	Install roof boot for dryer vent		\$500.00	
	PO#: 49400	Voucher #: 103365	Invoice	Invoice No: 002349		9/15/2023	Paid Amt:	\$500.00	
							Check Amount:	\$500.00	✓
0146	MB	85703	12076	remit	PREMIUM WATERS, INC.		Check		
				E 01	005 720 000 401 000	General Supplies		\$89.98	
	PO#:	Voucher #: 103364	Invoice	Invoice No: 502958-08-23		9/15/2023	Paid Amt:	\$89.98	
							Check Amount:	\$89.98	
0146	MB	85704	16905		RA MORTON & ASSOCIATES LLC		Check		
				E 06	005 870 000 305 886	CM Fee - Math Room HVAC		\$8,000.00	
	PO#: 49494	Voucher #: 103448	Invoice	Invoice No: 2310-3		9/15/2023	Paid Amt:	\$8,000.00	
							Check Amount:	\$8,000.00	✓
0146	MB	85705	12663	remit	REALLY GOOD STUFF LLC		Check		
				E 01	100 206 000 401 000	173674 Really Good Stuff Monthly Calendar P		\$13.77	
	PO#: 49372	Voucher #: 103387	Invoice	Invoice No: 8319646		46 9/15/2023	Paid Amt:	\$13.77	
							Check Amount:	\$13.77	

Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85706	17471		REINHART FOODSERVICE LLC		Check		
				R 01	300 299 000 619 000	Concessions Cost of Sales		\$407.28	
PO#:		Voucher #:	103368	Invoice	Invoice No: 705104	9/15/2023	Paid Amt:	\$407.28	
				E 02	005 770 469 490 000	Food		\$495.31	
				E 02	005 770 469 401 000	General Supplies		\$49.23	
PO#:		Voucher #:	103369	Invoice	Invoice No: 705105	9/15/2023	Paid Amt:	\$544.54	
				E 02	005 770 701 490 000	Food		\$2,235.56	
				E 02	005 770 701 401 000	General Supplies		\$58.68	
PO#:		Voucher #:	103370	Invoice	Invoice No: 722275	9/15/2023	Paid Amt:	\$2,294.24	
				E 02	005 770 705 490 000	Food		\$2,235.56	
PO#:		Voucher #:	103371	Invoice	Invoice No: 722272	9/15/2023	Paid Amt:	\$2,235.56	
				E 02	005 770 701 490 000	Food		\$82.32	
PO#:		Voucher #:	103372	Invoice	Invoice No: 728841	9/15/2023	Paid Amt:	\$82.32	
				E 02	005 770 701 490 000	Food		\$3,153.69	
				E 02	005 770 705 490 000	Breakfast Food		\$361.04	
				E 02	005 770 701 401 000	General Supplies		\$270.52	
PO#:		Voucher #:	103373	Invoice	Invoice No: 730002	9/15/2023	Paid Amt:	\$3,785.25	
				E 02	005 770 701 490 000	Food		\$4,063.09	
				E 02	005 770 705 490 000	Breakfast Food		\$687.74	
				E 02	005 770 701 401 000	General Supplies		\$258.04	
				E 02	005 770 707 490 000	Food		\$424.96	
PO#:		Voucher #:	103374	Invoice	Invoice No: 730003	9/15/2023	Paid Amt:	\$5,433.83	
				R 01	300 299 000 619 000	Concessions Cost of Sales		\$201.26	
PO#:		Voucher #:	103375	Invoice	Invoice No: 730000	9/15/2023	Paid Amt:	\$201.26	
				E 01	005 640 316 366 000	Staff Development breakfast		\$558.66	
PO#:		Voucher #:	103376	Invoice	Invoice No: 713526	9/15/2023	Paid Amt:	\$558.66	
							Check Amount:	\$15,542.94	
0146	MB	85707	12265	remit	RENAISSANCE LEARNING INC.		Check		
				E 01	100 203 000 461 000	Yearly Subscription Renewal		\$12,704.50	
PO#: 49455		Voucher #:	103366	Invoice	Invoice No: INV5305719	9/15/2023	Paid Amt:	\$12,704.50	
							Check Amount:	\$12,704.50	
0146	MB	85708	14314	remit	RICK'S TIRE & TOWING		Check		
				E 01	005 760 733 350 000	Ford van, oil and filter		\$69.00	
PO#: 49464		Voucher #:	103377	Invoice	Invoice No: 9678	9/15/2023	Paid Amt:	\$69.00	
				E 01	005 760 733 350 000	Chrysler van, oil and filter		\$76.00	
PO#: 49464		Voucher #:	103378	Invoice	Invoice No: 9680	9/15/2023	Paid Amt:	\$76.00	
				E 01	005 760 733 350 000	Oil and filter 47		\$76.00	
PO#: 49464		Voucher #:	103379	Invoice	Invoice No: 9682	9/15/2023	Paid Amt:	\$76.00	

Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85708	14314	remit	RICK'S TIRE & TOWING		Check		
				E 01	005 760 733 350 000	Oil and filter		\$76.00	
	PO#: 49464	Voucher #: 103380		Invoice	Invoice No: 9683	9/15/2023	Paid Amt:	\$76.00	
				E 01	005 760 733 350 000	Suburban, oil and filter		\$65.00	
	PO#: 49464	Voucher #: 103381		Invoice	Invoice No: 9688	9/15/2023	Paid Amt:	\$65.00	
				E 01	005 760 733 350 000	White pickup, oil and filter		\$65.00	
	PO#: 49464	Voucher #: 103382		Invoice	Invoice No: 9686	9/15/2023	Paid Amt:	\$65.00	
				E 01	005 760 733 350 000	Mazda, oil, filter, battery, tow		\$397.00	
	PO#: 49464	Voucher #: 103383		Invoice	Invoice No: 9804	9/15/2023	Paid Amt:	\$397.00	
							Check Amount:	\$824.00	
0146	MB	85709	14553	REMIT	ROCHESTER TELECOM SYSTEMS		Check		
				E 01	005 810 000 320 000	Communication		\$26.03	
				E 04	005 505 321 320 000	Communication		\$0.96	
	PO#:	Voucher #: 103385		Invoice	Invoice No: 28467	9/15/2023	Paid Amt:	\$26.99	
							Check Amount:	\$26.99	
0146	MB	85710	17216	REMIT	ROZZY LEARNING COMPANY		Check		
				E 01	100 203 302 460 000	Year Subscription to Rozzy		\$400.00	
	PO#: 49451	Voucher #: 103367		Invoice	Invoice No: 2901	9/15/2023	Paid Amt:	\$400.00	
							Check Amount:	\$400.00	
0146	MB	85711	16566		RURAL MINNESOTA CEP, INC.		Check		
				E 01	300 790 000 305 000	Career Advisor Contract		\$1,000.00	
	PO#:	Voucher #: 103386		Invoice	Invoice No: 023-03	9/15/2023	Paid Amt:	\$1,000.00	
							Check Amount:	\$1,000.00	
0146	MB	85712	17264		RUSCO WINDOW COMPANY INC		Check		
				E 01	005 810 000 410 000	Door installation, partial billing		\$50,000.00	
	PO#: 49442	Voucher #: 103384		Invoice	Invoice No: 14551	9/15/2023	Paid Amt:	\$50,000.00	
							Check Amount:	\$50,000.00	
0146	MB	85713	15496		S & L COMPUTER SERVICES INC		Check		
				E 01	005 612 000 530 000	Talkback Intercom Expansion Card		\$2,800.00	
				E 01	005 612 000 315 000	Support		\$487.50	
				E 01	005 612 000 530 000	Freight		\$130.00	
	PO#: 49496	Voucher #: 103451		Invoice	Invoice No: 1883960	9/15/2023	Paid Amt:	\$3,417.50	
				E 01	005 612 000 305 000	Support - Tony - Added Extensions		\$37.50	
	PO#: 49463	Voucher #: 103452		Invoice	Invoice No: 1883472	9/15/2023	Paid Amt:	\$37.50	
							Check Amount:	\$3,455.00	
0146	MB	85714	17098		SANTANA CONCRETE LLC	48	Check		
				E 06	005 870 000 305 895	Concrete Disposal Fee		\$150.00	
				E 06	005 870 000 305 895	ADA Ramps (two ramps)		\$250.00	



Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85714	17098		SANTANA CONCRETE LLC		Check		
				E 06	005 870 000 305 895			Tear out and replace (sidewalk and curb)	\$2,492.00
		PO#: 49439	Voucher #: 103401	Invoice	Invoice No: 1116	9/15/2023		Paid Amt: \$2,892.00	
								Check Amount: \$2,892.00	✓
0146	MB	85715	16386	remit	SCHOOL HEALTH CORPORTATION		Check		
				E 01	300 256 000 430 000			74732 Play Money Set	\$26.09
				E 01	300 256 000 430 000			Freight	\$12.95
		PO#: 49427	Voucher #: 103398	Invoice	Invoice No: 4249063-00	9/15/2023		Paid Amt: \$39.04	
								Check Amount: \$39.04	
0146	MB	85716	14022		SCHOOL NURSE SUPPLY, INC.		Check		
				E 01	005 810 160 401 011			1005929 Braun ThermoScan PRO 6000 Ear Ti	\$570.00
		PO#: 49097	Voucher #: 103399	Invoice	Invoice No: 0966398-IN	9/15/2023		Paid Amt: \$570.00	
								Check Amount: \$570.00	
0146	MB	85717	11878		SCHRITZ PLUMBING & HEATING		Check		
				E 01	005 812 000 350 000			Install floor drain in kitchen	\$534.78
		PO#: 49401	Voucher #: 103404	Invoice	Invoice No: 817347	9/15/2023		Paid Amt: \$534.78	
				E 06	005 870 000 305 895			New oven and washer and dryer hookup	\$628.08
		PO#: 49443	Voucher #: 103405	Invoice	Invoice No: 818689	9/15/2023		Paid Amt: \$628.08	✓
				E 06	005 870 000 305 895			Stove and laundry hook up material	\$863.64
		PO#: 49443	Voucher #: 103406	Invoice	Invoice No: 918643	9/15/2023		Paid Amt: \$863.64	
				E 01	005 812 000 350 000			Toilet repair	\$364.50
		PO#: 49443	Voucher #: 103407	Invoice	Invoice No: 818665	9/15/2023		Paid Amt: \$364.50	✓
				E 06	005 870 000 305 895			water line to new ovens material ctd.	\$1,679.21
		PO#: 49443	Voucher #: 103408	Invoice	Invoice No: 918615	9/15/2023		Paid Amt: \$1,679.21	
				E 06	005 870 000 305 895			Sinks, labor and material	\$9,155.04
		PO#: 49462	Voucher #: 103409	Invoice	Invoice No: 080163	9/15/2023		Paid Amt: \$9,155.04	✓
								Check Amount: \$13,225.25	
0146	MB	85718	16420		SIGNARAMA		Check		
				E 01	005 810 000 410 000			door numbers	\$80.00
		PO#: 49461	Voucher #: 103400	Invoice	Invoice No: INV-16698	9/15/2023		Paid Amt: \$80.00	
								Check Amount: \$80.00	
0146	MB	85719	16892		SOLID TECHNOLOGY SYSTEMS, INC.		Check		
				E 01	005 715 342 405 000			PDK Door Access System + Lockdown	\$3,000.00
		PO#: 49495	Voucher #: 103449	Invoice	Invoice No: 5012397	9/15/2023		Paid Amt: \$3,000.00	
				E 01	005 812 000 350 000			Service Call	\$250.00
		PO#:	Voucher #: 103450	Invoice	Invoice No: 5012398	9/15/2023		Paid Amt: \$250.00	
						49		Check Amount: \$3,250.00	

Barnesville Public Schools #146 Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
0146	MB	85720	13919		SPANISH		Check
				E 01	300 299 000 305 000	Fees For Services	\$1,170.14
	PO#:	Voucher #:	103432	Invoice	Invoice No: 09123	9/15/2023	Paid Amt: \$1,170.14
							Check Amount: \$1,170.14
0146	MB	85721	10140		STEIN'S INC		Check
				E 01	005 810 000 410 000	Metering tip	\$48.36
	PO#: 49488	Voucher #:	103388	Invoice	Invoice No: 924320	9/15/2023	Paid Amt: \$48.36
				E 06	005 870 000 530 887	Carpet extractor	\$4,666.39
	PO#: 49488	Voucher #:	103389	Invoice	Invoice No: 924406	9/15/2023	Paid Amt: \$4,666.39
				E 01	005 810 000 410 000	Glass cleaner	\$164.08
				E 01	005 810 000 410 000	h2 orange cleaner	\$446.52
	PO#: 49488	Voucher #:	103390	Invoice	Invoice No: 924280	9/15/2023	Paid Amt: \$610.60
				E 01	005 813 000 420 000	Side gaskets for scrubber	\$84.46
	PO#: 49488	Voucher #:	103391	Invoice	Invoice No: 924738	9/15/2023	Paid Amt: \$84.46
				E 01	005 810 000 410 000	garbage cans	\$180.48
	PO#: 49488	Voucher #:	103392	Invoice	Invoice No: 824714-1	9/15/2023	Paid Amt: \$180.48
				E 01	005 810 000 410 000	New Towels	\$132.00
	PO#: 49444	Voucher #:	103402	Invoice	Invoice No: 924637	9/15/2023	Paid Amt: \$132.00
							Check Amount: \$5,722.29
0146	MB	85722	13937		STUDENT COUNCIL		Check
				E 01	300 299 000 305 000	Fees For Services	\$569.16
	PO#:	Voucher #:	103433	Invoice	Invoice No: 090723	9/15/2023	Paid Amt: \$569.16
							Check Amount: \$569.16
0146	MB	85723	14824	remit	SUMMIT FIRE PROTECTION		Check
				E 01	005 865 363 305 000	annual service	\$210.00
	PO#: 49489	Voucher #:	103393	Invoice	Invoice No: 192026196	9/15/2023	Paid Amt: \$210.00
				E 01	005 865 363 305 000	annual service	\$406.25
				E 01	005 865 363 305 000	Misc	\$0.00
	PO#: 49489	Voucher #:	103394	Invoice	Invoice No: 192026197	9/15/2023	Paid Amt: \$406.25
				E 01	005 865 363 305 000	Building monitoring (7/1/2023-6/30/2024)	\$363.00
	PO#: 49416	Voucher #:	103395	Invoice	Invoice No: 192024561	9/15/2023	Paid Amt: \$363.00
				E 01	005 865 363 305 000	Building monitoring (7/1/2023-6/30/2024)	\$376.00
	PO#: 49416	Voucher #:	103396	Invoice	Invoice No: 192024645	9/15/2023	Paid Amt: \$376.00
				E 06	005 870 000 305 896	Math Room HVAC Fire Protection	\$5,735.00
	PO#: 49153	Voucher #:	103397	Invoice	Invoice No: 2225912	9/15/2023	Paid Amt: \$5,735.00
							Check Amount: \$7,090.25
0146	MB	85724	15651	remit	TEACHERS ON CALL		Check
				E 01	100 203 000 305 000	Elem Substitutes	\$361.20
	PO#:	Voucher #:	103434	Invoice	Invoice No: 148643	9/15/2023	Paid Amt: \$361.20



Barnesville Public Schools #146

Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
0146	MB	85724	15651	remit	TEACHERS ON CALL		Check
				E 01	100 203 000 305 000	Elem substitutes	\$993.30
				E 01	300 211 000 305 000	HS substitutes	\$270.90
PO#:	Voucher #:	103443	Invoice	Invoice No:	148875	9/15/2023	Paid Amt: \$1,264.20
							Check Amount: \$1,625.40
0146	MB	85725	11035		THE FEED MILL INC		Check
				E 01	005 810 000 334 000	Softener Pellets	\$813.40
PO#:	Voucher #:	103410	Invoice	Invoice No:	20832	9/15/2023	Paid Amt: \$813.40
							Check Amount: \$813.40
0146	MB	85726	10225		TRAINING ROOM INC		Check
				E 01	300 292 000 401 000	Zip Tape Cutter 10 Blades	\$8.95
				E 01	300 292 000 401 000	Theraband Resistance Band-Blue	\$227.90
				E 01	300 292 000 401 000	Alcohol Rub 100 Wipes	\$4.95
				E 01	300 292 000 401 000	Band-aids Cloth Stretch 3/4 x 3	\$10.95
				E 01	300 292 000 401 000	Band-aids Cloth Stretch 1x3	\$16.60
				E 01	300 292 000 401 000	Band-aids Cloth Stretch 2x 4 1/2	\$19.05
				E 01	300 292 000 401 000	Band-aids Cloth Stretch Knuckles	\$20.25
				E 01	300 292 000 401 000	Band-aids Cloth Stretch 4 wings	\$39.75
				E 01	300 292 000 401 000	Band-aids Steri Strips 1/4	\$11.15
				E 01	300 292 000 401 000	Band-aids Steri Strips 1/2	\$11.15
				E 01	300 292 000 401 000	Biofreeze 4oz tube	\$29.90
				E 01	300 292 000 401 000	Blister Pads 25 Foam oval Pads	\$16.95
				E 01	300 292 000 401 000	Cinder Suds	\$11.95
PO#: 49244	Voucher #:	103412	Invoice	Invoice No:	100265	9/15/2023	Paid Amt: \$429.50
				E 01	300 292 000 401 000	Cotton balls Box of 2,000	\$12.95
				E 01	300 292 000 401 000	Cover Roll Stretch 4 x 10	\$129.75
				E 01	300 292 000 401 000	Elastic Tape- J & J Elastikon 3"	\$123.95
				E 01	300 292 000 401 000	Elastic Wraps Double Length Velcro Closure	\$38.95
				E 01	300 292 000 401 000	Eye Saline Solution	\$20.85
				E 01	300 292 000 401 000	Foam cast Cover	\$41.75
				E 01	300 292 000 401 000	Hydrogen Peroxide Pump Spray	\$10.35
				E 01	300 292 000 401 000	Kinesiology Tape-Black	\$18.00
				E 01	300 292 000 401 000	Leukotape P	\$77.70
				E 01	300 292 000 401 000	More Skin(2nd Skin)	\$31.45
				E 01	300 292 000 401 000	Ortho-Gel Padding	\$46.95
				E 01	300 292 000 401 000	Petroleum Jelly	\$31.90
				E 01	300 292 000 401 000	J J Coach 5188 Tape	\$3,118.50

Barnesville Public Schools #146

Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85726	10225		TRAINING ROOM INC		Check		
				E 01	300 292 000 401 000	Freight		\$93.76	
	PO#: 49244	Voucher #: 103413		Invoice	Invoice No: 100266	9/15/2023			Paid Amt: \$3,796.81
								Check Amount:	\$4,226.31
0146	MB	85727	16469	remit	TURNITIN, LLC		Check		
				E 01	300 211 000 405 000	Comprehensive protection against copy/paste		\$500.00	
				E 01	300 211 000 405 000	Feedback Studio enterprise license		\$2,695.00	
	PO#: 49186	Voucher #: 103414		Invoice	Invoice No: IN-TII-25875	9/15/2023			Paid Amt: \$3,195.00
								Check Amount:	\$3,195.00
0146	MB	85728	17568		VENTRIS LEARNING LLC		Check		
				E 01	100 203 302 460 000	UFLI Manuals		\$210.00	
				E 01	100 203 302 460 000	Shpping		\$20.00	
	PO#: 49411	Voucher #: 103415		Invoice	Invoice No: 20237343	9/15/2023			Paid Amt: \$230.00
				E 01	100 203 302 460 000	UFLI Foundations ISBN: 978-1-7320468-2-5		\$840.00	
				E 01	100 203 302 460 000	Shipping		\$110.25	
				E 01	100 422 740 433 000	UFLI Foundations (ADSIS approved)		\$630.00	
	PO#: 49365	Voucher #: 103416		Invoice	Invoice No: 20237250	9/15/2023			Paid Amt: \$1,580.25
								Check Amount:	\$1,810.25
0146	MB	85729	13590		WE TRAVEL PC LLC		Check		
				E 01	005 612 000 319 000	PC & Mac Management Software		\$750.00	
	PO#: 49485	Voucher #: 103419		Invoice	Invoice No: 13210	9/15/2023			Paid Amt: \$750.00
				E 01	005 612 000 405 000	District Staff DNS Internet Filter - Covers all St		\$99.00	
	PO#: 49485	Voucher #: 103420		Invoice	Invoice No: 13212	9/15/2023			Paid Amt: \$99.00
				E 01	005 612 000 319 000	Cyber Security: Avanan Email Security		\$568.80	
				E 01	005 612 000 319 000	Cyber Security: Google Workspace Backup		\$420.00	
				E 01	005 612 000 319 000	Cyber Security: Server Protection		\$250.00	
				E 01	005 612 000 319 000	Cyber Security: Macbooks Antivirus + EDR full		\$730.00	
				E 01	005 612 000 319 000	Cyber Security: Advanced EDR (Macs)		\$350.00	
				E 01	005 612 000 319 000	Vulnerability Scanning & Compliance Manager		\$250.00	
				E 01	005 612 000 319 000	Staff Cyber Security Training		\$312.00	
	PO#: 49485	Voucher #: 103421		Invoice	Invoice No: 13214	9/15/2023			Paid Amt: \$2,880.80
				E 01	005 612 000 401 000	IOGEAR universal ethernet to wi-fi adapter Kic		\$49.99	
				E 01	005 612 000 315 000	UniFi Lite PoE 8 Port Switch		\$119.99	
				E 01	005 811 000 350 000	Raceway Kit		\$39.99	
				E 06	005 870 000 401 885	Brother MFC-L8905CDW Color Printer		\$850.00	
				E 01	005 612 000 455 000	USB-C Divital AV Adapter		\$207.00	
				E 06	005 870 000 401 892	Mackie Mix8 8-Channel Mixer with Studio		\$124.99	
				E 01	300 211 302 530 000	LED Display		\$175.00	
	PO#: 49485	Voucher #: 103422		Invoice	Invoice No: 13162-2	9/15/2023			Paid Amt: \$1,566.96

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Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
0146	MB	85729	13590		WE TRAVEL PC LLC		Check		
				E 01	300 420 740 401 000	1st Generation Apple Pencil		\$890.00	
	PO#: 49479	Voucher #:	103423	Invoice	Invoice No: 13162	9/15/2023	Paid Amt:	\$890.00	
				E 01	005 630 302 305 000	Technology Coordinator		\$6,944.00	
	PO#:	Voucher #:	103424	Invoice	Invoice No: 1077	9/15/2023	Paid Amt:	\$6,944.00	
								Check Amount:	\$13,130.76
0146	MB	85730	16972		XCEL ENERGY		Check		
				E 01	005 810 000 333 000	Natural Gas		\$1,369.54	
	PO#:	Voucher #:	103417	Invoice	Invoice No: 842585066	9/15/2023	Paid Amt:	\$1,369.54	
								Check Amount:	\$1,369.54
0146	MB	85731	16972		XCEL ENERGY		Check		
				E 01	005 810 000 333 000	Natural Gas		\$3,591.31	
	PO#:	Voucher #:	103418	Invoice	Invoice No: 842556329	9/15/2023	Paid Amt:	\$3,591.31	
								Check Amount:	\$3,591.31
0146	MB	85732	17217		ALL FINISH CONCRETE, INC		Check		
				E 06	005 870 000 305 885	Hourly Workers		\$3,562.79	
	PO#:	Voucher #:	103436	Invoice	Invoice No: Draw #38	9/15/2023	Paid Amt:	\$3,562.79	
								Check Amount:	\$3,562.79
								Report Total:	\$955,016.28



Student Activity Account Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type		
1146	MN	18204	1816		BARNESVILLE C-STORE		Check		
				E 01	300 298 000 401 410	Ice for FFA Food Stand		\$174.00	
	PO#:	Voucher #:	5044	Invoice	Invoice No: 7/31/2023	8/24/2023	Paid Amt:	\$174.00	
							Check Amount:	\$174.00	
1146	MN	18205	1117		TAG UP		Check		
				E 01	300 298 000 401 580	Locker Signs		\$246.40	
	PO#: 1440	Voucher #:	5045	Invoice	Invoice No: 02971	8/28/2023	Paid Amt:	\$246.40	
							Check Amount:	\$246.40	
1146	MN	18206	1656		BARNESVILLE CENEX		Check		
				E 01	300 298 000 401 410	FFA Food Stand		\$151.73	
	PO#:	Voucher #:	5047	Invoice	Invoice No: 2945	9/7/2023	Paid Amt:	\$151.73	
							Check Amount:	\$151.73	
1146	MN	18207	1016		BARNESVILLE GROCERY		Check		
				E 01	300 298 000 401 580	Football Retreat Food		\$136.31	
	PO#:	Voucher #:	5053	Invoice	Invoice No: 4323	9/7/2023	Paid Amt:	\$136.31	
							Check Amount:	\$136.31	
1146	MN	18208	1715		EHP PERFORMANCE		Check		
				E 01	300 298 000 401 540	Volleyball Team Training		\$1,320.00	
	PO#:	Voucher #:	5051	Invoice	Invoice No: 70823	9/7/2023	Paid Amt:	\$1,320.00	
							Check Amount:	\$1,320.00	
1146	MN	18209	1026		ISD #146		Check		
				E 01	300 298 000 401 580	FB Team Video Equipment		\$365.48	
	PO#:	Voucher #:	5052	Invoice	Invoice No: 08172023	9/7/2023	Paid Amt:	\$365.48	
							Check Amount:	\$365.48	
1146	MN	18210	1061		LONG WEEKEND SPORTSWEAR		Check		
				E 01	300 298 000 401 540	Tshirts		\$6,528.50	
	PO#:	Voucher #:	5046	Invoice	Invoice No: 27425	9/7/2023	Paid Amt:	\$6,528.50	
							Check Amount:	\$6,528.50	
1146	MN	18211	1068		MINNESOTA FFA ASSOCIATION		Check		
				E 01	300 298 000 401 410	Summer Regional Leadership		\$650.00	
	PO#:	Voucher #:	5048	Invoice	Invoice No: 5070	9/7/2023	Paid Amt:	\$650.00	
							Check Amount:	\$650.00	
1146	MN	18212	1276		SAM'S CLUB		Check		
				E 01	300 298 000 401 580	Football Retreat		\$625.21	
	PO#:	Voucher #:	5050	Invoice	Invoice No: 003016	9/7/2023	Paid Amt:	\$625.21	
							Check Amount:	\$625.21	
1146	MN	18213	1117		TAG UP		Check		
				E 01	300 298 000 401 580	2 Locker Signs		\$22.40	

Student Activity Account Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
1146	MN	18213	1117		TAG UP		Check
				E 01	300 298 000 401 580 Freight		\$12.44
	PO#: 1441	Voucher #:	5049	Invoice	Invoice No: 271562R	9/7/2023	
							Paid Amt: \$34.84
							Check Amount: \$34.84
1146	MN	18214	1434		AMAZON CAPITAL SERVICES		Check
				E 01	300 298 000 401 360 Baskets for Clothes Closet		\$79.68
	PO#: 1443	Voucher #:	5058	Invoice	Invoice No: 1VQF-H77R-6C6L	9/14/2023	
							Paid Amt: \$79.68
							Check Amount: \$79.68
1146	MN	18215	1432		COCA-COLA BOTTLING HIGH COUNTRY		Check
				E 01	300 298 000 401 470 Vending Staff lounge		\$85.00
	PO#:	Voucher #:	5057	Invoice	Invoice No: 4518217	9/14/2023	
							Paid Amt: \$85.00
							Check Amount: \$85.00
1146	MN	18216	1026		ISD #146		Check
				E 01	300 298 000 401 580 Football Bus to Roseau		\$805.00
	PO#:	Voucher #:	5054	Invoice	Invoice No: Anderson	9/14/2023	
							Paid Amt: \$805.00
							Check Amount: \$805.00
1146	MN	18217	1065		MIDWEST BANK		Check
				E 01	300 298 000 401 470 HOCO activities start up cash		\$500.00
	PO#:	Voucher #:	5055	Invoice	Invoice No: 09142023	9/14/2023	
							Paid Amt: \$500.00
							Check Amount: \$500.00
1146	MN	18218	1681		POTTY SHACKS		Check
				E 01	300 298 000 401 580 Football Retreat		\$200.00
	PO#:	Voucher #:	5056	Invoice	Invoice No: 07-12749	9/14/2023	
							Paid Amt: \$200.00
							Check Amount: \$200.00
1146	MN	18219	1011		ANDERSON'S		Check
				E 01	300 298 000 401 470 HOCO Supplies		\$1,009.11
	PO#: 1444	Voucher #:	5061	Invoice	Invoice No: 4434130	9/15/2023	
							Paid Amt: \$1,009.11
							Check Amount: \$1,009.11
1146	MN	18220	1061		LONG WEEKEND SPORTSWEAR		Check
				E 01	300 298 000 401 540 Pink Out Tshirts		\$359.00
	PO#:	Voucher #:	5059	Invoice	Invoice No: 27494	9/15/2023	
							Paid Amt: \$359.00
							Check Amount: \$359.00
1146	MN	18221	1818		PEARSON, LORI ANN		Check
				E 01	300 298 000 401 224 Tshirts Powder Puff		\$840.00
	PO#:	Voucher #:	5062	Invoice	Invoice No: 0534	9/15/2023	
							Paid Amt: \$840.00
							Check Amount: \$840.00
1146	MN	18222	1806		THEATRICAL RIGHTS WORLDWIDE		Check
				E 01	300 298 000 401 313 Licensing Fee		\$1,490.00

Student Activity Account Detail Payment Register By Check

Co	Bank	Check No	Code	Rcd	Vendor	Pmt/Void Date	Pmt Type
1146	MN	18222	1806		THEATRICAL RIGHTS WORLDWIDE		Check
				E 01	300 298 000 401 313	Early Ship	\$100.00
				E 01	300 298 000 401 313	Show Ready & Stage Tracks	\$700.00
				E 01	300 298 000 401 313	Shipping	\$75.00
	PO#: 1438	Voucher #:	5060	Invoice	Invoice No: 222383	9/15/2023	Paid Amt: \$2,365.00
							Check Amount: \$2,365.00
1146	MN	18223	1026		ISD #146		Check
				E 01	300 298 000 401 580	Bus to Football Retreat	\$666.00
	PO#:	Voucher #:	5064	Invoice	Invoice No: Bus	9/15/2023	Paid Amt: \$666.00
							Check Amount: \$666.00
1146	MN	18225	1676		PAUR, NICK		Check
				E 01	300 298 000 401 580	Cancer Socks	\$87.36
	PO#:	Voucher #:	5065	Invoice	Invoice No: Walmart	9/15/2023	Paid Amt: \$87.36
							Check Amount: \$87.36
1146	MN	18226	1026		ISD #146		Check
				E 01	300 298 000 401 220	Plaque for 2020 Class Bench	\$20.00
	PO#:	Voucher #:	5066	Invoice	Invoice No: 9152023	9/15/2023	Paid Amt: \$20.00
							Check Amount: \$20.00
							Report Total: \$17,248.62

Barnesville Public Schools #146
Detail Payment Register By Check
Fund Summary

Fund	Description	Total
01	General Fund	\$652,546.58
02	Food Service	\$26,841.82
04	Community Service	\$2,610.03
06	Building Construction	\$273,017.85
Report Total		\$955,016.28

CLAIMS PRESENTED TO THE BOARD OF EDUCATION

Monday, September 18, 2023

Anderson, Madelyn			\$230.48		
	Paraprofessional	\$71.07			
	Staff Development	\$159.41			
Bang, Michaela			\$448.17		
	Paraprofessional	\$448.17			
Bekkerus, Julia			\$399.18		
	Staff Development	\$399.18			
Blomberg, Cassandra			\$2,797.26		
	Kids Club	\$2,162.24			
	Preschool	\$488.48			
	Staff Development	\$146.54			
Braton, Lauryn			\$540.33		
	Paraprofessional	\$466.51			
	Staff Development	\$73.82			
Braton, Sharon			\$2,032.47		
	Food Service expense	\$1,578.27			
	Staff Development	\$454.20			
Bredman, Emily			\$989.28		
	Custodial Expense	\$989.28			
Carlton, Cheryl			\$311.08		
	Paraprofessional	\$195.08			
	Staff Development	\$116.00			
Caruso, Amy			\$928.10		
	Preschool	\$255.09			
	Staff Development	\$673.01			
Chezum, Briana			\$472.88		
	Concessions	\$472.88			
Connelly, Leslie			\$592.40		
	Staff Development	\$592.40			
Dant, Mariah			\$258.20		
	Summer Rec	\$258.20			
Dosch-Erlandson, Patricia			\$194.21		
	Staff Development	\$194.21			
Duval, Duane			\$26.71		
	Custodial Expense	\$26.71			
Duval, Susan			\$83.09		
	Staff Development	\$83.09			
Ellerbusch, Annabelle			\$1,737.90		
	Kids Club	\$1,737.90			
Ellerbusch, Jon			\$176.20		
	Staff Development	\$176.20			

Erickson, Desiree			\$2,699.26		
		Kids Club	\$2,699.26		
Fenner, Juanita			\$29.26		
		Staff Development	\$29.26		
Field, Michelle			\$215.00		
		Staff Development	\$215.00		
Getz, Timothy			\$153.46		
		Food Service expense	\$89.32		
		Staff Development	\$64.14		
Gilbertson, Lisa			\$671.32		
		Summer School	\$258.20		
		Summer Field Trips	\$413.12		
Goerge, Deborah			\$85.41		
		Staff Development	\$85.41		
Halverson-Wolters, Chrissa			\$394.53		
		Paraprofessional	\$88.31		
		Staff Development	\$306.22		
Hamman, Angela			\$29.26		
		Staff Development	\$29.26		
Haugen-Forsgren, Lisa			\$774.60		
		Staff Development	\$774.60		
Haus, Jessica			\$247.84		
		Paraprofessional	\$75.07		
		Staff Development	\$172.77		
Henrickson, Todd			\$125.47		
		Staff Development	\$125.47		
Herbranson, Joanne			\$256.32		
		Paraprofessional	\$93.06		
		Staff Development	\$163.26		
Hinsz, Tracy			\$1,032.80		
		Summer School	\$1,032.80		
Inniger, Holly			\$582.09		
		Staff Development	\$582.09		
Jablonsky, Mathea			\$1,158.60		
		Kids Club	\$1,158.60		
Jenkins, Carrie			\$1,187.72		
		Summer School	\$413.12		
		Staff Development	\$774.60		
Johnson, Ruth			\$53.94		
		Staff Development	\$53.94		
Jorud, Laura			\$542.22		
		Staff Development	\$542.22		
Kern, Brittini			\$65.13		
		Staff Development	\$65.13		

Kluck, Melissa			\$34.79		
	Transportation	\$34.79			
Krause, Jamin			\$150.00		
	Custodial Supplies	\$150.00			
LeNoue, Ruth			\$272.63		
	Food Service	\$206.76			
	Staff Development	\$65.87			
Lien, Christopher			\$152.67		
	Food Service	\$87.24			
	Staff Development	\$65.43			
Maesse, Tammy			\$946.80		
	Clerical	\$946.80			
Meyer, Sandra			\$1,058.62		
	Staff Development	\$542.22			
	Summer School	\$516.40			
O'Leary, Trisha			\$184.00		
	Staff Development	\$184.00			
Olson, Emily			\$744.75		
	Kids Club	\$744.75			
Peloubet-Messer, Christine			\$1,280.35		
	Staff Development	\$609.03			
	Summer Field Trips	\$258.20			
	Summer Rec	\$413.12			
Pender, Cassie			\$86.84		
	Paraprofessional	\$86.84			
Poach, Sharon			\$2,590.72		
	Food Service Expense	\$2,520.70			
	Staff Development	\$70.02			
Poepping, Sarah			\$619.68		
	Staff Development	\$619.68			
Rasmussen, Janet			\$71.22		
	Paraprofessional	\$71.22			
Rotz, Lindsey			\$690.54		
	Kids Club	\$690.54			
Rotz, Stacey			\$841.25		
	Staff Development	\$391.50			
	Preschool	\$449.75			
Russell, Dovante			\$1,724.37		
	Custodial Expense	\$1,724.37			
Schilling, Ava			\$1,719.35		
	Kids Club	\$1,719.35			
Snow, Kayla			\$1,564.12		
	Kids Club	\$1,564.12			

MSDLAF TRANSFERS TO MIDWEST BANK					
8/24/2023	TRANSFER		\$69,209		
9/5/2023	TRANSFER		\$500,000		
					\$569,209
MIDWEST BANK CREDIT CARD EXPENDITURES					
Jon Ellerbusch					\$1,407.16
	Zoom subscription		\$17.17		
	Dues		\$1,330.00		
	Supplies		\$59.99		
Todd Henrickson					\$988.16
	Elem Staff Development		\$988.16		
Bryan Strand					\$365.48
	Football Auxiliary Exp		\$365.48		
Jodi Samuelson					\$204.73
	Summer Field Trip Exp.		\$204.73		
Aaron Schindler					\$1,584.16
	State Softball Exp		\$1,434.16		
	Brighthweel Subscription		\$150.00		
Total Credit Card Expense					\$4,549.69

- 7. Appreciation, Recognition and Presentations
- 8. Recognition of Citizens for Input Purposes
- 9. Reports/News
 - A. High School Principal's Report



Barnesville High School - Board Report September 18, 2023

Past Months Events

1. Beginning of school year has gone very well
 1. Teacher workshops were held August 28 - August 31
 2. First day of school was September 5.
2. School pictures with Scherling's went very well on September 11
 1. October 24 will be retakes

Future High School Events

- September 22 - CPT -
- Homecoming - week of September 18-22 - vs Hawley
 - Coronation Monday, September 18 - 7:30 p.m. Auditorium
 - Candidates - Kings: Zachary Bredman, Peyton Amundson, Ethan Larson, Asher O'Brien, Noah Stanford Queens: Paige Braton, Kenadee Gray, Mallory Rasmussen, Amelia Newell, Ava Foster
 - Powder Puff football Wednesday night, September 20 at 7:00
 - Homecoming Parade Friday, September 22 at 1:30
 - Hall of Honor banquet Friday at 5:00(Auditorium), will also be announced at halftime of the football game
 - Honorees - 2010 Football Team, 1982 Boys Track team, 1982 Girls Track team, Steve Hilgers, Duane Rossett, Beth Randklev
 - Homecoming Football game 7:00 vs Hawley, also our Tackle Cancer game
 - Homecoming dance will follow the game from 9-12:00.
- October 16 High school conference 4:00-7:30
- PSAT- Oct 25 - Juniors
- ASVAB is November 9

TODD HENRICKSON - ELEMENTARY PRINCIPAL

Board Report – September 18, 2023

- **Aug 30th – Back-to-School Night**
 - Thank you to the PTO for providing the meal
- **Sept 5th & 6th – Kindergarten Back-to-School Conferences**
- **Sept 7 – Bus Safety** - Thank you to Debbie and Michelle for the grade level presentations
- **Sept 11th – School Pictures**
- **Sept 21st - Pedestrian and Bicycle Safety for Grades K-8**
 - Under the new legislation, schools must teach pedestrian and bicycle safety at the beginning of the school year.
 - This is similar to the current legislature regarding bus safety education.
 - A 30-minute lesson must be taught by the end of the third week of school.
 - 9:00-9:30 – Grades K-3 / 10:00-10:30 Grades 4-8 / In the PAC
 - Thank you to Officer Atteberry and the Barnesville Police Department for the presentations

Upcoming Events:

Homecoming Week

Sep	18	A	Pajama Day Testing Window Open: STAR Early Lit, (1st), STAR Reading (2-6), and STAR Math (2-6) 6:30pm – Board Meeting – HS Library 7:30pm – Coronation - PAC
Sep	19	B	Mismatched Day 9:20 - Lock & Talk (#1) 11:00 – School/City Meeting – Conference Room
Sep	20	C	Dress Like a Teacher/Parent Day 7:30 – Staff Meeting – Cafeteria 7:00pm – Booster Club Meeting – HS Commons 7:00pm – Powder Puff Football – Athletic Complex
Sep	21	A	Western Day <ul style="list-style-type: none"> • 9:00 – Pedestrian Safety Presentation (30 minutes) – Grades K-3 – PAC • 10:00 – Pedestrian/Bike Safety Presentation (30 minutes) – Grades 4-8 - PAC
Sep	22	A	Trojan Spirit Day CPT – 10:30am Late Start PD4ME Training Courses - Due 1:30 – Homecoming Parade
Sep	25	B	Door Supervision – Change Benchmark Testing this Week
Sep	27	A	7:30 – MTSS Team – Conference Room 11:30 – BIT Team – Conference Room
Sep	28	B	7:30 – Wellness Committee Meeting – HS Conference Room
Sep	29	C	Testing Window Closed: STAR Early Lit, (1), STAR Reading (2-6), and STAR Math (2-6)
Oct	2	A	Custodian Appreciation Day
Oct	4	C	National Walk to School Day ⁶⁶ 7:30 – Site Council Meeting - Library

BOARD REPORT -- AARON SCHINDLER
ACTIVITIES DIRECTOR/COMMUNITY ED COORDINATOR
September 18, 2023

ACTIVITY INFORMATION:

- **9-12 Volleyball Numbers**
 - 8th – 2 / 9th – 13 / 10th – 11 / 11th – 11 / 12th – 7 **Total = 44**

- **9-12 Football Numbers**
 - 8th – 1 / 9th – 14 / 10th – 14 / 11th – 11 / 12th – 16 **Total = 56**

- **JH Volleyball Participation Numbers**
 - 7th – 13 / 8th – 19 **Total = 32**

- **JH Football Participation Numbers**
 - 7th – 24 / 8th – 23 **Total = 47**

- **7-12 Cross Country Numbers**
 - 7th – 3 / 8th – 3 / 9th – 3 / 10th – 3 / 11th – 1 / 12th – 1 **Total = 14**

- **7-12 Musical**
 - 7th – 6 / 8th – 1 / 9th – 5 / 10th – 4 / 11th – 10 / 12th – 1 **Total = 26**

- **Sept 12th – MSHSL Fall Area Meeting**
 - **Website**
 1. Continually updating as they take input from ADs and coaches
 - **Eligibility**
 1. Cooperative Sponsorship Agreement, Homeschools, and Online Schooling were the main topics

- **Fall Musical**
 - **November 16-19**
 1. November 16-18 7:00 PM and November 19 2:00 PM

- **Large Group Contest**
 - We are looking at hosting the Large Group Choir contest again this year during the first week of April.
 1. Wednesday, April 4th is the tentative date

- **Coaching Positions**
 - Boys Basketball - 7th Grade Coach
 - Boys Basketball - 8th Grade Coach
 - Girls Basketball - 7th Grade Coach
 - Boys/Girls Golf- JV/JH Coach

- **HUDL**
 - Seems to be going well!
 - We are constantly changing things to make it better.
 1. Thank you to Jeff Nibbe and Casey Ehlert for all their hard work
 - We will be doing our first football broadcast this week for homecoming!

- **Tate Inniger**
 - Tate will be honored at the Minnesota Football Honors show which will air Saturday, September 16, at 9:30 p.m. CT on Bally Sports North



Barnesville Public Schools Regular School Board Meeting

6:30 PM on Monday, September 18, 2023
High School Library

Superintendent's Monthly Board Report

1. Grant for Solar Panels

I continue to leave several voicemail and email messages for Mandi Schienebeck at the Minnesota Department of Commerce. All I can do is keep trying to get her or someone else to visit with me about our completed RFP and selection of iSolar.

2. What is Earned Sick and Safe Time (ESST)?

I participated in a Minnesota Department of Labor and Industry Zoom meeting on August 31. The presenter was Kyle Youker, Labor Investigator Senior. MSBA scheduled and facilitated the meeting for all Minnesota schools. Please find below my highlighted notes:

- a. Employees who work a minimum of 80 hours in a year qualify for earned sick and safe time, including student workers.
- b. 3rd party substitutes do not qualify. They must have a pay stub from the employer.
- c. All employees receive 48 hours of earned sick and safe time.
- d. An employer can take the 48 hours from the employee's existing leave bank and call it "earned sick and safe time."
- e. Employers can front load the 48 hours or earned as they go through the weeks/months.
- f. Employer can NOT take earned sick and safe time back if the employee resigns or is terminated by the employer. It can NOT be prorated and deducted from the employee's final check.
- g. Employer may request a doctor's note, BUT the employee may "attest to their illness." So, no doctor's note.
- h. Employee may NOT be required to find their own substitute.
- i. Employee may be required to find their substitute after/unrelated to the 48 hours of earned sick and safe time.

3. **Student Enrollment for SY2023-2024**

Please find below a link to the updated Student Enrollment for SY2023-2024. This is bad news for our current and next year's budget. Unfortunately, difficult times are in our future for at least the next two years. This spring we'll need to adjust staffing to fit our student enrollment. It'll likely be significant to balance the budget.

Here is a look back at the past few years in September.

- 878 students in 2023
- 908 students in 2022
- 904 students in 2021
- 898 students in 2020
- 881 students in 2019

It's concerning that we have 30 less students than last school year. We need to be growing our student population 2% each year to keep up with rising costs from year to year.

[Student Enrollment for SY2023-2024](#)

4. **Mandatory, Legal Requirements, and Recommended District Policies**

Please find below a link to the MSBA created table outlining the mandatory, legal requirements, and recommended district policies. We're going through them in the order of mandatory, legal requirements, and finally recommended. It will take us several months of school board meetings to get through them all. We'll do it!

[MSBA ISD Mandatory Legal Requirements Recommended Policies Chart](#)

E. Board Committee Reports

10. Removal of Consent Items for Discussion

11. Approval of Consent Items

A. Personnel

All hirings are based upon the findings of each individual's background check, licensure status, and discipline report from the Minnesota Department of Education.

- 1) Nancey Loen as Ag Teacher
- 2) Julie Kuik as Part-time Administrative Assistant in Elementary School
- 3) Carl Gilbertson as Custodian
- 4) Michaela Bang as Kids Club Adult Worker
- 5) Amera Blanca as Kids Club Student Worker
- 6) Matt Askegaard as Flag Football Coach for Community Education
- 7) Lindsey Rotz as Flag Football 3:00-3:30 PM Supervisor for Community Education
- 8) Chrissa Halverson-Wolters as Head Volleyball Coach for Community Education
- 9) Kenzie Skogen as Head Volleyball Coach for Community Education
- 10) Olivia Power as Student Volleyball Coach for Community Education
- 11) Ava Follingstad as Student Volleyball Coach for Community Education
- 12) Shadaisa Stalberger as 8th Grade Volleyball Coach
- 13) Ben Del Greco as JH Football Assistant Coach
- 14) Danielle Willert's Resignation as Special Education Paraprofessional
- 15) Bryan Stengrim's Resignation as Custodian
- 16) Bryan Strand's Resignation as Weight Room Supervisor
- 17) Lexi Bolgrean's Resignation as JH Basketball Coach
- 18) Jed Johnson's Resignation as JV/JH Golf Coach

B. Donations

- 1) \$1,184.35 Donation from Post Prom: Jr Class Parents for Senior Class
- 2) \$1,007.96 Donation from Trojan Action Committee for FFA Auxiliary

C. Project Application and Project Certification for Payment (Draw 38)

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AIA® Document G736™ – 2009

Project Application and Project Certificate for Payment, Construction Manager as Adviser Edition

TO OWNER: I.S.D. #146 - Barnesville Public Schools	PROJECT: Add'n./Upgrade-Atkinson School Barnesville, MN	APPLICATION NO: 38	Distribution to:
		PERIOD TO: September 05, 2023	OWNER: <input type="checkbox"/>
ATTENTION: Dr. Jon Ellerbusch, Superintendent	VIA CONSTRUCTION MANAGER: R. A. Morton & Associates, LLC	PROJECT NOS: 1907 /	CONSTRUCTION MANAGER: <input type="checkbox"/>
			ARCHITECT: <input type="checkbox"/>
			: <input type="checkbox"/>

PROJECT APPLICATION FOR PAYMENT

Application is made for Payment, as shown below, in connection with the Project. AIA Document G737™–2009, Summary of Contractors' Applications for Payment, is attached.

1. TOTAL CONTRACT SUMS <i>(Item A Totals)</i>	\$28,050,000.00
2. TOTAL NET CHANGES BY CHANGE ORDERS <i>(Item B Totals)</i>	\$972,736.81
3. TOTAL CONTRACT SUM TO DATE <i>(Item C Totals)</i>	\$29,022,736.81
4. TOTAL COMPLETED & STORED TO DATE <i>(Item F Totals)</i>	\$28,915,876.47
5. RETAINAGE <i>(Item H Totals)</i>	\$80,762.00
6. LESS PREVIOUS TOTAL PAYMENTS <i>(Item I Totals)</i>	\$28,728,699.68
7. CURRENT PAYMENT DUE <i>(Item J Totals)</i>	\$106,414.79

The undersigned Construction Manager certifies that to the best of its knowledge, information and belief this Project Application for Payment is an accurate compilation of the Contractors' Applications for Payment, attached hereto.

CONSTRUCTION MANAGER:
By: _____ Date: _____

State of: Minnesota

County of: Stearns

Subscribed and sworn to before me this _____ day of _____

Notary Public: Connie M. Leathers

My Commission expires: January 31, 2027

PROJECT CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on evaluation of the Work and the data comprising this Application, the Construction Manager certifies to the Owner that to the best of its knowledge, information and belief the Work has progressed as indicated; the quality of the Work is in accordance with the Contract Documents; and the Construction Manager recommends to the Owner and Architect that the Contractors be paid the AMOUNTS set forth in the attached Summary of Contractors' Applications for Payment.

TOTAL OF AMOUNTS CERTIFIED \$106,414.79

CONSTRUCTION MANAGER:
By: _____ Date: _____

In accordance with the Contract Documents, based on evaluation of the Work, the data comprising this Application, and the Construction Manager's recommendation, the Architect certifies to the Owner that to the best of its knowledge, information and belief the Work has progressed as indicated; the quality of the Work is in accordance with the Contract Documents; and the Contractors are entitled to payments of the AMOUNTS set forth in the attached Summary of Contractors' Applications for Payment.

ARCHITECT:
By: _____ Date: _____

I.S.D. #146 - Barnesville Public Schools
 Project Application Summary
 Application No. 38
 Period From: 06/05/23
 To: 09/05/23

Construction Manager:
 R. A. Morton & Associates, LLC
 3315 Roosevelt Road, Suite 100
 St. Cloud, MN 56301

Architect:
 Wendel
 401 Second Avenue North, Suite 206
 Minneapolis, MN 55401

	Contract Sum	Change Orders	Contract To Date	Work In Place	Materials Stored	Total Completed	Retainage Amount	Previous Payments	Current Payment	Balance to Finish	Percent Complete
General Conditions Allow.	415,205.00	(415,205.00)	0.00							0.00	100%
Phone/Technology	0.00	12,762.44	12,762.44	12,762.44		12,762.44		12,762.44			
Temp Office	0.00	18,970.34	18,970.34	18,970.34		18,970.34		18,970.34			
Temp Storage	0.00	3,100.00	3,100.00	3,100.00		3,100.00		3,100.00			
Temp Toilet	0.00	13,121.00	13,121.00	13,121.00		13,121.00		13,121.00			
Temp Electric	0.00	25,538.31	25,538.31	25,538.31		25,538.31		25,538.31			
Temp Heat/Environ Control	0.00	83,647.08	83,647.08	83,647.08		83,647.08		83,647.08			
Barricades/Temp Fencing	0.00	15,520.00	15,520.00	15,520.00		15,520.00		15,520.00			
Construction Staking	0.00	41,502.70	41,502.70	41,502.70		41,502.70		41,502.70			
Construction Testing	0.00	114,572.50	114,572.50	114,572.50		114,572.50		113,908.50	664.00		
Safety	0.00	133.03	133.03	133.03		133.03		133.03			
Misc Mat'l/Constr Supplies	0.00	1,820.52	1,820.52	1,820.52		1,820.52		1,820.52			
Construction Signage	0.00	1,916.00	1,916.00	1,916.00		1,916.00		1,916.00			
Hourly Workers	0.00	54,124.43	54,124.43	54,124.43		54,124.43		50,561.64	3,562.79		
Equipment Rental	0.00	6,891.80	6,891.80	6,891.80		6,891.80		6,891.80			
Snow Removal/Road Maintenance	0.00		0.00								
Dumpsters	0.00	56,703.72	56,703.72	56,703.72		56,703.72		56,703.72			
Clean Up	0.00	143,583.26	143,583.26	143,583.26		143,583.26		143,583.26			
Project Closeout	0.00		0.00								

I.S.D. #146 - Barnesville Public Schools	Contract Sum	Change Order	Contract To Date	Work In Place	Materials Stored	Total Completed	Retainage Amount	Previous Payments	Current Payment	Balance to Finish	Percent Complete
Job Overhead	0.00	2,355.57	2,355.57	2,355.57		2,355.57		2,355.57			
Sub-Total	\$415,205.00	\$181,057.70	\$596,262.70	\$596,262.70	\$0.00	\$596,262.70	\$0.00	\$592,035.91	\$4,226.79	\$0.00	100%
3A Combination Building and Site Concrete											
All Finish Concrete, Inc.	1,130,567.06	67,946.58	1,198,513.64	1,198,513.64		1,198,513.64		1,143,157.64	55,356.00	0.00	100%
3B Precast Concrete											
Taracon Precast, LLC	1,205,119.00	5,265.28	1,210,384.28	1,210,384.28		1,210,384.28		1,210,384.28		0.00	100%
PR #37 Concrete											
Innovative Builders	Contract Prepared Later - \$ Taken from Owner Cont 0.00	87,817.77	87,817.77	87,818.16		87,818.16		87,818.16		(0.39)	100%
4A Masonry											
Eicholtz Masonry, Inc.	1,684,400.00	60,845.68	1,745,245.68	1,745,245.68		1,745,245.68		1,745,245.68		0.00	100%
4B Masonry Restoration											
Bradco Restoration, Inc.	* Contr. Prep. Later /\$ From Tuckpointing Allow. 0.00	106,035.00	106,035.00	106,035.00		106,035.00		106,035.00		0.00	100%
5A Steel Supply (MO)											
Integrity Steel Supply, LLC	782,000.00	89,448.60	871,448.60	871,448.60		871,448.60		871,448.60		0.00	100%
5B Steel Erection (LO)											
Innovative Erectors, Inc.	348,900.00	335,158.64	684,058.64	684,058.64		684,058.64		649,855.64	34,203.00	0.00	100%
6A Carpentry											
Gast Construction Co., Inc.	429,500.00	151,639.93	581,139.93	581,139.93		581,139.93		581,139.93		0.00	100%
6B Architectural Woodwork											
Northern Woodwork, Inc.	141,537.00	42,674.72	184,211.72	184,211.72		184,211.72		184,211.72		0.00	100%
7A Weather Barriers											
Fresh Look Painting, LLC dba Herzog Coatings	35,600.00		35,600.00	35,600.00		35,600.00	1,780.00	33,820.00		0.00	100%
7B Roofing											
Pierce Lee Roofing, Inc.	1,336,166.00	21,315.63	1,357,481.63	1,357,481.63		1,357,481.63	67,874.00	1,289,607.63		0.00	100%
7C Joint Sealants											
WCS1, LLC	60,500.00	(2,075.00)	58,425.00	58,425.00		58,425.00		58,425.00		0.00	100%

I.S.D. #146 - Barnesville Public Schools	Contract Sum	Change Order	Contract To Date	Work In Place	Materials Stored	Total Completed	Retainage Amount	Previous Payments	Current Payment	Balance to Finish	Percent Complete
8A Doors, Frames, and Hardware (MO)											
Central Door & Hardware, Inc.	264,937.00	65,438.00	330,375.00	330,375.00		330,375.00		317,746.00	12,629.00	0.00	100%
8B Aluminum Doors and Windows											
Rusco Window Company, Inc.	338,689.00	22,465.00	361,154.00	361,154.00		361,154.00		361,154.00		0.00	100%
8C Sectional Doors	Contract Prepared Later - \$ Taken From Contingenc										
PS Garage Doors	15,000.00	37,049.00	52,049.00	52,049.00		52,049.00		52,049.00		0.00	100%
9A Gypsum System											
RTL Construction, Inc.	778,075.00	127,533.52	905,608.52	905,608.52		905,608.52		905,608.52		0.00	100%
9B Tilework											
McArthur Tile Corporation	130,000.00	48,390.00	178,390.00	178,390.00		178,390.00		178,390.00		0.00	100%
9C Acoustical Ceilings	* Contract Prepared Later - \$ Added to Contingency										
Far-Moor Acoustics & Floors, LLC	365,000.00	69,907.00	434,907.00	434,907.00		434,907.00		434,907.00		0.00	100%
9D Wood Flooring											
H2I Group, Inc.	194,300.00		194,300.00	194,300.00		194,300.00		194,300.00		0.00	100%
9E Floor Covering											
Bachman, Inc. dba Floor to Ceiling Carpet One	326,398.00	80,407.04	406,805.04	406,805.04		406,805.04		406,805.04		0.00	100%
9F Painting											
Trall Painting Co.	184,500.00	37,663.50	222,163.50	222,163.50		222,163.50	11,108.00	211,055.50		0.00	100%
10A Lockers											
Olympus Lockers & Storage Products, Inc.	77,219.00	1,995.00	79,214.00	79,214.00		79,214.00		79,214.00		0.00	100%
11A Gymnasium Equipment											
H & B Specialized Products, Inc.	51,600.00		51,600.00	51,600.00		51,600.00		51,600.00		0.00	100%
11C Foodservice Equipment	Contract Prepared Later - \$ Taken from Owner Cont										
Trimark Hockenbergs	0.00	390,322.97	390,322.97	390,322.97		390,322.97		390,322.97		0.00	100%

I.S.D. #146 - Barnesville Public Schools	Contract Sum	Change Order	Contract To Date	Work In Place	Materials Stored	Total Completed	Retainage Amount	Previous Payments	Current Payment	Balance to Finish	Percent Complete
12A Furnishings											
H2I Group, Inc.	158,992.00	11,853.00	170,845.00	170,845.00		170,845.00		170,845.00		0.00	100%
12B Auditorium Seating											
H2I Group, Inc.	133,500.00		133,500.00	133,500.00		133,500.00		133,500.00		0.00	100%
12C Bleachers											
Seating & Athletic Facility Enterprises, LLC (SAAFE, LLC)	123,845.00		123,845.00	123,845.00		123,845.00		123,845.00		0.00	100%
14A Conveying Equipment											
Otis Elevator Company	155,000.00	980.00	155,980.00	155,980.00		155,980.00		155,980.00		0.00	100%
21A Fire Protection											
LVC Companies, Inc.	532,906.00	81,408.46	614,314.46	614,314.46		614,314.46		614,314.46		0.00	100%
22A Plumbing & HVAC											
Manning Mechanical, Inc.	4,634,000.00	1,318,290.31	5,952,290.31	5,952,290.31		5,952,290.31		5,952,290.31		0.00	100%
26A Electrical Communications, Electronic Safety, & Security											
Vinco, Inc.	1,607,800.00	525,408.32	2,133,208.32	2,133,208.32		2,133,208.32		2,133,208.32		0.00	100%
31A Earthwork and Site Utilities											
Landwehr Construction, Inc.	1,357,679.00	166,837.83	1,524,516.83	1,524,516.83		1,524,516.83		1,524,516.83		0.00	100%
PR #37 Earthwork and Site Utilities											
Ferguson Brothers Excavating, Inc.	Contract Prepared Later - \$ Taken from Owner Cont 0.00	77,891.00	77,891.00	77,891.00		77,891.00		77,891.00		0.00	100%
32A Bituminous Paving											
FM Ashpahl, LLC	164,600.00	67,292.00	231,892.00	231,892.00		231,892.00		231,892.00		0.00	100%
32B Landscaping											
Allowance	25,000.00		25,000.00	12,846.39		12,846.39		12,846.39		12,153.61	51%
Tuckpointing											
Allowance	* \$ Trans. - 4B Masonry Restoration & 11B Equip. 331,614.00	(331,614.00)	0.00							0.00	100%

I.S.D. #146 - Barnesville Public Schools	Contract Sum	Change Order	Contract To Date	Work In Place	Materials Stored	Total Completed	Retainage Amount	Previous Payments	Current Payment	Balance to Finish	Percent Complete
Auditorium Sound Equip. Allowance	* \$ Trans. To 27A Comm. & 11B Equipment * 400,000.00	(400,000.00)	0.00							0.00	100%
27A Communications AVI Systems, Inc.	* \$ Trans. From Tuckpointing Allow. & 27A Allow. * 0.00	343,350.10	343,350.10	343,350.10		343,350.10		343,350.10		0.00	100%
11B Equipment Norcostco, Inc.	* \$ Trans. From Tuckpointing Allow. & 27A Allow. * 0.00	85,900.00	85,900.00	85,900.00		85,900.00		85,900.00		0.00	100%
Sub-Total	\$19,504,943.06	\$3,794,840.88	\$23,299,783.94	\$23,287,630.72	\$0.00	\$23,287,630.72	\$80,762.00	\$23,104,680.72	\$102,188.00	\$12,153.22	100%
CM Fees R. A. Morton & Associates, LLC	685,000.00	28,625.00	713,625.00	713,625.00		713,625.00		713,625.00		0.00	100%
CM Reimbursables R. A. Morton & Associates, LLC	88,000.00		88,000.00	88,000.00		88,000.00		88,000.00		0.00	100%
Architect Fees	1,886,326.00	(85,000.00)	1,801,326.00	1,782,221.24		1,782,221.24		1,782,221.24		19,104.76	99%
Architect Reimbursables		729.65	729.65	729.65		729.65		729.65		0.00	100%
Misc. Owner Expenses	273,625.98	(252,184.65)	21,441.33	21,441.33		21,441.33		21,441.33		(0.00)	100%
Permits, Plan Reviews	81,240.34	75,132.52	156,372.86	156,372.86		156,372.86		156,372.86		0.00	100%
Builders Risk	27,390.00	9,872.00	37,262.00	37,262.00		37,262.00		37,262.00		0.00	100%
Soil Testing	11,504.00	3,100.00	14,604.00	14,604.00		14,604.00		14,604.00		0.00	100%
Site Survey	15,125.00	3,635.00	18,760.00	18,760.00		18,760.00		18,760.00		0.00	100%
Commissioning	0.00	57,900.00	57,900.00	48,500.00		48,500.00		48,500.00		9,400.00	84%
Plan Printing & Bid Expenses	* Added to Project Cost * 6,040.13	782.89	6,823.02	6,823.02		6,823.02		6,823.02		0.00	100%
Owner Project Supplies	* Added to Contingency * 3,000.00	(45.34)	2,954.66	2,954.66		2,954.66		2,954.66		0.00	100%
Wrestling Room Relocation and Pads	* Added to Contingency * 60,000.00	(3,768.99)	56,231.01	56,231.01		56,231.01		56,231.01		0.00	100%

I.S.D. #146 - Barnesville Public Schools	Contract Sum	Change Order	Contract To Date	Work In Place	Materials Stored	Total Completed	Retainage Amount	Previous Payments	Current Payment	Balance to Finish	Percent Complete
Elementary School Parking Lot East	25,094.55	(19,882.05)	5,212.50	5,212.50		5,212.50		5,212.50		0.00	100%
Scoreboards	0.00	72,940.00	72,940.00	72,940.00		72,940.00		72,940.00		0.00	100%
Clock System	0.00	32,727.05	32,727.05	32,727.05		32,727.05		32,727.05		0.00	100%
Move City Electric Line	151,602.00	(9,771.00)	141,831.00	141,831.00		141,831.00		141,831.00		0.00	100%
Move City Gas Mains	75,000.00	(43,673.00)	31,327.00	31,327.00		31,327.00		31,327.00		0.00	100%
Asbestos Abatement	174,876.00	63,019.00	237,895.00	237,895.00		237,895.00		237,895.00		0.00	100%
Summer 2021 Elem. Abate.	0.00	46,797.16	46,797.16	46,797.16		46,797.16		46,797.16		0.00	100%
Abatement Required Elec.	27,117.00	1,857.00	28,974.00	28,974.00		28,974.00		28,974.00		0.00	100%
Abatement - House Demo	2,750.00		2,750.00	2,750.00		2,750.00		2,750.00		0.00	100%
House Demo	21,125.00	(4,725.00)	16,400.00	16,400.00		16,400.00		16,400.00		0.00	100%
Relocate Owner Equip.	0.00	3,925.17	3,925.17	3,925.17		3,925.17		3,925.17		0.00	100%
Elementary Classroom Cabinets	0.00	41,547.64	41,547.64	41,547.64		41,547.64		41,547.64		0.00	100%
Elementary Remodel Carpet	0.00	81,136.45	81,136.45	81,136.45		81,136.45		81,136.45		0.00	100%
Window Treatments	0.00	24,100.00	24,100.00	24,100.00		24,100.00		24,100.00		0.00	100%
Epoxy Floor - Locker Rooms	0.00	10,500.00	10,500.00	10,500.00		10,500.00		10,500.00		0.00	100%
Epoxy Floor - Ind. Tech Shop	0.00	21,750.00	21,750.00	21,750.00		21,750.00		21,750.00		0.00	100%
Concrete Pour Behind Boiler Room	0.00	2,330.00	2,330.00	2,330.00		2,330.00		2,330.00		0.00	100%
FF&E	472,153.00	116,135.60	588,288.60	588,288.60		588,288.60		588,288.60		0.00	100%
Additional Elementary FF&E	0.00	66,202.36	66,202.36							66,202.36	0%
Fitness Equipment	152,658.00	7,626.30	160,284.30	160,284.30		160,284.30		160,284.30		0.00	100%

I.S.D. #146 - Barnesville Public Schools	Contract Sum	Change Order	Contract To Date	Work In Place	Materials Stored	Total Completed	Retainage Amount	Previous Payments	Current Payment	Balance to Finish	Percent Complete	
Technology	300,000.00	40,430.56	340,430.56	340,430.56		340,430.56		340,430.56		0.00	100%	
Legal & Fiscal	406,648.00	(213,336.15)	193,311.85	193,311.85		193,311.85		193,311.85		0.00	100%	
Added to project	\$267,071.93 was added to Contingency - Increased Project Budget											
Additional LTFM Funds	* \$122,684.09 Elementary Class Room & Carpets*											
Food Service Funds	* \$69,387.84 Portion of Trimark Contract*											
Secured Front Entrance	* \$75,000.00 Secured Entry Grant*											
Contingency	3,183,576.94	(3,183,576.94)	0.00	Starting Contingency includes Construction Contingency, Owner Contingency and initial Interest Earnings							0.00	100%
Interest Earnings	\$603,209.00 was added to Contingency - Increased Project Budget (Started at \$400,031 - added \$255,000 then adjusted to final projection by reducing by \$51,822)											
Sub-Total	\$8,129,851.94	(\$3,003,161.77)	\$5,126,690.17	\$5,031,983.05	\$0.00	\$5,031,983.05	\$0.00	\$5,031,983.05	\$0.00	\$94,707.12	98%	
Construction Total	\$28,050,000.00	\$972,736.81	\$29,022,736.81	\$28,915,876.47	\$0.00	\$28,915,876.47	\$80,762.00	\$28,728,699.68	\$106,414.79	\$106,860.34	100%	

I.S.D. #146 - Barnesville Public Schools

Listing of Checks to be Prepared

Draw #38

Please Do NOT Combine Checks for the Same Contractor.

R. A. Morton & Associates, LLC	\$	-
Braun Intertec Corporation	\$	664.00
All Finish Concrete, Inc.	\$	3,562.79
All Finish Concrete, Inc.	\$	55,356.00
Innovative Erectors, Inc.	\$	34,203.00
Central Door & Hardware, Inc.	\$	<u>12,629.00</u>
Draw Total	\$	<u><u>106,414.79</u></u>

**PLEASE SEND ALL CHECKS TO R. A. MORTON & ASSOCIATES, LLC.
WE WILL ATTACH LIEN WAIVERS AND DISBURSE TO THE INDIVIDUAL
CONTRACTORS.**

**PLEASE NOTE, IT IS THE OWNER'S RESPONSIBILITY TO PROCESS
REQUIRED 1099 INFORMATION AT YEAR END FOR PAYMENTS
MADE BY THEM.**

THANK YOU!

R. A. Morton & Associates, LLC
3315 Roosevelt Road, Suite 100
St. Cloud, MN 56301

I.S.D. #146 - Barnesville Public Schools

Owner Contingency Fund Balance

Reconciliation
09/05/23

Beginning Balance of Contingency Fund	\$1,933,608.00
Change Orders Processed On Draw #1	<u>0.00</u>
Contingency Balance Shown on Draw #1	1,933,608.00
Change Orders Processed On Draw #2	<u>0.00</u>
Contingency Balance Shown on Draw #2	1,933,608.00
Change Orders Processed On Draw #3	<u>0.00</u>
Contingency Balance Shown on Draw #3	1,933,608.00
Change Orders Processed On Draw #4	<u>0.00</u>
Contingency Balance Shown on Draw #4	1,933,608.00
Change Orders Processed On Draw #5	<u>0.00</u>
Contingency Balance Shown on Draw #5	1,933,608.00
Change Orders Processed On Draw #6	0.00
Additional Asbestos Abatement \$ Required	(18,320.00)
Additional Abatement Required Electrical Allowance \$ Required	<u>(1,857.00)</u>
Contingency Balance Shown on Draw #6	1,913,431.00
Change Orders Processed On Draw #7	<u>0.00</u>
Contingency Balance Shown on Draw #7	1,913,431.00
Change Orders Processed On Draw #8	<u>0.00</u>
Contingency Balance Shown on Draw #8	1,913,431.00
Change Orders Processed On Draw #9	<u>0.00</u>
Contingency Balance Shown on Draw #9	1,913,431.00
Change Orders Processed On Draw #10	<u>0.00</u>
Contingency Balance Shown on Draw #10	1,913,431.00

Change Orders Processed On Draw #11	0.00
11C Food Service Equipment Section Added to the Draw	<u>(385,810.00)</u>
Contingency Balance Shown on Draw #11	1,527,621.00
Change Orders Processed On Draw #12	0.00
PR #37 Concrete Contract Added to Draw	(100,067.77)
PR #37 Earthwork Contract Added to Draw	(77,891.00)
Line Added for Summer 2021 Elementary School Abatement	(38,232.00)
Line Added to Draw for Relocating Owner Equipment	<u>(500.00)</u>
Contingency Balance Shown on Draw #12	1,310,930.23
Change Orders Processed On Draw #13	(2,046,059.23)
General Conditions Allowance \$ Added to Owner Contingency	85,000.00
Anticipated Additional Interest Earnings	255,000.00
Legal & Fiscal Allowance \$ Added to Contingency	215,727.15
Construction Contingency \$ Transferred to Owner Contingency	<u>186,000.00</u>
Contingency Balance Shown on Draw #13	6,598.15
Change Orders Processed On Draw #14	<u>(6,560.00)</u>
Contingency Balance Shown on Draw #14	38.15
Change Orders Processed On Draw #15	<u>0.00</u>
Contingency Balance Shown on Draw #15	38.15
Change Orders Processed On Draw #16	<u>0.00</u>
Contingency Balance Shown on Draw #16	38.15
Change Orders Processed On Draw #17	<u>0.00</u>
Contingency Balance Shown on Draw #17	38.15
Change Orders Processed On Draw #18	<u>0.00</u>
Contingency Balance Shown on Draw #18	38.15
Change Orders Processed On Draw #19	<u>0.00</u>
Contingency Balance Shown on Draw #19	38.15
Change Orders Processed On Draw #20	<u>0.00</u>
Contingency Balance Shown on Draw #20	38.15
Change Orders Processed On Draw #21	<u>0.00</u>
Contingency Balance Shown on Draw #21	38.15
Change Orders Processed On Draw #22	0.00

Contingency Balance Shown on Draw #22	38.15
Change Orders Processed On Draw #23	<u>0.00</u>
Contingency Balance Shown on Draw #23	38.15
Change Orders Processed On Draw #24	<u>0.00</u>
Contingency Balance Shown on Draw #24	38.15
Change Orders Processed On Draw #25	<u>0.00</u>
Contingency Balance Shown on Draw #25	38.15
Change Orders Processed On Draw #26 Included in Construction Contingency	<u>0.00</u> <u>(38.15)</u>
Contingency Balance Shown on Draw #26	(0.00)
Change Orders Processed On Draw #27	<u>0.00</u>
Contingency Balance Shown on Draw #27	(0.00)
Change Orders Processed On Draw #28	<u>0.00</u>
Contingency Balance Shown on Draw #28	(0.00)
Change Orders Processed On Draw #29	<u>0.00</u>
Contingency Balance Shown on Draw #29	(0.00)
Change Orders Processed On Draw #30	<u>0.00</u>
Contingency Balance Shown on Draw #30	(0.00)
Change Orders Processed On Draw #31	<u>0.00</u>
Contingency Balance Shown on Draw #31	(0.00)
Change Orders Processed On Draw #32	<u>0.00</u>
Contingency Balance Shown on Draw #32	(0.00)
Change Orders Processed On Draw #33	<u>0.00</u>
Contingency Balance Shown on Draw #33	(0.00)
Change Orders Processed On Draw #34	<u>0.00</u>
Contingency Balance Shown on Draw #34	(0.00)
Change Orders Processed On Draw #35	<u>0.00</u>

Contingency Balance Shown on Draw #35	(0.00)
Change Orders Processed On Draw #36	<u>0.00</u>
Contingency Balance Shown on Draw #36	(0.00)
Change Orders Processed On Draw #37	<u>0.00</u>
Contingency Balance Shown on Draw #37	(0.00)
Change Orders Processed On Draw #38	<u>0.00</u>
Contingency Balance Shown on Draw #38	(0.00)
Change Orders in Process	<u>0.00</u>
Contingency Fund Balance as of 09/05/23	<u><u>(\$0.00)</u></u>

I.S.D. #146 - Barnesville Public Schools

Contingency Fund Balance

Reconciliation
09/05/23

Beginning Balance of Contingency Fund	\$1,649,999.94
Change Orders Processed On Draw #1	<u>0.00</u>
Contingency Balance Shown on Draw #1	1,649,999.94
Change Orders Processed On Draw #2	<u>0.00</u>
Contingency Balance Shown on Draw #2	1,649,999.94
Change Orders Processed On Draw #3	<u>0.00</u>
Contingency Balance Shown on Draw #3	1,649,999.94
Change Orders Processed On Draw #4	<u>(197,944.10)</u>
Contingency Balance Shown on Draw #4	1,452,055.84
Change Orders Processed On Draw #5	(150,770.42)
Change Order #1907-10-3 Processed on Draw #3 Applies to " Elementary School Parking Lot East"	<u>19,720.65</u>
Contingency Balance Shown on Draw #5	1,321,006.07
Change Orders Processed On Draw #6	<u>(98,230.76)</u>
Contingency Balance Shown on Draw #6	1,222,775.31
Change Orders Processed On Draw #7	(25,953.82)
9C Acoustical Ceilings Contract Prepared Later Came In Under Budget	<u>67,100.00</u>
Contingency Balance Shown on Draw #7	1,263,921.49
Change Orders Processed On Draw #8	<u>(145,896.32)</u>
Contingency Balance Shown on Draw #8	1,118,025.17
Change Orders Processed On Draw #9	<u>978.00</u>
Contingency Balance Shown on Draw #9	1,119,003.17
Change Orders Processed On Draw #10	<u>(32,900.70)</u>
Contingency Balance Shown on Draw #10	1,086,102.47
Change Orders Processed On Draw #11	<u>(29,369.00)</u>
Contingency Balance Shown on Draw #11	1,056,733.47
Change Orders Processed On Draw #12	(272.20)
8C Sectional Overhead Doors Contract Prepared Later - Exceeded Budget	<u>(37,049.00)</u>

Contingency Balance Shown on Draw #12	1,019,412.27
Change Orders Processed On Draw #13	(2,066,678.84)
Change Orders Processed on Draw #13 Affecting Owner Contingency Instead of Construction Contingency	2,046,059.23
Additional CM Fees - Construction of Shop and Reconstruction of Space for New Kitchen	(30,000.00)
Construction Contingency Transferred to Owner Contingency	<u>(186,000.00)</u>
Contingency Balance Shown on Draw #13	782,792.66
Change Orders Processed On Draw #14	(17,900.49)
Change Orders Processed on Draw #14 Affecting Owner Contingency Instead of Construction Contingency	<u>6,560.00</u>
Contingency Balance Shown on Draw #14	771,452.17
Change Orders Processed On Draw #15	(50,309.05)
Additional \$ to Relocate Owner Equipment	<u>(1,873.00)</u>
Contingency Balance Shown on Draw #15	719,270.12
Change Orders Processed On Draw #16	<u>(55,575.08)</u>
Contingency Balance Shown on Draw #16	663,695.04
Change Orders Processed On Draw #17	<u>(37,852.69)</u>
Contingency Balance Shown on Draw #17	625,842.35
Change Orders Processed On Draw #18	(146,772.07)
General Conditions Use of Contingency	(26,794.45)
Transferred Unused Tuckpointing Allowance \$ to Contingency	217,394.00
Additional Miscellaneous Owner Expenses \$ Required	(3,636.83)
Additional Commissioning \$ Required	(9,400.00)
Transferred Unused "Elementary School Parking Lot East" Allowance to Contingency	161.40
Transferred Unused "Move City Electric Line" Allowance to Contingency	9,771.00
Transferred Unused "Move City Gas Mains" Allowance to Contingency	43,673.00
Transferred Unused "House Demo" Allowance to Contingency	4,725.00
Line Added for Elementary Classroom Cabinets	(41,547.64)
Line Added for Elementary Remodel Carpet	<u>(81,136.45)</u>
Contingency Balance Shown on Draw #18	592,279.31
Change Orders Processed On Draw #19	(70,675.43)
Additional General Conditions Allowance \$ Required	(3,911.10)
Additional Asbestos Abatement \$ Required	(32,264.00)
Additional "Relocate Owner Equipment" \$ Required	(1,552.17)
Additional Technology \$ Required	<u>(8,241.80)</u>
Contingency Balance Shown on Draw #19	475,634.81
Change Orders Processed On Draw #20	(60,041.02)
Additional General Conditions Allowance \$ Required	(21,838.18)
Additional Builders Risk \$ Required	(4,209.00)
Additional Technology \$ Required	(10,092.96)
Additional Legal & Fiscal \$ Required	<u>(2,250.00)</u>
Contingency Balance Shown on Draw #20	377,203.65
Change Orders Processed On Draw #21	(11,028.00)
Additional General Conditions Allowance \$ Required	<u>(31,078.43)</u>
Contingency Balance Shown on Draw #21	335,097.22

Change Orders Processed On Draw #22	(25,223.18)
Additional General Conditions Allowance \$ Required	(18,547.69)
Additional Builders Risk \$ Required	(3,800.00)
Line Added for Window Treatments	(22,800.00)
Additional FFE \$ Required	(58,262.26)
Additional Fitness Equipment \$ Required	(791.30)
Additional Technology \$ Required	(3,974.91)
	<hr/>
Contingency Balance Shown on Draw #22	201,697.88
Change Orders Processed On Draw #23	(27,097.80)
Additional General Conditions Allowance \$ Required	(36,450.00)
Additional Scoreboards \$ Required	(2,645.00)
Additional Technology \$ Required	(2,824.00)
	<hr/>
Contingency Balance Shown on Draw #23	132,681.08
Change Orders Processed On Draw #24	(53,324.38)
Additional General Conditions Allowance \$ Required	(10,824.99)
Builders Risk Credit Added Back to Contingency	212.00
Line Added for Epoxy Floors - Locker Rooms	(10,500.00)
	<hr/>
Contingency Balance Shown on Draw #24	58,243.71
Change Orders Processed On Draw #25	(48,105.66)
Additional General Conditions Allowance \$ Required	(13,236.18)
Additional Builders Risk \$ Required	(2,179.00)
Additional FFE \$ Required	(46,481.91)
Additional LTFM Funds Allocated to Project for Elementary Classroom Cabinets & Carpet	122,684.09
Food Service Funds Allocated to Project for Portion of Trimark Contract	69,387.84
Secured Front Entry Funds Allocated to Project	75,000.00
Adjustment for Difference Between Estimated Additional Interest and Actual	(51,822.00)
	<hr/>
Contingency Balance Shown on Draw #25	163,490.89
Change Orders Processed On Draw #26	(1,524.91)
Additional General Conditions Allowance \$ Required	(567.00)
Balance of Owner Contingency	38.15
	<hr/>
Contingency Balance Shown on Draw #26	161,437.13
Change Orders Processed On Draw #27	(47,758.30)
Additional General Conditions Allowance \$ Required	(1,379.15)
Additional Window Treatments \$ Required	(810.00)
Additional FFE \$ Required	(11,391.43)
	<hr/>
Contingency Balance Shown on Draw #27	100,098.25
Change Orders Processed On Draw #28	(8,816.68)
Additional General Conditions Allowance \$ Required	(2,485.00)
	<hr/>
Contingency Balance Shown on Draw #28	88,796.57
Change Orders Processed On Draw #29	(55,294.89)
Additional General Conditions Allowance \$ Required	(350.00)
Builders Risk Refund Added Back to Contingency	212.00
Line Added for Epoxy Floors - Ind. Tech Shop	(21,750.00)
	<hr/>
Contingency Balance Shown on Draw #29	11,613.68

Change Orders Processed On Draw #30	(2,809.54)
Additional Technology \$ Required	<u>(1,281.00)</u>
Contingency Balance Shown on Draw #30	7,523.14
Change Orders Processed On Draw #31	(20,229.00)
Additional General Conditions Allowance \$ Required	(2,803.72)
Construction Management Fees Not Billed	1,375.00
Balance of Plan Printing & Bid Expenses Added to Contingency	303.29
Balance of Owner Project Supplies Added to Contingency	45.34
Balance of Wrestling Room Relocation and Pads Added to Contingency	3,768.99
Balance of Clock System Added to Contingency	453.10
Additional Technology \$ Required	(1,947.00)
Line Added for Concrete Pour Behind Boiler Room	<u>(2,330.00)</u>
Additional Project Cost Shown on Draw #31	(13,840.86)
Change Orders Processed On Draw #32	6,916.00
Additional Technology \$ Required	<u>(7,076.88)</u>
Additional Project Cost Shown on Draw #32	(14,001.74)
Change Orders Processed On Draw #33	734.72
Additional Technology \$ Required	<u>(2,895.02)</u>
Additional Project Cost Shown on Draw #33	(16,162.04)
Change Orders Processed On Draw #34	(10,072.50)
Additional General Conditions Allowance \$ Required	(240.02)
Additional Plan Printing and Bid Expenses \$ Required	(1,086.18)
Additional Window Treatment \$ Required	(490.00)
Additional Fitness Equipment \$ Required	(6,835.00)
Additional Technology \$ Required	<u>(2,096.99)</u>
Additional Project Cost Shown on Draw #34	(36,982.73)
Change Orders Processed On Draw #35	<u>0.00</u>
Additional Project Cost Shown on Draw #35	(36,982.73)
Change Orders Processed On Draw #36	4,810.00
Additional General Conditions Allowance \$ Required	<u>(6,325.00)</u>
Additional Project Cost Shown on Draw #36	(38,497.73)
Change Orders Processed On Draw #37	<u>6,471.00</u>
Additional Project Cost Shown on Draw #37	(32,026.73)
Change Orders Processed On Draw #38	0.00
Additional General Conditions Allowance \$ Required	<u>(4,226.79)</u>
Additional Project Cost Shown on Draw #38	(36,253.52)
Change Orders in Process	<u>0.00</u>
Additional Project Cost as of 09/05/23	<u><u>(\$36,253.52)</u></u>

I.S.D. #146 - Barnesville Public Schools

Change Order Status Report
09/05/23

Change Orders Approved at Draw #1

Sub-Total 0.00

Change Orders Approved at Draw #2

Sub-Total 0.00

Change Orders Approved at Draw #3

Sub-Total 0.00

Change Orders Approved at Draw #4

2-1	All Finish Concrete, Inc.	PR #1 Civil House Demolition: \$3,250.19	PR #2 BP-1	7,509.41
		Plan Review Revisions: \$4,259.23.		
3-1	Integrity Steel Supply, LLC	PR #2 BP-1 Plan Review Revisions: \$788.00	PR #3	14,076.00
		Structural Revisions: \$13,288.00.		
4-1	Innovative Erectors, Inc.	PR #3 Structural Revisions.		6,888.20
5-1	Pierce Lee Roofing, LLC	PR #9 Art Room Canopy Demo.		1,380.00
6-1	Landwehr Construction, Inc.	PR# 1 Civil House Demolition \$21,534.90; PR #2 BP-1		35,537.40
		Plan Review Revisions \$995.00; PR #7 Site Utilities		
		\$426.00; PR #9 Art Room Canopy Demo \$12,581.50.		
7-1	FM Asphalt, LLC	PR #1 Civil House Demolition.		3,586.00
8-1	Eicholtz Masonry, Inc.	PR #2 BP-1 Plan Review Revisions.		8,863.00
9-2	Landwehr Construction, Inc.	FCO #01 - Unforeseen conditions. Excavate and remove		8,603.20
		from site four buried foundations. Import, place, and		
		compact 144 yards of granular fill at removal locations that		
		was below required soil correction elevation. Cap off/		
*	10-3	Landwehr Construction, Inc.	FCO #02 - Project enhancement to provide temporary	19,720.65
			parking lot for the 2020 - 2021 school year and long-term	
			parking for sporting events. Excavate and export 6" of top	
			soil and import, place, and compact 6" of reclaimed asphalt	
			millings.	
	11-4	Landwehr Construction, Inc.	FCO #03 - Unforeseen conditions, existing abandoned well	856.00
			at new high school pond. Excavate and remove approxi-	
			mately 9' of existig well casing and cover remaining casing	
			with concrete to 3' depth below bottom of pond elevation.	
	12-5	Landwehr Construction, Inc.	FCO #04 - Unforeseen conditions. Existing 5th Street	9,240.00
			contained poor quality soils that could not be reused as	
			utility trench fill per project specifications. Export 300 yards	
			of black organic materials and replace with granular fill at	
			the two water main wet tap locations on 5th Street.	
	13-2	Eicholtz Masonry, Inc.	PR #8 - 170 Commons Expansion. Deduct 20' x 3'4"	(744.00)
			precast. 6 4d burnished 20' x 3'4".	

14-2	Integrity Steel Supply, LLC	PR #8 - 170 Commons Expansion. Added steel, joist, and deck.	20,040.00
15-2	Innovative Erectors, Inc.	PR #8 - 170 Commons Expansion. Added steel, joist, and deck.	7,582.58
16-1	Gast Construction Company, Inc.	PR #8 - 170 Commons Expansion. Added blocking.	478.00
17-1	Northern Woodwork, Inc.	PR #8 - 170 Commons Expansion. Added windowsill.	698.00
18-2	Pierce Lee Roofing, LLC	PR #8 - 170 Commons Expansion. Added roofing and metal wall panels.	12,172.56
19-1	Rusco Windows Company, Inc.	PR #8 - 170 Commons Expansion. Added (1) window type HS19.	900.00
20-1	RTL Construction, Inc.	PR #8 - 170 Commons Expansion. Added exterior framing.	7,935.10
21-1	Bachman, Inc. dba Floor to Ceiling	PR #8 - 170 Commons Expansion.	3,998.00
23-1	LVC Companies, Inc.	PR #8 - 170 Commons Expansion.	2,530.75
24-1	Manning Mechanical, Inc.	PR #8 - 170 Commons Expansion.	9,642.00
25-1	Vinco, Inc.	PR #8 - 170 Commons Expansion.	16,451.25
Sub-Total			197,944.10

Change Orders Approved at Draw #5

22-1	Trall Painting Co.	PR #8 - 170 Commons Expansion.	350.00
27-7	Landwehr Construction, Inc.	FCO #10 - Export 240 yards of black organic materials and replace with granular fill at location where storm piping from manhole 12 crosses 5th Street to enter STMH 16 and 100 yards at location where storm piping from STMH 22 crosses 5th Street to exit at the flared end section at the east side of the high school pond.	10,472.00
28-3	Eicholtz Masonry, Inc.	PR #5 - BP2 Plan Review Revisions.	1,335.00
29-2	Gast Construction Company, Inc.	PR #5 - BP2 Plan Review Revisions. Add (4) doors.	770.00
31-3	Pierce Lee Roofing, LLC	PR #5 - BP2 Plan Review Revisions.	445.20
32-1	Central Door & Hardware, Inc.	PR #5 - BP2 Plan Review Revisions. Add (4) doors and hardware.	3,734.00
33-2	Manning Mechanical, Inc.	PR #5 - BP2 Plan Review Revisions.	21,044.37
34-2	Vinco, Inc.	PR #5 - BP2 Plan Review Revisions.	8,375.00
35-3	Manning Mechanical, Inc.	PR #6 - Plumbig Review Revisions.	66,688.21
36-2	FM Asphalt, LLC	PR #11 - Elementary site pavement.	12,144.00
37-8	Landwehr Construction, Inc.	PR #11 - Elementary site pavement.	13,910.76
38-2	All Finish Concrete, Inc.	PR #11 - Elementary site pavement.	11,501.88
Sub-Total			150,770.42

Change Orders Approved at Draw #6

1-1	H2I Group, Inc.	PR #4 Fume Hood - Cost includes all applicable taxes, freight, and installation.	11,853.00
26-6	Landwehr Construction, Inc.	PR #8 - 170 Commons Expansion.	110.77
30-2	Northern Woodwork, Inc.	PR #5 - BP2 Plan Review Revisions. Add butcher block bench; Omit 2 sink cabinets; Add 2 aprons; Add ledger.	141.00
39-2	Bachman, Inc. dba Floor to Ceiling	PR #12R - Area B Science changes. Credit for carpet tile change.	(587.00)
40-3	All Finish Concrete, Inc.	PR #12R - Area B Science changes. Floor infills.	3,090.31
41-4	Manning Mechanical, Inc.	PR #12R - Area B Science changes. \$6,258.73. PR #13 Locker Room changes. (\$2,252.32).	4,006.41
42-4	Eicholtz Masonry, Inc.	PR #13 - Locker Room changes.	200.00
43-3	Gast Construction Company, Inc.	PR #13 - Locker Room changes. Delete toilet and bath accessories in rooms 176 and 177.	(398.07)
44-3	Vinco, Inc.	PR #12R - Area B Science changes. (\$4,763.79). PR #14 - Biology 123 electrical. (\$14.13).	(4,777.92)
45-5	Manning Mechanical, Inc.	PR #15 - HS Area B Glycol Loop.	59,766.00

46-4	Vinco, Inc.	PR #15 - HS Area B Glycol Loop.	3,831.84
47-9	Landwehr Construction, Inc.	PR #08 - 170 Commons Expansion - Add for confusion on price request form.	4,312.00
48-5	Eicholtz Masonry, Inc.	PR #16 ES Conference Room Storefront.	1,487.00
49-2	Rusco Windows Company, Inc.	PR #16 ES Conference Room Storefront.	(1,200.00)
51-2	RTL Construction, Inc.	PR #17 - ES Top off existing classroom partition. Wall infill.	16,395.42
Sub-Total			98,230.76

Change Orders Approved at Draw #7

50-2	Trall Painting Co.	PR #16 ES Conference Room Storefront.	100.00
52-1	Olympus Lockers & Storage Products,	PR #18 - Locker Room Bench Detail. Add bench brackets.	1,995.00
53-3	RTL Construction, Inc.	PR #18 - Locker Room Bench Detail. Add framing and insulation for benches in lieu of concrete.	1,871.07
54-4	All Finish Concrete, Inc.	PR #18 - Locker Room Bench Detail. Delete concrete benches.	(3,852.25)
55-6	Manning Mechanical, Inc.	FCO #05 - Cap acid waste pipe below floor and at roof. Remove existing rain leader piping, offset new piping tight to cmu wall and reconnect in tunnel below floor.	1,849.00
56-7	Manning Mechanical, Inc.	FCO #06 - Remove existing sanitary sewer drain piping and correct grade, correctly install fittings and add additional hangers to meet plumbing code requirements.	5,778.00
57-8	Manning Mechanical, Inc.	FCO #07 - Cap pipes from existing CUH's in tunnel, remove acid waste vent pipe from roof to below grade, cut off and remove existing domestic cold water piping to existing hose at west exterior wall of Science 131.	231.00
58-9	Manning Mechanical, Inc.	FCO #08 - Use pex piping for underground water lines at Area B Science and Special Education rooms.	(701.00)
59-10	Manning Mechanical, Inc.	FCO #09 - Disconnect and reroute rainwater leader piping around required structural steel lintel above Door 123.1.	502.00
60-3	Integrity Steel Supply, LLC	FCO #11 - Change guardrail type at Auditorium 190 and Balcony 190B.	2,370.00
61-11	Manning Mechanical, Inc.	FCO #12 - Provide and install six aluminum egg-crate grills with lined ductwork elbows above.	1,507.00
62-12	Manning Mechanical, Inc.	FCO #13 - Remove existing covered in-slab plumbing trenches and gas and water pipes at science rooms 116, 123, and 131.	1,200.00
63-13	Manning Mechanical, Inc.	FCO #15 - Revise gas piping in tunnels and below concrete slab to serve both the chemistry and science classrooms with separate feeds that can be independently controlled at the gas controller/safety panel and emergency stops located at each room.	7,577.00
65-3	Bachman, Inc. dba Floor to Ceiling	FCO #19 - 1.) Material and labor to skim entire existing floor surface at rooms 116, 119, 123, 128, 128A, 128B, 130, 130A, 130B, & 131 with Ardex floor patching compound and to build up existing floor surfaces and grind patched areas to achieve a flat smooth finished surface. 2.) Additional labor compensation for a crew of five to work on Labor Day to ensure Area B occupancy on 09/21/20. 3.) Labor to install Iris Alumina LVT and vinyl base at Chemical Storage Room 116A.	5,527.00
Sub-Total			25,953.82

Change Orders Approved at Draw #8

64-5	Vinco, Inc.	FCO #16 power installed electrical and data receptacles	595.59
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		at six locations in Biology 123 and change from a duplex to a quad outlet.	
66-1	Far-Moor Acoustics & Floors, LLC	PR #22 - HS acoustic treatment. Add for extra scope not in bid documents.	81,087.00
67-6	Vinco, Inc.	PR #20 - HS fire pump.	19,738.73
68-2	LVC Companies, Inc.	PR #20 - HS fire pump.	44,475.00
		Sub-Total	145,896.32

Change Orders Approved at Draw #9

69-4	Bachman, Inc. dba Floor to Ceiling	ASI #007 - Add border around rooms 116, 119, 123, 128, and 131.	1,064.00
71-4	RTL Construction, Inc.	PR #24 - ES Hall E1002 Bench Seating. Credit for alcove framing and sheetrock.	(1,223.00)
73-3	Northern Woodwork, Inc.	PR #24 - ES Hall E1002 Bench Seating. Credit for Butcher Block Bench and P-lam.	(819.00)
		Sub-Total	(978.00)

Change Orders Approved at Draw #10

72-3	Trall Painting Co.	PR #24 - ES Hall E1002 Bench Seating. Credit painting of alcove.	(100.00)
74-7	Vinco, Inc.	PR #27R - Electrical speaker wiring changes. Change from 14/2 to 18/4 non-shielded plenum speaker cable.	(110.58)
75-5	RTL Construction, Inc.	PR #28 - ES E1005 Soffits. Add for new soffits in elementary school addition.	3,228.42
76-2	Far-Moor Acoustics & Floors, LLC	PR #28 - ES E1005 Soffits. Deduct for less acoustic ceilings.	(329.00)
77-4	Trall Painting Co.	PR #28 - ES E1005 Soffits. Add to paint new soffits.	150.00
79-14	Manning Mechanical, Inc.	FCO #17 - Provide separate curbs for return and supply at each unit, extend ductwork from existing roof surface to units on elevated structural steel support stands, additional duct insulation and aluminum jacketing, insulate and cover exposed bottom of rooftop unit with sheetmetal.	8,612.00
81-5	Bachman, Inc. dba Floor to Ceiling	FCO #22 - Owner requested project enhancement. Install new LVT and vinyl base at Area B. Material & labor to prep existing floor to receive new LVT. Labor to install Iris Alumina LVT at Special Education 129 and Toilet 129A. Material and labor to install vinyl base at Special Education 129, Toilet 129A, and relocated lockers at Hall I220.	946.00
82-15	Manning Mechanical, Inc.	FCO #23 - Unforeseen condition - The existing heating lines at two locations in tunnel started leaking when system was filled with water. Drain down existing heating lines through tunnel, install ball valves, and cap supply and return lines for the north CUH at Hall 1200, remove and replace existing 1" pipe cap approximately 20' northwest of Chemistry Storeroom 116A.	1,231.00
83-16	Manning Mechanical, Inc.	FCO #24 - Unforeseen conditions. 1.) Construct a temporary 6" PVC pipe drain system from the two existing west roof scuppers to outside the new addition footprint. 2.) Remove existing ductwork and replace with new re-routed ductwork pieces to allow for installation of the new heating lines in Hall E1014.	1,602.00
84-10	Landwehr Construction, Inc.	FCO #30 - Provide and install Class 5 at south elementary school parking lot.	10,862.08
85-3	FM Asphalt, LLC	FCO #31 - Credit for not supplying and installing 950 tons of Class 5 required for the south elementary school parking	(13,000.00)

		lot. Any corrective work or additional Class 5 gravel required prior to installation of asphalt paving will be addressed by a future field change order to FM Asphalt's contract.	
86-4	FM Asphalt, LLC	FCO #32 - Cut out existing deteriorated asphalt to install new at patch areas indicated on plan page C200. Credit provided for areas where others installed Class 5 to level road surfaces at original patch after site demolition work was completed. Asphalt & Labor: \$15,400.00. Class 5 Deduct: (\$1,800.00).	13,600.00
87-17	Manning Mechanical, Inc.	FCO #25 - Material and labor to add three additional 3-way control valves for a total of five to control the glycol loop added to the Area B heating system by PR #15.	1,276.00
88-18	Manning Mechanical, Inc.	FCO #29 - Cost difference between planned and required diffuser type. Labor covered by original scope of work bid.	1,457.00
89-19	Manning Mechanical, Inc.	FCO #33 - Provide and install paint grip break metal at end of demoed locker outside Chemistry 116 to close gab between back of locker and cmu wall, shroud around water, and waste piping at Prep 119 side of fume hood and two locations at concrete ceiling in Science 131 and Hall 1220.	324.00
90-8	Vinco, Inc.	PR #32 - Exterior security camera locations.	3,151.78
		Sub-Total	32,900.70

Change Orders Approved at Draw #11

70-4	Gast Construction Company, Inc.	PR #23 - Aluminum storefront changes. Added blocking required by aluminum storefront and windows.	2,213.00
78-5	Gast Construction Company, Inc.	FCO #20 - Owner requested project enhancements: 1.) Provide and install eight marker boards with 1' magnetic marker trays. 2.) Install chemical storage cabinets in Chemical Storage 116A. 3.) Rebuild two banks of salvaged demoed lockers, build wood base and install in Hall I220. 4.) Remove rubber base and VCT floor covering from Alcove 129 and Toilet 129A.	7,646.00
80-6	Gast Construction Company, Inc.	FCO #21 - Provide and install access panels in wall for gas solenoid valves at Chemistry 116 and Science 131.	484.00
91-9	Vinco, Inc.	FCO #28 - Per owner's request, install line voltage dimmer and wire to each fixture at Room 130. Remove ceiling occupancy sensor from Room 130B and install wall mounted single pole light switch.	749.85
93-6	Eicholtz Masonry, Inc.	PR #36 - ES Gymnasium 180 new pair of doors. Price includes tothing and setting door frame.	2,480.00
94-7	Gast Construction Company, Inc.	PR #36 - ES Gymnasium 180 new pair of doors. Includes required demo and hanging doors and hardware. Tothing and setting frame by others.	1,730.00
95-4	Integrity Steel Supply, LLC	PR #36 - ES Gymnasium 180 new pair of doors.	764.00
96-2	Central Door & Hardware, Inc.	PR #36 - ES Gymnasium 180 new pair of doors.	4,969.00
98-3	Rusco Windows Company, Inc.	PR #36 - ES Gymnasium 180 new pair of doors. Added GL-2 glass, one per door.	300.00
100-10	Vinco, Inc.	PR #38 - ES Exhaust Fan Circuiting.	7,097.52
101-5	All Finish Concrete, Inc.	PR #30 - Concessions Footing Revision.	935.63
		Sub-Total	29,369.00

Change Orders Approved at Draw #12

97-1	WCS1, LLC	PR #36 - ES Gymnasium 180 new pair of doors.	50.00
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99-3	Innovative Erectors, Inc.	PR #30 - Concessions Footing Revision. Field but beam.	222.20
165-2	Olympus Lockers & Storage Products, Void		0.00
Sub-Total			272.20

Change Orders Approved at Draw #13

**	102-5	Integrity Steel Supply, LLC	PR #26R1 - HS Secure Entry	2,227.00
**	103-4	Innovative Erectors, Inc.	PR #26R1 - HS Secure Entry	2,441.98
**	104-8	Gast Construction Company, Inc.	PR #26R1 - HS Secure Entry	19,700.00
**	105-4	Northern Woodwork, Inc.	PR #26R1 - HS Secure Entry	20,017.00
**	106-4	Pierce Lee Roofing, LLC	PR #26R1 - HS Secure Entry	314.94
**	107-3	Central Door & Hardware, Inc.	PR #26R1 - HS Secure Entry	5,809.00
**	108-4	Rusco Windows Company, Inc.	PR #26R1 - HS Secure Entry	14,730.00
**	109-3	Far-Moor Acoustics & Floors, LLC	PR #26R1 - HS Secure Entry - Includes add alternate for new ceilings - \$6,305.00.	12,828.00
**	110-6	Bachman, Inc. dba Floor to Ceiling	PR #26R1 - HS Secure Entry	7,867.00
**	111-6	Traill Painting Co.	PR #26R1 - HS Secure Entry	3,415.00
**	112-3	LVC Companies, Inc.	PR #26R1 - HS Secure Entry - Includes add alternate for new ceilings - \$1,400.00.	2,650.00
**	113-20	Manning Mechanical, Inc.	PR #26R1 - HS Secure Entry	182,139.00
**	114-6	All Finish Concrete, Inc.	PR #33 - HS Kitchen Remodel	9,820.84
**	115-7	Eicholtz Masonry, Inc.	PR #33 - HS Kitchen Remodel	44,075.00
**	116-9	Gast Construction Company, Inc.	PR #33 - HS Kitchen Remodel	28,240.00
**	117-5	Innovative Erectors, Inc.	PR #33 - HS Kitchen Remodel	2,235.89
**	118-6	Integrity Steel Supply, LLC	PR #33 - HS Kitchen Remodel	6,700.00
**	119-5	Northern Woodwork, Inc.	PR #33 - HS Kitchen Remodel	16,727.00
**	120-5	Pierce Lee Roofing, LLC	PR #33 - HS Kitchen Remodel	4,034.30
**	121-2	WCS1, LLC	PR #33 - HS Kitchen Remodel	1,200.00
**	122-4	Central Door & Hardware, Inc.	PR #33 - HS Kitchen Remodel	19,439.00
**	123-6	RTL Construction, Inc.	PR #33 - HS Kitchen Remodel	25,655.71
**	124-1	McArthur Tile Corporation	PR #33 - HS Kitchen Remodel	48,200.00
**	125-4	Far-Moor Acoustics & Floors, LLC	PR #33 - HS Kitchen Remodel	13,769.00
**	126-7	Traill Painting Co.	PR #33 - HS Kitchen Remodel	2,275.00
**	127-4	LVC Companies, Inc.	PR #33 - HS Kitchen Remodel	3,752.00
**	128-21	Manning Mechanical, Inc.	PR #33 - HS Kitchen Remodel	274,789.31
**	129-11	Vinco, Inc.	PR #33 - HS Kitchen Remodel	112,876.87
**	130-7	Bachman, Inc. dba Floor to Ceiling	PR #33 - HS Kitchen Remodel	(1,285.00)
**	131-7	RTL Construction, Inc.	PR #26R1 - HS Secure Entry	17,591.80
**	132-12	Vinco, Inc.	PR #26R1 - HS Secure Entry - Alternate for new lighting not accepted.	82,050.37
**	133-8	Eicholtz Masonry, Inc.	PR #37 - HS Shop Addition and Remodeling	5,600.00
**	134-6	Innovative Erectors, Inc.	PR #37 - HS Shop Addition and Remodeling - Includes aluminum windows.	238,323.94
**	135-10	Gast Construction Company, Inc.	PR #37 - HS Shop Addition and Remodeling - Alternate to move vehicle lift accepted. - \$2,972.00.	11,342.00
**	136-3	WCS1, LLC	PR #37 - HS Shop Addition and Remodeling	3,000.00
**	137-5	Central Door & Hardware, Inc.	PR #37 - HS Shop Addition and Remodeling	13,208.00
**	138-5	Rusco Windows Company, Inc.	PR #37 - HS Shop Addition and Remodeling	600.00
**	139-8	RTL Construction, Inc.	PR #37 - HS Shop Addition and Remodeling	5,917.22
**	140-5	Far-Moor Acoustics & Floors, LLC	PR #37 - HS Shop Addition and Remodeling	599.00
**	142-5	LVC Companies, Inc.	PR #37 - HS Shop Addition and Remodeling	12,140.00
**	143-5	FM Asphalt, LLC	PR #37 - HS Shop Addition and Remodeling	18,557.00
	144-13	Vinco, Inc.	FCO #35 - Extend raceway and fire alarm wiring to an accessible location above the ACT ceiling at Lobby E1005.	481.39
	145-14	Vinco, Inc.	FCO #36 - Extend raceway and wiring to a receptacle location at Office E100H.	202.04
	146-15	Vinco, Inc.	FCO #37 - Extend power from planned location at west wall to new outlet location above it at 84" above finished	599.18

floor. Add a new data receptacle and raceway to run additional data cable across ceiling space to planned location at reception desk.

147-16	Vinco, Inc.	FCO #38 - Remove existing light above door 7 and relocate approximately 12' to south end of Hall E1015.	245.66
148-6	LVC Companies, Inc.	PR #34 - HS Stage Stand Pipe	(5,320.00)
149-17	Vinco, Inc.	PR #34 - HS Stage Stand Pipe	(247.13)
** 150-22	Manning Mechanical, Inc.	PR #37 - HS Shop Addition and Remodeling	590,826.00
** 151-18	Vinco, Inc.	PR #37 - HS Shop Addition and Remodeling	159,660.06
152-9	Eicholtz Masonry, Inc.	PR #40 - HS Lighting 190K Wall and Door 190F.1	(1,100.00)
153-6	Central Door & Hardware, Inc.	PR #40 - HS Lighting 190K Wall and Door 190F.1	360.00
154-9	RTL Construction, Inc.	PR #40 - HS Lighting 190K Wall and Door 190F.1	1,650.56
155-2	McArthur Tile Corporation	PR #41 - ES Staff Toilet Layout E133	(400.00)
156-8	Bachman, Inc. dba Floor to Ceiling	PR #41 - ES Staff Toilet Layout E133	929.00
157-23	Manning Mechanical, Inc.	PR #42 - ES Fuel Oil Tank Removal	22,419.16
158-6	Northern Woodwork, Inc.	PR #43 - ES Lobby E1005 - Delete Bench Seating	(1,706.00)
159-7	Northern Woodwork, Inc.	PR #48R - Training Room Changes	(184.00)
160-24	Manning Mechanical, Inc.	PR #48R - Training Room Changes	2,903.86
161-6	Pierce Lee Roofing, LLC	PR #49 - Vestibule E1000 Ceiling Material Change	(1,316.22)
162-10	RTL Construction, Inc.	PR #49 - Vestibule E1000 Ceiling Material Change	(1,088.00)
163-6	Far-Moor Acoustics & Floors, LLC	PR #49 - Vestibule E1000 Ceiling Material Change	849.00
164-19	Vinco, Inc.	PR #49 - Vestibule E1000 Ceiling Material Change	668.11
166-10	Eicholtz Masonry, Inc.	PR #44R - ES Hall E1004 Relocated Lockers. Add for burnished block base.	673.00
Sub-Total			2,066,678.84

Change Orders Approved at Draw #14

92-5	Trall Painting Co.	FCO #34 - Labor and materials to paint existing Halls 1200, 1210, 1220, and 1130.	3,180.00
** 141-8	Trall Painting Co.	PR #37 - HS Shop Addition and Remodeling	6,560.00
167-7	Central Door & Hardware, Inc.	PR #47 - Door Security System	19,527.00
168-1	AVI Systems, Inc.	PR #50 - HS Gymnasium 180 - delete projector.	(13,524.90)
169-11	RTL Construction, Inc.	PR #55 - HS Hall 1510 Soffits.	1,843.39
170-9	Trall Painting Co.	PR #55 - HS Hall 1510 Soffits.	315.00
Sub-Total			17,900.49

Change Orders Approved at Draw #15

171-20	Vinco, Inc.	PR #51 - ES Rooftop Equipment Locations and Support.	(2,750.92)
172-11	Gast Construction Company, Inc.	PR #56 - HS Auditorium Cove Lighting Detail.	2,024.00
173-8	Northern Woodwork, Inc.	PR #56 - HS Auditorium Cove Lighting Detail.	619.00
174-21	Vinco, Inc.	PR #56 - HS Auditorium Cove Lighting Detail.	8,822.61
175-22	Vinco, Inc.	PR #58R1 - Elevator Electrical Revision.	4,767.38
176-23	Vinco, Inc.	PR #59 - Auditorium Entrance Soffit Lighting.	5,709.23
177-11	Eicholtz Masonry, Inc.	PR #26A - HS Secure Entry Windows.	1,680.00
178-7	Integrity Steel Supply, LLC	PR #26A - HS Secure Entry Windows.	915.00
179-12	Gast Construction Company, Inc.	PR #26A - HS Secure Entry Windows.	2,554.00
180-6	Rusco Windows Company, Inc.	PR #26A - HS Secure Entry Windows.	1,800.00
181-12	Eicholtz Masonry, Inc.	PR #53A - HS Fitness Partition - Guardrail.	1,840.00
182-8	Integrity Steel Supply, LLC	PR #53A - HS Fitness Partition - Guardrail.	9,954.00
184-24	Vinco, Inc.	PR #061 - OHCD Power	2,207.86
185-1	Trimark Hockenbergs	PR #65 - HS Kitchen remodel sink.	4,512.97
186-13	Gast Construction Company, Inc.	PR #62 - HS Shop Addition Plan Review.	548.00
187-8	Central Door & Hardware, Inc.	PR #62 - HS Shop Addition Plan Review.	2,487.00
188-25	Vinco, Inc.	PR #62 - HS Shop Addition Plan Review.	2,618.92
Sub-Total			26,118.92

Sub-Total 50,309.05

Change Orders Approved at Draw #16

183-10	Traill Painting Co.	PR #53A - HS Fitness Partition - Guardrail.	1,455.00
189-9	Bachman, Inc. dba Floor to Ceiling	PR #70 - ES Existing Classroom Shelving.	(2,149.00)
190-11	Traill Painting Co.	PR #70 - ES Existing Classroom Shelving.	(1,525.00)
191-25	Manning Mechanical, Inc.	PR #60 - HS Kitchen Plumbing Review.	6,959.75
192-9	Integrity Steel Supply, LLC	PR #67 - ES Corridor Structural Changes.	756.00
193-7	Innovative Erectors, Inc.	PR #67 - ES Corridor Structural Changes.	1,008.23
194-26	Vinco, Inc.	PR #68 - HS Concessions Electrical.	881.87
195-12	RTL Construction, Inc.	PR #71 - ES Lobby E1001 Furring Wall.	5,685.00
196-12	Traill Painting Co.	PR #71 - ES Lobby E1001 Furring Wall.	300.00
197-27	Vinco, Inc.	PR #71 - ES Lobby E1001 Furring Wall.	456.99
198-7	Far-Moor Acoustics & Floors, LLC	PR #73 - ES Ceilings at Existing Classrooms.	(3,671.00)
199-1	Bradco Restoration	PR #76 - HS Additional Brick Restoration.	34,590.00
200-28	Vinco, Inc.	FCO #39 - Troubleshoot existing wiring, remove extra wire feed from double loaded existing breaker & turn breaker feeding main entry light & door security power back on. \$212.20. FCO #40 - Re-feed AHU from close available circuiting. \$175.56. FCO #41 - Labor to change plan installed electrical rough-in to new location. \$127.50. FCO #42 - Labor to change plan installed ceiling rough-ins to new wall location.	1,025.20
201-29	Vinco, Inc.	PR #69A - ES Spec Ed Elect Demo.	4,483.04
202-8	Far-Moor Acoustics & Floors, LLC	Provide and install 480 sq ft of Armstrong Invis Acoustics	5,319.00
Sub-Total			55,575.08

Change Orders Approved at Draw #17

203-1	Taracon Precast, LLC	FCO #27 - Additionl Crane Mobilization. Add additional crane mobilization \$7,500.00. Deduct for use of Eicholtz forklift (\$1,500.00).	6,000.00
204-30	Vinco, Inc.	PR #81 - HS Fitness Electrical Layout.	8,007.33
205-26	Manning Mechanical, Inc.	FCO #14 - Recessed Mounting Box Chemistry 116.	127.00
206-13	Eicholtz Masonry, Inc.	FCO #45 - Forklift Use Backcharge. Cost associated for crane mobilization due to inadequate work force to complete cmu walls.	(6,000.00)
207-27	Manning Mechanical, Inc.	FCO #44 - Gymnasium Ductwork Changes. Conflicts between bar joist wind bracing and large sized ductwork required resizing of ductwork in Gym 180. Includes credit for deletion of original plan sized ductwork and labor to install.	2,414.00
208-28	Manning Mechanical, Inc.	PR #47 - HS Shop remodel mechanical support.	477.00
209-8	Innovative Erectors, Inc.	PR #47 - HS Shop remodel mechanical support.	1,960.92
211-13	RTL Construction, Inc.	PR #69B - ES Spec Ed demo/finishes.	4,381.44
212-10	Integrity Steel Supply, LLC	PR #72R1 - HS Catwalk elect enclosure framing.	20,485.00
Sub-Total			37,852.69

Change Orders Approved at Draw #18

210-14	Gast Construction Company, Inc.	PR #69B - ES Spec Ed demo/finishes.	960.00
213-31	Vinco, Inc.	PR #79 - HS IT wiring.	7,294.84
215-14	RTL Construction, Inc.	PR #84 - HS Kitchen ceiling revision.	2,074.87
216-32	Vinco, Inc.	PR #84 - HS Kitchen ceiling revision.	237.44
217-11	Integrity Steel Supply, LLC	PR #86 - HS Kitchen mechanical reinforcing.	1,510.00
218-9	Innovative Erectors, Inc.	PR #86 - HS Kitchen mechanical reinforcing.	1,572.07

219-9	Far-Moor Acoustics & Floors, LLC	PR #87 - Elementary classroom ductwork.	(237.00)
220-29	Manning Mechanical, Inc.	PR #87 - Elementary classroom ductwork.	(600.00)
221-7	All Finish Concrete, Inc.	PR #80 - Additional sitework.	8,229.69
222-11	Landwehr Construction, Inc.	PR #80 - Additional sitework. Soil correction not required.	6,980.70
223-12	Landwehr Construction, Inc.	FCO #46 - Remove cmu from footing trenches where banks collapsed. Remove 8' section of undermined footing at HS stage area. Clean muck from HS & ES footing trenches prior to backfilling. Dig alongside undermined HS & ES to allow for Controlled Density Fill placement by All Finish Concrete.	8,330.69
224-8	All Finish Concrete, Inc.	FCO #47 - Place controlled density fill at locations determined correctable by Braun Intertec and Larson Engineering. Form and pour new footing at locations where footings were severely undermined or shifted from originally poured location.	3,341.42
225-9	Northern Woodwork, Inc.	PR #26A - HS Secure Entry Windows.	411.72
226-30	Manning Mechanical, Inc.	PR #77 - ES Natural gas piping to kitchen.	4,137.65
227-15	Gast Construction Company, Inc.	PR #63 Signage. Interior panel signage accepted only.	11,542.00
228-15	RTL Construction, Inc.	PR #78 - ES Bathroom furring walls.	7,311.36
229-16	Gast Construction Company, Inc.	PR #78 - ES Bathroom furring walls.	1,680.00
230-9	All Finish Concrete, Inc.	FCO #48 - Added Concrete. Replace cracked, heaved sidewalk section near HS door 7. Continue existing accessible pathway to HS door 9.	2,181.30
231-10	Innovative Erectors, Inc.	FCO #49 - Ag Shop color transition height. Adjust the color transition height of the exterior sidewall stel on the Ag Shop addition.	6,104.95
232-10	Northern Woodwork, Inc.	FCO #50 - Added solid surface. Provide and install solid surface wall caps at the reading nooks in eight elementary classrooms.	2,402.00
233-17	Gast Construction Company, Inc.	FCO #53 - ES Backing at reading nooks. Add plywood backing at back of reading nooks for casement attachment.	1,404.00
234-18	Gast Construction Company, Inc.	FCO #54 - ES Addition tack boards and tack strips. Provide and install 12' tack boards at elementary classroom and 250' of tack strips above lockers at hall E1004.	8,858.00
235-10	Bachman, Inc. dba Floor to Ceiling	PR #82 - HS Fitness room flooring.	54,995.00
236-12	Integrity Steel Supply, LLC	FCO #51 - CMU Shear wall corrections at ES. All reinforcing bar indicated on structural plan S2101 at the north wall of stairtower J was not installed during CMU wall construction. Provided steel angles as directed by structural engineer.	770.50
237-14	Eicholtz Masonry, Inc.	FCO #52 - Deduct for FCO #51. All reinforcing bar indicated on structural plan S2101 at the north wall of stairtower J was not installed during CMU wall construction. Integrity Steel provided steel angle as directed by structural engineer.	(770.50)
238-11	Northern Woodwork, Inc.	FCO #55 - End panels at 137 and 143. Provide and install P-lam end at FACS 137 and finished 24" filler panel at Art 143.	325.00
239-12	Northern Woodwork, Inc.	FCO #56 - Extra Mobilization. Schedule delays caused extra mobilization to install elementary casework.	1,215.00
242-11	Innovative Erectors, Inc.	PR #53A - HS Fitness Partition - Guardrail	3,888.50
243-12	Innovative Erectors, Inc.	PR #88 - Gymnasium 180 scoreboard supports	2,460.87
244-15	Eicholtz Masonry, Inc.	PR #53A - HS Fitness Partition - Guardrail. Install of guard-rail was changed after CO written, this will not be needed anymore. This zeroes out change order #1907-181-12.	(1,840.00)

Sub-Total

146,772.07

Change Orders Approved at Draw #19

214-13	Traill Painting Co.	PR #85 - HS Wood shop ceiling painting.	3,250.00
240-13	Integrity Steel Supply, LLC	PR #88 - Gymnasium 180 scoreboard supports	2,423.00
241-14	Traill Painting Co.	PR #88 - Gymnasium 180 scoreboard supports	700.00
245-10	All Finish Concrete, Inc.	PR #37 - New Ag Shop. Add for site concrete.	27,164.13
246-13	Landwehr Construction, Inc.	FCO #57 - Sanitary & Storm Under Building. Provide and install city sanitary sewer and storm sewer underneath high school.	5,637.30
247-14	Landwehr Construction, Inc.	FCO #58 - Sock & Pea rock at drain tile. Provide and install fabric sock and pea rock at drain tile fields in HS & ES infiltration basins around elevator pits and at stage.	11,013.00
248-15	Landwehr Construction, Inc.	FCO #59 - Backflow valves. Provide and install backflow valves at the two drain tile systems exiting the high school addition and the one exiting the elementary addition.	15,946.00
249-16	Landwehr Construction, Inc.	FCO #60 - Misc. Site. 1.) Provide ramps across footings and flat drive paths throughout HS addition - \$2,625.00. 2.) Install salvaged asphalt milling at entries to ES bus loop & south parking lot - \$735.00. 3.) Remove ramp from stage to auditorium after completion of the structural steel, block wall and backfilling scopes of work were completed - \$1,182.00.	4,542.00
Sub-Total			70,675.43

Change Orders Approved at Draw #20

250-13	Innovative Erectors, Inc.	FCO #61 - Adjustments to Structural Steel. Corrections for plan dimensions/elevation discrepancies and epoxy anchor bolts for a steel column after a rain event required a footing to be replaced.	6,784.32
251-10	Far-Moor Acoustics & Floors, LLC	FCO #062 - Commons 170 Sound Panels. Split cost of 120 sq. ft. of acoustical panels on west wall of Commons 170.	1,372.00
252-6	FM Asphalt, LLC	FCO #063 - Pave 5th Street. Poor road structure caused deterioration and required repaving between 5th Street and 4th Avenue and 5th Avenue.	22,300.00
253-14	Innovative Erectors, Inc.	FCO #064 - Add for FCO \$066 to Eicholtz. 1. Corrective measures to correct anchor bolt placement in masonry piers at Commons 170. \$12,839.83. 2. Corrective measures to steel tube bearing height at HS running track, provide structural integrity of shear walls at ES stair tower J, & provide for adequate joist bearing at auditorium 190. \$9,563.71. FCO #067 - Deduct for FCO #065. 1. Replace CMU carelessly removed during sky link structural steel installation. (\$4,646.00).	17,757.54
255-7	FM Asphalt, LLC	PR #92 - ES Parking signage.	2,860.00
256-31	Manning Mechanical, Inc.	PR #94 - Exterior wall hydrants.	10,184.00
257-15	Innovative Erectors, Inc.	PR #90 - Lighting balcony 190k beam.	3,468.16
258-15	Traill Painting Co.	PR #37 - New Ag Shop. The schol decided not to paint the rigid structure in the new steel building and will accept a credit of (\$4,685.00).	(4,685.00)
Sub-Total			60,041.02

Change Orders Approved at Draw #21

261-20	Gast Construction Company, Inc.	PR #63 - Signage. Owner decided to go with cast aluminum in lieu of acrylic, resulting in an add of \$2,767.00 to original PR #63 pricing of \$12,303.00 written in change	2,767.00
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262-21	Gast Construction Company, Inc.	order #1907-259-19. PR #31 - Flag Poles.	8,261.00
Sub-Total			11,028.00

Change Orders Approved at Draw #22

254-16	Eicholtz Masonry, Inc.	FCO #066 - Deduct for FCO #064 to Innovative. 1. Corrective measures to correct anchor bolt placement in masonry piers at Commons 170. (\$12,839.83). 2. Corrective measures to steel tube bearing height at HS running track, provide structural integrity of shear walls at ES stair tower J, & provide for adequate joist bearing at auditorium 190. (\$9,563.71). FCO #065 - Add for FCO #067. 1. Replace CMU carelessly removed during sky link structural steel installation. \$4,646.00.	(17,757.54)
259-19	Gast Construction Company, Inc.	PR #63 - Add for reduced scope exterior signage.	12,303.00
260-11	All Finish Concrete, Inc.	FCO #68 - Additional Curb, Sidewalk and Parking Lot Slab. 1.) Prep for and install new siewalks at the elementary parking lot sidewalk connection to 5th Street sidewalk, at curve from 4th Sreet to 4th Avenue and between sidewalk and 4th Avenue at the north aluminum entry doors of the high school addition. 2.) Install section of new curb and parking lot slab where existing was removed to install 15" HDPE storm sewer piping from catch basin 7 to existing curb basin at south side of the existing HS parking lot.	7,995.72
263-11	Far-Moor Acoustics & Floors, LLC	FCO #69 - Additional ACT at existing locations. Provide and install ceilings in existing HS halls 1000, 1001, & 1010 & Ag Room 112, Ag Office 112B, Kitchen 102, Girls' Bathroom 116 and ES Library.	19,342.00
264-12	Far-Moor Acoustics & Floors, LLC	FCO #70 - Additional ACT at plan missed locations. Provide and install ceilings in existing ES entries E1007 & E1009 and at HS Hall 1300.	2,461.00
265-22	Gast Construction Company, Inc.	PR #63 - Signage. Owner decided to go with 15" lettering for "MAIN ENTRANCE" in lieu of '12", resulting in an add of \$879.00 to revised PR #63 pricing.	879.00
Sub-Total			25,223.18

Change Orders Approved at Draw #23

266-8	FM Asphalt, LLC	FCO #73 - Additional signage and paint striping at ES & HS parking lots. 1. Add two entrance signs at ES bus lane and one additional stall and number bus stalls - \$1,050.00. 2. Paint existitng HS ADA stall curbs blue and a bus only sign with restricted hour sign at ES bus lane entrance - \$925.00. 3. Re-stripe existing HS parking lot - \$1,250.00.	3,225.00
267-16	Innovative Erectors, Inc.	FCO #74 - Gym column base plate modifications. Fix columns C8 & C13 due to strong wind shifting with masonry shelter and dislodging anchor bolts at north gym wall.	880.80
268-9	FM Asphalt, LLC	FCO #72 - patching at 5th Street HS bus lane. HS bus lane entry from 5th Street SE to provide a smooth transition from 5th Street to the concrete HS bus lane.	4,020.00
269-17	Landwehr Construction, Inc.	FCO #75 - Prep for additional sidewalk at ES parking lot. Prep for additional sidewalk from 5th Street sidewalk to north ES parking lot sidewalk.	763.28
270-33	Vinco, Inc.	FCO #76 - Electrical demo and new power to FA related items. Demolition of existitng equipment, power to existing	6,532.21

		and new mechanical equipment, fire alarm tie in to existing items not shown on plans.	
271-7	Rusco Windows Company, Inc.	PR #96 - Fitness 183 mirrors.	1,800.00
272-14	Integrity Steel Supply, LLC	PR #97 - Roof ladder.	1,331.00
273-17	Innovative Erectors, Inc.	PR #97 - Roof ladder.	2,110.90
274-34	Vinco, Inc.	PR #98 - HS kitchen office data.	715.07
275-35	Vinco, Inc.	PR #103 - HS Hall 1520 Exiting Lighting.	2,689.42
276-11	Bachman, Inc. dba Floor to Ceiling	FCO #71 - Commons 170 step risers and nosings. Provide and install rubber risers and nosings at the steps and ramp at Commons 170.	1,997.00
277-36	Vinco, Inc.	PR #89 - HS Area A mechanical items.	801.29
278-37	Vinco, Inc.	PR #101 - HS hall 1520 light fixtures.	(439.17)
283-13	Far-Moor Acoustics & Floors, LLC	PR #102 - Stair H ceiling.	671.00
		Sub-Total	27,097.80

Change Orders Approved at Draw #24

279-32	Manning Mechanical, Inc.	PR #29 - ES Sprinkler piping support. Plan review required added hanger support for piping.	2,429.20
280-33	Manning Mechanical, Inc.	PR #95 - Boiler EPO System.	2,114.70
281-34	Manning Mechanical, Inc.	PR #99 - HS Practice room modifications.	2,373.74
282-7	LVC Companies, Inc.	PR #102 - Stair H ceiling.	1,176.01
284-16	Traill Painting Co.	PR #105 - HS balcony revisions.	300.00
285-16	RTL Construction, Inc.	PR #102 - Stair H ceiling.	1,657.14
286-17	RTL Construction, Inc.	PR #105 - HS balcony revisions.	1,712.06
287-18	Innovative Erectors, Inc.	PR #72R1 - HS catwalk elect enclosure framing revision 1. Agreed to not exceed \$14,637.43.	14,637.43
288-17	Traill Painting Co.	PR #104 - HS track guardrail gates.	985.00
289-15	Integrity Steel Supply, LLC	PR #104 - HS track guardrail gates.	4,259.00
291-17	Eicholtz Masonry, Inc.	FCO #77 - Egress walkway at door 10. Provide and install scaffolding, reinforced poly, and wood planks, 7 months rent.	651.75
292-18	Eicholtz Masonry, Inc.	FCO #78 - CMU walls. Install walls at shower stall rooms 122A & 148A, infill wall required for ADA plumbing at toilets 161 & 163.	4,941.20
293-38	Vinco, Inc.	FCO #79 - Owner requested changes. 1.) Provide power to owner furniture at ES district & admin desk. \$586.82. 2.) Repair FA wiring at existing HS that were reinstalled by others at abated halls on 2nd & 3rd floor demo. \$2,125.00. 3.) Reinstall 120v lighting to the 13 existing ES classroom alcoves. \$4,306.56. 4.) Relocate data & power service at two walls in ES reception E100. \$2,426.42. 5.) Add data rough-in and power at existing ES SPED E122, E123, E124. \$1,869.27.	11,314.07
296-18	RTL Construction, Inc.	FCO #82 - Unforeseen/Project Enhancement. 1.) Skim existing deteriorated walls in new admin area with 5/8" sheetrock and prep for paint. \$1,234.60. 2.) Tape and sand wall patches at reading nooks in eight elementary classrooms. \$456.42.	1,691.02
297-19	RTL Construction, Inc.	FCO #18 - Area B project enhancement. Add bulkheads for ceiling at SPED 128, framed opening for electrical panel at Chemistry 116 & prep 119 frame for added access panels to enclose gas shut off at Chemistry 116 and access VAV at SPED 130, frame for recessed gas controller at Chemistry 116 & skim coat existing infilled windows at SPED 128.	2,606.06
298-20	RTL Construction, Inc.	FCO #26 - Demo existing roof decking. Cut and remove a section of steel roof deck at east exterior wall of existing art	476.00

room 143.

Sub-Total

53,324.38

Change Orders Approved at Draw #25

290-12	Bachman, Inc. dba Floor to Ceiling	PR #107 - HS commons 170 wall base.	497.00
294-39	Vinco, Inc.	FCO #80 - Wire ADA push buttons at auto operated entries. Install 18/2 cable and connections for ADA push buttons on openings E100E.1, E100A.1, E1000.1 & E1000.3.	764.17
299-8	Rusco Windows Company, Inc.	PR #106 - ES Office Sliding Window.	2,685.00
300-21	RTL Construction, Inc.	PR #106 - ES Office Sliding Window.	864.26
301-18	Traill Painting Co.	PR #106 - ES Office Sliding Window.	300.00
302-40	Vinco, Inc.	PR #108 - HS Door 1300 Magnetic Door Holds.	792.50
303-23	Gast Construction Company, Inc.	PR #106 - ES Office Sliding Window.	7,676.00
304-24	Gast Construction Company, Inc.	PR #112 - HS Assembly Occupancy Signage.	1,458.00
306-12	All Finish Concrete, Inc.	FCO #89 - Cold Weather Concrete. Winter rates for schedule delayed concrete.	258.50
307-35	Manning Mechanical, Inc.	PR #89 - HS Area A Mechanical Items	4,159.10
308-22	RTL Construction, Inc.	FCO #81 - Miscellaneous Gypsum Extras. 1.) Add 1/2" RC Channel to select walls at Band & Choir rooms. \$2,152.76. 2.) Frame, sheetrock, tape, and sand gypsum bulkhead at Commons 145 connection to Hall 1300. \$1,874.72. 3.) Difference in material and labor cost to install 5/8" fire treated plywood in lieu of 5/8" gypsum wallboard at Auditorium 190. \$3,577.99. 4.) Frame, sheetrock, tape, and sand gypsum bulkhead at stair J. \$1,914.23.	9,519.70
309-23	RTL Construction, Inc.	FCO #83 - Code Related Gypsum Extras. 1.) Add 2 hr shaft wall enclosure above door 1030 to provide 2 hr assembly around multiple penetrations. \$2,589.00. 2.) Build temporary steel stud/gypsum walls outside existing door 10. \$1,398.01. 3.) Frame, sheetrock, and firetape gypsum walls outside existing door 10. \$281.12.	5,109.25
310-24	RTL Construction, Inc.	FCO #90 - Unforeseen/Owner Requested Project Enhancements. 1.) Frame, sheetrock, and finish gypsum soffit at Lobby E1005 & Hall E1006, provide access door to access fire alarm junction boxes. \$2,145.23. 2.) Frame, sheetrock, and finish radius bulkhead at vestibule 190E. \$774.62. 3.) Frame and install fire treated plywood on knee wall at AG Shop 112B. \$830.59. 4.) Patch mirror mounting holes in gypsum wall at Fitness 183 after mirrors were relocated approximately one foot higher. \$456.42.	4,206.86
311-13	Northern Woodwork, Inc.	FCO #92 - Stage Nosing Revision. Revise maple stair nosing trim at stage 191 to have deeper returns to accommodate electrical conduits and back boxes and one additional day per diem for install crew.	2,678.00
312-14	Northern Woodwork, Inc.	FCO #86 - Added ADA Cabinet Panel. Provide and install ADA panel at open sink cabinet in Conference Room E100B.	150.00
313-41	Vinco, Inc.	PR #111R1 - HS Auditorium Lighting.	609.32
314-19	Traill Painting Co.	FCO #93 - Auditorium Floor Sealing. Added floor sealing not shown on the plans.	6,378.00
		Sub-Total	48,105.66

Change Orders Approved at Draw #26

316-42	Vinco, Inc.	PR #114 - Exterior Light Fixtures.	<u>1,524.91</u>
		Sub-Total	1,524.91

Change Orders Approved at Draw #27

317-16	Integrity Steel Supply, LLC	FCO #95 - Onsite rework deduct. Stair F stringers and commons 170 ADA ramp railing not fabricated correctly and had to be modified for proper installation.	(3,321.90)
318-17	Integrity Steel Supply, LLC	FCO #97 - Metal Adds. 1. Stairs at Mechanical Room 199 were not shown on bid documents. 2. Conflict between ductwork and wind bridging at Auditorium bar joist space. 3. Project enhancement for safety of public.	4,190.00
319-43	Vinco, Inc.	FCO #87 - Electrical Adds. 1. Relocate light fixtures at Elementary School Conference Room E100B. \$391.00. 2. Extend existing electrical boxes out to accommodate added layer of drywall at HS Conference Room 142D and records 142C. \$437.10. 3. Per ASI #32, add USB outlets at burnished block counter walls in Commons 170. \$10,206.67. 4. Replace GFCI receptacle at concessions 145A with a standard receptacle and add a GFCI breaker at electrical panel to solve issues with the existing pretzel machine. \$363.65. 5. Add two 2 x 2 light fixtures each at Men's toilet 171 and Women's toilet 172. \$642.32.	12,040.73
320-3	McArthur Tile Corporation	FCO #100 - Floor Leveling. After wall demo, existing floor was lower at planned new door opening to ES staff toilet E133.2.	590.00
322-36	Manning Mechanical, Inc.	FCO #99 - Upsize Piping & Added EPO Switch. Remove originally specified 1- 1/2" piping for AHU1 and replace with 3", replace 1 1/2" piping for AHU 5 with 2" per RFI #72. \$14,201.31. Add an EPO switch at HS Mech room 186 for water heater and wire installed EPO switches at Elementary boiler room. \$1,427.00	15,628.31
323-19	Innovative Erectors, Inc.	FCO #96 - Unforeseen/not on plans steel erection. 1. Grout hollow core plank cores solid for stair H. \$311.08. 2. Install horizontal wind bracing where ductwork layout required bracing removal. \$1,083.23. 3. Remove detailed 3/4" plywood backer, prep for toggle bolts and reinstall for guardrail attachment at 2nd floor tier seating. \$1,263.83. 4. Install stairs at Mechanical Mezzanine 199. \$538.84.	3,196.98
324-20	Innovative Erectors, Inc.	FCO #85 - Onsite rework add. Stair F stringers and commons 170 ADA ramp railing not fabricated correctly and had to be modified for proper installation.	3,321.90
327-37	Manning Mechanical, Inc.	PR #117 - HS Gymnasium water cooler.	2,952.00
328-9	Rusco Windows Company, Inc.	PR #47 - Door security system. Added labor to change existing panics to EL Rim panics, add removable mullion, add (2) power transfers.	850.00
329-21	Innovative Erectors, Inc.	PR #110 - Auditorium handrails.	<u>8,310.28</u>
		Sub-Total	47,758.30

Change Orders Approved at Draw #28

295-1	Otis Elevator Company	FCO #84 - Elevator additional staffing. Extra trip to operate elevator to allow for fire caulking in the elevator shaft for code compliance.	980.00
321-13	All Finish Concrete, Inc.	FCO #98 - Floor Sealing Credit. Switch floor sealing type at select rooms scheduled to receive concrete sealer.	(5,420.00)
331-14	Far-Moor Acoustics & Floors, LLC	FCO #102 - Misc. Ceiling Changes. 1. Reduce footage of	2,947.00

		ES elevator equipment room. 2. Plan discrepancy. 3. ISD vendor removed ceiling but did not reinstall. 4. Adjustment to ceiling heights.	
332-38	Manning Mechanical, Inc.	FCO #101 - Plasma Table Exhaust. Provide enhanced exhaust performance at existing plasma table.	1,500.04
333-44	Vinco, Inc.	FCO #103 - Electrical Extras. 1. Prep tile and reinstall brackets and smoke detectors in acoustical ceiling. \$306.00. 2. Install conduit and CAT6 and floor boxes south side of Track 2510. \$2,265.20.	2,571.20
334-45	Vinco, Inc.	FCO #104 - Unforeseen Electrical. 1. Relocate power feeds for RTU's to avoid modified structural steel and duct and piping at ES. \$5,243.25. 2. Relocate two existing exit lights at Cafeteria E150 for ductwork routing. \$562.65. 3. Replace damaged emergency light at fitness 183. \$432.54.	6,238.44
Sub-Total			8,816.68
<hr/>			
Change Orders Approved at Draw #29			
305-8	LVC Companies, Inc.	FCO #88 - Fire Protection Changes. 1. Remove exposed heads and install flex heads in new ACT in Ag Classroom 112 and in Ag Office 112B \$1,382.00. 2. Remove plastic lines and reinstall steel after district removed walls and ceilings. \$2,119.20.	3,501.20
325-9	LVC Companies, Inc.	FCO #94 - VE plastic pipe. Value engineering to use CPVC Blazemaster pipe in lieu of specified schedule 40 in HS.	(5,383.40)
326-10	LVC Companies, Inc.	FCO #91 - Code compliance fire protection. Added coverage for areas not shown on plan but required by code, wood ceiling in HS and 2nd floor mechanical room.	13,820.40
330-20	Trall Painting Co.	PR #110 - Auditorium handrails.	573.00
335-46	Vinco, Inc.	FCO #106 - Code Items. 1. Illuminate walking spaces outside vestibules 1521 & 1522. \$983.56. 2. Install (5) additional ceiling mount emergency light fixtures at Auditorium 190. \$2,293.24.	3,276.80
336-9	Central Door & Hardware, Inc.	FCO #109 - Miscellaneous Hardware Changes. 1.) Add storeroom under stairs H at HS addition \$1,419.00. 2.) Provide removable mullion for door 180.8 \$1,087.00. 3.) Provide storeroom locksets and keyed lock cores for elevator equipment rooms 18A & E002A. \$315.00.	2,821.00
339-1	Innovative Builders	FCO #115 - Concrete Floor Finish at Ag Shop. Concrete floor finish for PR #37 Ag Shop was unacceptable to ISD #146 and was rejected. Credit was accepted by district as payment in lieu of removal and replacement.	(12,250.00)
340-7	Pierce Lee Roofing, LLC	FCO #114 - Code Required Items for PLR. 1.) Install weather barrier over exterior sheathing at curtain wall framing at Vestibule 1521 & 1522. \$886.44. 2.) Extend smoke hatch release cables to a reachable height above the stage floor. \$1,640.68.	2,527.12
341-26	Gast Construction Company, Inc.	FCO #112 - Eicholtz Frame Install. Eicholtz did not install HM frames at Fitness 183 and Costume 192E.2 while constructing wall and had to demo out an incorrectly installed frame at 180A.2 in Gym Storage, hired Gast Co. to install frame afterwards. \$363.00.	363.00
342-19	Eicholtz Masonry, Inc.	CO #111 - Extra Masonry Work. 1.) Remove & cut architectural stone at Vestibule 170A and Commons 170 south exterior wall to match field engineered dimension associated with curtain wall HS4. \$1,001.00. 2.) Remove	2,507.45

		excess mortar from CMU joints on existing north and east wall of Wrestling room and tuck point. \$1,869.45. FCO #113 - Deduct for FCO #112. Did not install HM frames at Fitness 183 & Costume 192.E2 while constructing wall & had to demo out an incorrectly installed frame at 108A.2 in Gym Storage. Hired Gast Co. to install frame afterwards. (\$363.00).	
343-20	Eicholtz Masonry, Inc.	FCO #110 - Masonry Not on BP-1 Plans. 1.) Infills at multiple locations in existing HS and ES. 2.) Demo portion of existing brick veneer above new roofline at the north exterior wall and install flashing, weeps, and new bricks.	13,103.42
344-21	Eicholtz Masonry, Inc.	PR #26R1 - HS Secure Entry. Door infill CR 141.	951.50
345-22	Eicholtz Masonry, Inc.	ASI #32 - HS Commons Countertop Power. Add one course at knee wall in Commons 170 to make room for outlets.	1,984.40
346-13	Bachman, Inc. dba Floor to Ceiling	FCO #116 - Floor Prep. Prep floors to receive new LVT and Carpet.	6,608.04
347-47	Vinco, Inc.	FCO #105 - 1.) Existing ceilings and lights were removed per architectural and electrical demolition plans at Elementary School Rooms E124, E125, & E149 but no new fixtures were indicated to be installed. 2.) Electrical demo plan ED2111 did not indicate need to demo power to mechanical equipment scheduled to be removed from existing Mechanical Room 156 or Receiving E155. 3.) Fire alarm tie-in at fire rated coil door 192F.2 not indicated on PR #61. 4.) Strip lighting at first section of north tier seating in Auditorium 190 not indicated on Area E Lighting Plan E1125. 5.) BP-3 AV power supply required larger amperage than what was indicated on BP-2 plans (6). Wiring needs from Mini Split at Electrical Room 185 to rooftop condensing unit not indicated on plan pages E1135 or E6000.	20,890.96
Sub-Total			55,294.89

Change Orders Approved at Draw #30

315-25	RTL Construction, Inc.	PR #113 - HS Auditorium Stage Stair Furring.	460.81
338-25	Gast Construction Company, Inc.	FCO #108 - HM Frame Delay. Foam fill 29 HM door and window frames and install with CMU existing wall anchors, bondo, and prime anchor holes after installation. Caused by frames not arriving on time.	6,916.00
348-4	WCS1, LLC	FCO #121 - Caulking Credit. WCS1 requested we use someone else to fulfill remaining contract items to complete project.	(6,325.00)
350-8	Pierce Lee Roofing, LLC	FCO #122 - Prefinished Metal at HS & ES. Install pre-finished metal coping at top of ES main entry. Install pre-finished metal along main entry at HS.	1,757.73
Sub-Total			2,809.54

Change Orders Approved at Draw #31

349-11	LVC Companies, Inc.	FCO #120 - LVC Overtime. Cost difference between overtime rate and regular rate for overnight work performed for enhancement of the summer remodel schedule.	10,987.00
351-27	Gast Construction Company, Inc.	FCO #123 - Miscellaneous Gast Extras. 1. Demo existing brick and raise steel lintel at existing exterior wall between Hall E106. \$650.00. 2. Demo existing plaster ceiling.	9,242.00

\$530.00. 3. Demo existing 2 x 4 acoustical ceiling
 \$530.00. 4. Cut and demo out sections of existing CMU wall & shore to hold until plumbing and new wall infill were complete. \$770.00. 5. Replace damaged top rails, rebuild center support and install new shelves. \$145.00. 6. Install extra HM frame existing wood door and misc. hardware. \$260.00. 7. Cut and remove concrete slab. \$280.00. 8. Add additional wood blocking to achieve needed wall height at second floor auditorium knee wall. \$383.00. 9. Add plywood and 2x subfloor at exterior wall lines of pedestrian walkway. \$4,470.00. 10. Cut and remove concrete slab, form and pour in new concrete around pole vault pit. \$1,224.00.

Sub-Total 20,229.00

Change Orders Approved at Draw #32

337-10	Central Door & Hardware, Inc.	FCO #108 - HM Frame Delay. Foam fill 29 HM door and window frames and install with CMU existing wall anchors, bondo, and prime anchor holes after installation. Caused by frames not arriving on time.	(6,916.00)
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Sub-Total (6,916.00)

Change Orders Approved at Draw #33

353-2	Taracon Precast, LLC	FCO #124 - Break Metal Deduct. Pierce Lee Roofing provided (2) metal caps to cover unfinished precast wall panel ends at entries 1521 & 1522.	(734.72)
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Sub-Total (734.72)

Change Orders Approved at Draw #34

352-21	Traill Painting Co.	FCO #117 - Fire Rating Identification Vinyl Labels. Code required fire rating identification above ceilings at fire and smoke rate assemblies. FCO #118 - Miscellaneous Extra Painting. Extra painting throughout project for items unforeseen or not on plans.	5,262.50
354-23	Eicholtz Masonry, Inc.	FCO #125 - Repainting CMU Walls. Touch up paint at CMU wall locations where excess mortar and grout splatter was removed by Eicholtz Masonry from HS (Stairs G & H, Halls 1510, 1520, 1530, & 2530 and also at patched locations in Concessions 145A & Training 175) & ES (Stair J, Halls E1002 & E1004, Lobbies E1001 & E1005). \$3,315.00.	(3,315.00)
356-22	Traill Painting Co.	FCO #119 - Repainting Pre-cast & CMU Walls. 1.) Repaint the 2nd floor pre-cast walls on the west and south side of the Running Track 2510 to cover 100's of spots where concrete spatter was removed by All Finish Concrete. \$4,810.00. 2. Touch up paint at CMU wall locations where excess mortal and grout spatr was removed by Eicholtz Masonry from HS (Staris G & H, Halls 1510, 1520, 1530, & 2530 and also at patched locations in Concessions 145A & Training 175. \$3,315.00.	8,125.00

Sub-Total 10,072.50

Change Orders Approved at Draw #35

Sub-Total 0.00

Change Orders Approved at Draw #36

355-14 All Finish Concrete, Inc. FCO #126 - Repaint the 2nd floor pre-cast walls on the west and south side of the Running Track 2510 to cover 100's of spots where concrete splatter was removed by All Finish Concrete. (4,810.00)

Sub-Total (4,810.00)

Change Orders Approved at Draw #37

357-12 LVC Companies, Inc. FCO #127 - Precast Staining Fix. Agreed to fix of acoustical panels to cover staining of precast in Commons 170 from core drilling penetrations. Responsibility is 1/2 of cost. (2,920.50)

358-48 Vinco, Inc. FCO #127 - Precast Staining Fix. Agreed to fix of painting 2nd floor wall in Hall 2520 to cover staining from core drilling. Responsibility is 1/3 of cost. (\$315.00). (315.00)

359-39 Manning Mechanical, Inc. FCO #127 - Precast Staining Fix. Agreed to fix of acoustical panels to cover staining of precast in Commons 170 from core drilling penetrations. Responsibility is 1/2 of cost. (\$2,920.50). Agreed to fix of painting 2nd floor wall in hall 2520 to cover staining from core drilling. Responsibility is 1/3 of cost. (\$315.00). (3,235.50)

Sub-Total (6,471.00)

Change Orders Approved at Draw #38

Sub-Total 0.00

Change Orders in Process

Sub-Total 0.00

Change Order Status To Date 09/05/23 3,478,517.11

* Change Order #1907-10-3 affects the " Elementary School Parking Lot East" line on the draw instead of Construction Contingency.

** Change Orders affecting Owner Contingency instead of Construction Contingency.

12. New Business
A. Preliminary Levy Certification

110

I. COMPUTATION OF 2023 PAYABLE 2024 LEVY LIMITATION BY FUND (BEFORE COUNTY AUDITOR ADJUSTMENTS):

FUND	INITIAL LEVY LIMITATION	LIMITATION ADJUSTMENTS	ABATEMENT ADJUSTMENTS	OFFSET ADJUSTMENTS	TAC/MAX EFF ADJUSTMENT	MAXIMUM LEVY LIMITATION
GEN-RMV VOTER-EXEMP	233,755.69	5,990.61-	N/A			227,765.08
GEN-RMV OTHER-EXEMP	714,977.18	19,112.61-	N/A			695,864.57
GEN-NTC VOTER-EXEMP			N/A			
GEN-NTC OTHER-GENED	N/A	N/A	N/A	N/A	N/A	N/A
GEN-NTC OTHER-EXEMP	454,107.42	5,417.62-				448,689.80
TOTAL GENERAL	1,402,840.29	30,520.84-				1,372,319.45
COM SERV-EXEMP	62,626.13	1,199.58-				61,426.55
DEBT-VOTER-NONEXEMP	2,323,020.00	70,172.84-				2,252,847.16
DEBT-OTHER-NONEXEMP	109,485.60	5,705.28-				103,780.32
TOTAL DEBT SERV	2,432,505.60	75,878.12-				2,356,627.48
OPEB-VOTER-NONEXEMP						
OPEB-OTHER-NONEXEMP						
TOTAL OPEB/PENSION						
TOTAL	3,897,972.02	107,598.54-				3,790,373.48

II. COMPARISON OF 2022 PAYABLE 2023 LEVY LIMITATION WITH 2023 PAYABLE 2024 LEVY LIMITATION (BEFORE COUNTY AUDITOR ADJUSTMENTS):

FUND	2022 PAY 2023 LIMITATION	2023 PAY 2024 LIMITATION	INCREASE (DECREASE)	PERCENT CHANGE
GENERAL	1,307,000.19	1,372,319.45	65,319.26	5.00
COMMUNITY SERVICE	58,730.42	61,426.55	2,696.13	4.59
GENERAL DEBT SERVICE	2,302,089.62	2,356,627.48	54,537.86	2.37
OPEB DEBT SERVICE				
TOTAL	3,667,820.23	3,790,373.48	122,553.25	3.34

III. COMPARISON OF 2022 PAYABLE 2023 CERTIFIED LEVY PLUS COUNTY AUDITOR ADJUSTMENTS WITH 2023 PAYABLE 2024 CERTIFIED LEVY PLUS COUNTY AUDITOR ADJUSTMENTS:

FUND	2022 PAY 2023 CERTIFIED LEVY + ADJUSTMENTS	2023 PAY 2024 CERTIFIED LEVY + ADJUSTMENTS	INCREASE (DECREASE)	PERCENT CHANGE
GENERAL	1,257,000.19			
COMMUNITY SERVICE	58,730.42			
GENERAL DEBT SERVICE	2,302,089.62			
OPEB DEBT SERVICE				
TOTAL AFTER ADJUSTMENTS	3,617,820.23			

B. Stipend for 2022 and 2023 Trap Shooting Coach
The motion was tabled and will be sent to the Activities Committee.
C. Items for Remaining Voter Approved Authority

112

Approved Ideas for Remaining Voter Approved Authority – September 18, 2023

1	ADA Ramps under Skyway	2	\$1,446.00	\$2,892.00
2	9x7 Non-Insulated Garage Door for Shed (North Football Field)	1	\$1,350.00	\$1,350.00
3	RoughMark Vinyl for Commons and BSA	1	\$798.05	\$798.05
4	Mechanical Engineering Services for New Storage Shed	1	\$600	\$600
5	Electrical Engineering Services for New Storage Shed	1	\$760	\$8,436
6	LVT Flooring in Elementary Hallway (N and E gym walls)	1	\$8,436.04	\$8,436.04
7	Maprails in Elementary Hallway (sheet rocked gym wall)	4	\$435.00	\$1,740.00
				<u>\$1,740.00</u>
				\$24,252.13

- 13. Addendum
 - A. Student Auxiliary Account for Cross Country
 - B. Mckenzie Davis as Long-term Substitute Paraprofessional in Elementary School
- 14. School District Policies
 - A. First Reading of Policies

114

Adopted: _____

MSBA/MASA Model Policy 501

Orig. 1995

Revised: _____

Rev. 2014

501 SCHOOL WEAPONS POLICY

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. "Weapon"

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

- B. “School Location” includes any school building or grounds, whether leased, rented, owned or controlled by the school, locations of school activities or trips, bus stops, school buses or school vehicles, school-contracted vehicles, the area of entrance or departure from school premises or events, all locations where school-related functions are conducted, and anywhere students are under the jurisdiction of the school district.
- C. “Possession” means having a weapon on one’s person or in an area subject to one’s control in a school location.

IV. EXCEPTIONS

- A. A student who finds a weapon on the way to school or in a school location, or a student who discovers that he or she accidentally has a weapon in his or her possession, and takes the weapon immediately to the principal’s office shall not be considered to possess a weapon. If it would be impractical or dangerous to take the weapon to the principal’s office, a student shall not be considered to possess a weapon if he or she immediately turns the weapon over to an administrator, teacher or head coach or immediately notifies an administrator, teacher or head coach of the weapon’s location.
- B. It shall not be a violation of this policy if a nonstudent (or student where specified) falls within one of the following categories:
 - 1. active licensed peace officers;
 - 2. military personnel, or students or nonstudents participating in military training, who are on duty performing official duties;
 - 3. persons authorized to carry a pistol under Minn. Stat. § 624.714 while in a motor vehicle or outside of a motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle;
 - 4. persons who keep or store in a motor vehicle pistols in accordance with Minn. Stat. §§ 624.714 or 624.715 or other firearms in accordance with § 97B.045;
 - a. Section 624.714 specifies procedures and standards for obtaining pistol permits and penalties for the failure to do so. Section 624.715 defines an exception to the pistol permit requirements for “antique firearms which are carried or possessed as curiosities or for their historical significance or value.”
 - b. Section 97B.045 generally provides that a firearm may not be transported in a motor vehicle unless it is (1) unloaded and in a gun case without any portion of the firearm exposed; (2) unloaded and in the closed trunk; or (3) a handgun carried in compliance with §§

624.714 and 624.715.

5. firearm safety or marksmanship courses or activities for students or nonstudents conducted on school property;
6. possession of dangerous weapons, BB guns, or replica firearms by a ceremonial color guard;
7. a gun or knife show held on school property;
8. possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center; or
9. persons who are on unimproved property owned or leased by a child care center, school or school district unless the person knows that a student is currently present on the land for a school-related activity.

[Note: Nothing prevents a school district from being more stringent in its weapons policy with respect to students and school district employees than the criminal law, except that the school district may not prohibit the lawful carry or possession of firearms in a parking facility or parking area. Although some school districts may choose to incorporate all of the exceptions to the criminal law, other school districts may choose either not to incorporate some or all of the exceptions or to further limit them. For example, a school district may choose to require written permission from the superintendent, not just a principal, for someone to possess a dangerous weapon in a school location. This would impose a more stringent requirement than exception (7) to Section 609.66, Subdivision 1d. However, a school district may not regulate firearms, ammunition, or their respective components, when possessed or carried by nonstudents or nonemployees, in a manner that is inconsistent with Section 609.66, Subdivision 1d.]

C. Policy Application to Instructional Equipment/Tools

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

D. Firearms in School Parking Lots and Parking Facilities

A school district may not prohibit the lawful carry or possession of firearms in a school parking lot or parking facility. For purposes of this policy, the “lawful” carry or possession of a firearm in a school parking lot or parking facility is

specifically limited to nonstudent permit-holders authorized under Minn. Stat. § 624.714 to carry a pistol in the interior of a vehicle or outside the motor vehicle for the purpose of directly placing a firearm in, or retrieving it from, the trunk or rear area of the vehicle. Any possession or carry of a firearm beyond the immediate vicinity of a permit-holder's vehicle shall constitute a violation of this policy.

V. CONSEQUENCES FOR STUDENT WEAPON POSSESSION/USE/DISTRIBUTION

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

1. immediate out-of-school suspension;
2. confiscation of the weapon;
3. immediate notification of police;
4. parent or guardian notification; and
5. recommendation to the superintendent of dismissal for a period of time not to exceed one year.

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

C. Administrative Discretion

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

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

A. Employees

1. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, or discharge as deemed appropriate by the school board.
2. Sanctions against employees, including nonrenewal, suspension, or discharge shall be pursuant to and in accordance with applicable statutory

authority, collective bargaining agreements, and school district policies.

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

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

B. Other Nonstudents

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

Legal References: Minn. Stat. § 97B.045 (Transportation of Firearms)
Minn. Stat. § 121A.05 (Referral to Police)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.44 (Expulsion for Possession of Firearm)
Minn. Stat. § 609.02, Subd. 6 (Definition of Dangerous Weapon)
Minn. Stat. § 609.605 (Trespass)
Minn. Stat. § 609.66 (Dangerous Weapons)
Minn. Stat. § 624.714 (Carrying of Weapons without Permit; Penalties)
Minn. Stat. § 624.715 (Exemptions; Antiques and Ornaments)
18 U.S.C. § 921 (Definition of Firearm)
In re C.R.M. 611 N.W.2d 802 (Minn. 2000)

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

Adopted: _____

MSBA/MASA Model Policy 501

Orig. 1995

Revised: _____

Rev. 20142021

501 SCHOOL WEAPONS POLICY

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III. DEFINITIONS

A. "Weapon"

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

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

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

D. "Dangerous Weapon" means any firearm, whether loaded or unloaded, or any device

designed as a weapon and capable of producing death or great bodily harm, any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm, or any fire that is used to produce death or great bodily harm. As used in this definition, "flammable liquid" means any liquid having a flash point below 100 degrees Fahrenheit and having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100 degrees Fahrenheit but does not include intoxicating liquor. As used in this subdivision, "combustible liquid" is a liquid having a flash point at or above 100 degrees Fahrenheit.

IV. EXCEPTIONS

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

8. possession of dangerous weapons, BB guns, or replica firearms with written permission of the principal or other person having general control and supervision of the school or the director of a child care center; or
9. persons who are on unimproved property owned or leased by a child care center, school or school district unless the person knows that a student is currently present on the land for a school-related activity.

[Note: Nothing prevents a school district from being more stringent in its weapons policy with respect to students and school district employees than the criminal law, except that the school district may not prohibit the lawful carry or possession of firearms in a parking facility or parking area. Although some school districts may choose to incorporate all of the exceptions to the criminal law, other school districts may choose either not to incorporate some or all of the exceptions or to further limit them. For example, a school district may choose to require written permission from the superintendent, not just a principal, for someone to possess a dangerous weapon in a school location. This would impose a more stringent requirement than the exceptions to the general prohibition of having a weapon on school grounds set forth in (7) to Minnesota Statutes Section 609.66, Subdivision 1d (f) listed in Section IV.B. above. However, a school district may not regulate firearms, ammunition, or their respective components, when possessed or carried by nonstudents or nonemployees, in a manner that is inconsistent with Minnesota Statutes Section 609.66, Subdivision 1d.]

C. Policy Application to Instructional Equipment/Tools

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

D. Firearms in School Parking Lots and Parking Facilities

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

V. CONSEQUENCES FOR STUDENT WEAPON POSSESSION/USE/ DISTRIBUTION

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

2. confiscation of the weapon;
 3. immediate notification of police;
 4. parent or guardian notification; and
 5. recommendation to the superintendent of dismissal for a period of time not to exceed one year.
- B. Pursuant to Minnesota law, a student who brings a firearm, as defined by federal law, to school will be expelled for at least one year. The school board may modify this requirement on a case-by-case basis.

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

CD. Administrative Discretion

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

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

A. Employees

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

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

B. Other Nonstudents

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

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

VII. REPORTS OF DANGEROUS WEAPON INCIDENTS IN SCHOOL ZONES

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

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

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

Adopted: _____

MSBA/MASA Model Policy 502

Orig. 1995

Revised: _____

Rev. 1999

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

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

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 (6th 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)

Adopted: _____

MSBA/MASA Model Policy 502

Orig. 1995

Revised: _____

Rev. 1999

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

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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.

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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.

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- 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.
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- 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 (1985)
G.C. v. Owensboro Public Schools, 711 F.3d 623 (6th 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)

(Sample Form)
NOTICE OF SUSPENSION
(Date)

(Name of Parent or Guardian)
(Address)
(City, State, Zip)

Dear (Parent or Guardian)

(Name of Student) has been suspended from (name of school) for (number of days) commencing on (date).

The grounds for suspension are:

Briefly, the facts that have been determined are:

The testimony received was:

An administrative conference to determine the above was conducted before

_____, at _____ on _____
(Name of Administrator) (Time) (Date)

pursuant to Minn. Stat. §§ 121A.40-121A.56, a copy of which is enclosed.

The plan of readmission is:

Alternative educational services in the form of homework will be available to be picked up at the school after _____ [date] _____.

While suspended, the student may not come on any school campus except with you for the purpose of discussing conduct.

If you have any questions, please call.

Sincerely,

Administrator

Enc: Minn. Stat. §§ 121A.40-121A.56

Adopted: _____

MSBA/MASA Model Policy 506

Orig. 1995

Revised: _____

Rev. 2019

506 STUDENT DISCIPLINE

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

I. PURPOSE

The purpose of this policy is to ensure that students are aware of and comply with the school district's expectations for student conduct. Such compliance will enhance the school district's ability to maintain discipline and ensure that there is no interference with the educational process. The school district will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

II. GENERAL STATEMENT OF POLICY

The school board recognizes that individual responsibility and mutual respect are essential components of the educational process. The school board further recognizes that nurturing the maturity of each student is of primary importance and is closely linked with the balance that must be maintained between authority and self-discipline as the individual progresses from a child's dependence on authority to the more mature behavior of self-control.

All students are entitled to learn and develop in a setting which promotes respect of self, others, and property. Proper positive discipline can only result from an environment which provides options and stresses student self-direction, decision-making, and responsibility. Schools can function effectively only with internal discipline based on mutual understanding of rights and responsibilities.

Students must conduct themselves in an appropriate manner that maintains a climate in which learning can take place. Overall decorum affects student attitudes and influences student behavior. Proper student conduct is necessary to facilitate the education process and to create an atmosphere conducive to high student achievement.

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. The position of the school district is that a fair and equitable district-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.

In view of the foregoing and in accordance with Minn. Stat. § 121A.55, the school board, with the participation of school district administrators, teachers, employees, students, parents, community members, and such other individuals and organizations as appropriate, has developed this policy which governs student conduct and applies to all

students of the school district.

III. AREAS OF RESPONSIBILITY

- A. The School Board. The school board holds all school personnel responsible for the maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.
- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.
- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.
- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.
- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate

regarding the behavior of their children.

- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

IV. STUDENT RIGHTS

All students have the right to an education and the right to learn.

V. STUDENT RESPONSIBILITIES

All students have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district policy;
- L. To avoid inaccuracies in student newspapers or publications and refrain from

indecent or obscene language;

M. To conduct themselves in an appropriate physical or verbal manner; and

N. To recognize and respect the rights of others.

VI. CODE OF STUDENT CONDUCT

A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.

1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
2. The use of profanity or obscene language, or the possession of obscene materials;
3. Gambling, including, but not limited to, playing a game of chance for stakes;
4. Violation of the school district's Hazing Prohibition Policy;
5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
6. Violation of the school district's Student Attendance Policy;
7. Opposition to authority using physical force or violence;
8. Using, possessing, or distributing tobacco, tobacco-related devices,

electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;

9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other intoxicating substances or look-alike substances;
10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper

activation of fire alarms, or bomb threats;

21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;
25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district' Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a

school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;

35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
40. Verbal assaults or verbally abusive behavior including, but not limited to, use of words, symbols, acronyms, or language, whether oral or written, that are discriminatory, abusive, obscene, threatening, intimidating, degrading to other people, or threatening to school property;
41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
43. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy;
44. Violation of the school district's one-to-one device rules and regulations;
45. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
46. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or

employees.

VII. DISCIPLINARY ACTION OPTIONS

The general policy of the school district is to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. At a minimum, violation of school district rules, regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The school district shall, however, impose more severe disciplinary sanctions for any violation, including exclusion or expulsion, if warranted by the student's misconduct, as determined by the school district. Disciplinary action may include, but is not limited to, one or more of the following:

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;
- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;
- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;

- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;
- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

VIII. REMOVAL OF STUDENTS FROM CLASS

- A. The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student's parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student's conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. "Removal from class" and "removal" mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

Grounds for removal from class shall include any of the following:

1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher's ability to teach or communicate effectively with students in a class or with the ability of other students to learn;
2. Willful conduct that endangers surrounding persons, including school district employees, the student or other students, or the property of the school;
3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or
4. Other conduct, which in the discretion of the teacher or administration, requires removal of the student from class.

Such removal shall be for at least one (1) activity period or class period of

instruction for a given course of study and shall not exceed five (5) such periods.

A student must be removed from class immediately if the student engages in assault or violent behavior. "Assault" is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict, bodily harm upon another. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

- B. If a student is removed from class more than ten (10) times in a school year, the school district shall notify the parent or guardian of the student's tenth removal from class and make reasonable attempts to convene a meeting with the student's parent or guardian to discuss the problem that is causing the student to be removed from class.

[Note: The following Sections C. - K. must be developed and inserted by each school district based upon individual district practices, procedures, and preferences.]

C. Procedures for Removal of a Student From a Class.

1. *Specify procedures to be followed by a teacher, administrator or other school district employee to remove a student from a class;*
2. *Specify required approvals necessary;*
3. *Specify paperwork and reporting procedures.*

D. Responsibility for and Custody of a Student Removed From Class.

1. *Designation of where student is to go when removed;*
2. *Designation of how student is to get to designated destination;*
3. *Whether student must be accompanied;*
4. *Statement of what student is to do when and while removed;*
5. *Designation of who has control over and responsibility for student after removal from class.*

E. Procedures for Return of a Student to a Class From Which the Student Was Removed.

1. *Specification of procedures;*
2. *Actions or approvals required such as notes, conferences, readmission plans.*

F. *Procedures for Notification.*

1. *Specify procedures for notifying students and parents/guardians of violations of the rules of conduct and resulting disciplinary action;*
2. *Actions or approvals required, such as notes, conferences, readmission plans.*

G. *Disabled Students; Special Provisions.*

1. *Procedures for consideration of whether there is a need for further assessment;*
2. *Procedures for consideration of whether there is a need for a review of the adequacy of the current Individualized Education Program (IEP) of a disabled student who is removed from class or disciplined; and*
3. *Any procedures determined appropriate for referring students in need of special education services to those services.*

H. *Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.*

1. *Establishment of a chemical abuse preassessment team pursuant to Minn. Stat. § 121A.26;*
2. *Establishment of teacher reporting procedures to the chemical abuse preassessment team pursuant to Minn. Stat. § 121A.29.*

I. *Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct.*

J. *Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior.*

K. *Any Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems.*

IX. DISMISSAL

- A. "Dismissal" means the denial of the current educational program to any student, including exclusion, expulsion and suspension. Dismissal does not include removal from class.

The school district shall not deny due process or equal protection of the law to any student involved in a dismissal proceeding which may result in suspension, exclusion or expulsion.

The school district shall not dismiss any student without attempting to provide alternative educational services before dismissal proceedings, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:

1. Willful violation of any reasonable school board regulation, including those found in this policy;
2. Willful conduct that significantly disrupts the rights of others to an education, or the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or
3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

C. Suspension Procedures

1. “Suspension” means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.
2. If a student’s total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student’s parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian’s expense. The purpose of this meeting is to attempt to determine the student’s need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine whether the student needs treatment for a mental health disorder.
3. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of

readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.

4. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6th) consecutive day of suspension or the tenth (10th) cumulative day of suspension has elapsed.
5. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the student to progress toward meeting graduation standards under Minn. Stat. § 120B.02, although in a different setting.
6. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.

7. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
 - a. strongly encourage a parent or guardian of the student to attend school with the student for one day;
 - b. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
 - c. petition the juvenile court that the student is in need of services under Minn. Stat. Ch. 260C.

8. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)

9. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.

10. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.

11. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) days.

D. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.

2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.

3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right to a hearing is waived in writing by the student and parent or guardian.
5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56; describe alternative educational services accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE).
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.

11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.
14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of Education (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minn. Stat. § 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion

action taken to the appropriate public service agency, when the student is under the supervision of such agency.

20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

X. ADMISSION OR READMISSION PLAN

A school administrator shall prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan may include measures to improve the student's behavior, including completing a character education program consistent with Minn. Stat. § 120B.232, Subd. 1, and require parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

XI. NOTIFICATION OF POLICY VIOLATIONS

Notification of any violation of this policy and resulting disciplinary action shall be as provided herein, or as otherwise provided by the Pupil Fair Dismissal Act or other applicable law. The teacher, principal or other school district official may provide additional notification as deemed appropriate.

In addition, the school district must report, through the MDE electronic reporting system, each physical assault of a school district employee by a student within thirty (30) days of the assault. This report must include a statement of the alternative educational services or other sanction, intervention, or resolution given to the student in response to the assault and the reason for, the effective date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the student's age, grade, gender, race, and special education status.

XII. STUDENT DISCIPLINE RECORDS

The policy of the school district is that complete and accurate student discipline records be maintained. The collection, dissemination, and maintenance of student discipline records shall be consistent with applicable school district policies and federal and state law, including the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13.

XIII. DISABLED STUDENTS

Students who are currently identified as eligible under the IDEA or Section 504 will be subject to the provisions of this policy, unless the student's IEP or 504 plan specifies a necessary modification.

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the child's IEP team and the child's parent shall, consistent with federal law, conduct a manifestation determination and determine whether the child's behavior was (i) caused by or had a direct and substantial relationship to the child's disability and (ii) whether the child's conduct was a direct result of a failure to implement the child's IEP. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

When a student who has an IEP is excluded or expelled for misbehavior that is not a manifestation of the student's disability, the school district shall continue to provide special education and related services during the period of expulsion or exclusion.

XIV. OPEN ENROLLED STUDENTS

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minn. Stat. § 124D.03) or Enrollment in Nonresident District (Minn. Stat. § 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minn. Stat. Ch. 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of seventeen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

XV. DISTRIBUTION OF POLICY

The school district will notify students and parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be made available to all students and parents at the commencement of each school year and to all new students and parents upon enrollment. This policy shall also be available upon request in each principal's office.

XVI. REVIEW OF POLICY

The principal and representatives of parents, students and staff in each school building shall confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes shall be submitted to the superintendent for consideration by the school board, which shall conduct an annual review of this policy.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120B.02 (Educational Expectations for Minnesota Students)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.26 (School Preassessment Teams)
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)
Minn. Stat. § 121A.582 (Reasonable Force)
Minn. Stat. §§ 121A.60-121A.61 (Removal from Class)
Minn. Stat. § 122A.42 (General Control of Schools)
Minn. Stat. § 123A.05 (Area Learning Center Organization)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 (Enrollment in Nonresident District)
Minn. Stat. Ch.125A (Students with Disabilities)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
Minn. Stat. Ch. 260A (Truancy)
Minn. Stat. Ch. 260C (Juvenile Court Act)
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

Cross References: MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)
MSBA/MASA Model Policy 501 (School Weapons)
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
MSBA/MASA Model Policy 503 (Student Attendance)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 527 (Student Use and Parking of Motor

Vehicles; Patrols, Inspections, and Searches)
MSBA/MASA Model Policy 610 (Field Trips)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on
Buses)

Adopted: _____

MSBA/MASA Model Policy 506

Orig. 1995

Revised: _____

Rev. 2023

506 STUDENT DISCIPLINE

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

I. PURPOSE

The purpose of this policy is to ensure that students are aware of and comply with the school district's expectations for student conduct. Such compliance will enhance the school district's ability to maintain discipline and ensure that there is no interference with the educational process. The school district will take appropriate disciplinary action when students fail to adhere to the Code of Student Conduct established by this policy.

II. GENERAL STATEMENT OF POLICY

The school board recognizes that individual responsibility and mutual respect are essential components of the educational process. The school board further recognizes that nurturing the maturity of each student is of primary importance and is closely linked with the balance that must be maintained between authority and self-discipline as the individual progresses from a child's dependence on authority to the more mature behavior of self-control.

All students are entitled to learn and develop in a setting which promotes respect of self, others, and property. Proper positive discipline can only result from an environment which provides options and stresses student self-direction, decision-making, and responsibility. Schools can function effectively only with internal discipline based on mutual understanding of rights and responsibilities.

Students must conduct themselves in an appropriate manner that maintains a climate in which learning can take place. Overall decorum affects student attitudes and influences student behavior. Proper student conduct is necessary to facilitate the education process and to create an atmosphere conducive to high student achievement.

Although this policy emphasizes the development of self-discipline, it is recognized that there are instances when it will be necessary to administer disciplinary measures. The position of the school district is that a fair and equitable district-wide student discipline policy will contribute to the quality of the student's educational experience. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.

In view of the foregoing and in accordance with Minnesota Statutes, section 121A.55, the school board, with the participation of school district administrators, teachers, employees, students, parents, community members, and such other individuals and organizations as appropriate, has developed this policy which governs student conduct and applies to all students of the school district.

III. DEFINITIONS

A. "Nonexclusionary disciplinary policies and practices" means policies and practices that are alternatives to dismissing a pupil from school, including but not limited to evidence-based positive behavior interventions and supports, social and emotional services,

school-linked mental health services, counseling services, social work services, academic screening for Title 1 services or reading interventions, and alternative education services. Nonexclusionary disciplinary policies and practices include but are not limited to the policies and practices under sections 120B.12; 121A.575, clauses (1) and (2); 121A.031, subdivision 4, paragraph (a), clause (1); 121A.61, subdivision 3, paragraph (r); and 122A.627, clause (3).

B. "Pupil withdrawal agreement" means a verbal or written agreement between a school administrator or district administrator and a pupil's parent to withdraw a student from the school district to avoid expulsion or exclusion dismissal proceedings. The duration of the withdrawal agreement cannot be for more than a 12-month period.

IV. POLICY

A. The school board must establish uniform criteria for dismissal and adopt written policies and rules to effectuate the purposes of the Minnesota Pupil Fair Dismissal Act. The policies must include nonexclusionary disciplinary policies and practices consistent with Minnesota Statutes, section 121A.41, subdivision 12, and must emphasize preventing dismissals through early detection of problems. The policies must be designed to address students' inappropriate behavior from recurring.

B. The policies must recognize the continuing responsibility of the school for the education of the pupil during the dismissal period.

C. The school is responsible for ensuring that alternative educational services, if the pupil wishes to take advantage of them, must be adequate to allow the pupil to make progress toward meeting the graduation standards adopted under Minnesota Statutes, section 120B.02 and help prepare the pupil for readmission in accordance with section Minnesota Statutes, section 121A.46, subdivision 5.

D. For expulsion and exclusion dismissals and pupil withdrawal agreements as defined in Minnesota Statutes, section 121A.41, subdivision 13:

1. for a pupil who remains enrolled in the school district or is awaiting enrollment in a new district, the school district's continuing responsibility includes reviewing the pupil's schoolwork and grades on a quarterly basis to ensure the pupil is on track for readmission with the pupil's peers. The school district must communicate on a regular basis with the pupil's parent or guardian to ensure that the pupil is completing the work assigned through the alternative educational services as defined in Minnesota Statutes, section 121A.41, subdivision 11. These services are required until the pupil enrolls in another school or returns to the same school;

2. a pupil receiving school-based or school-linked mental health services in the school district under Minnesota Statutes, section 245.4889 continues to be eligible for those services until the pupil is enrolled in a new district; and

3. the school district must provide to the pupil's parent or guardian information on accessing mental health services, including any free or sliding fee providers in the community. The information must also be posted on the school district website.

V. AREAS OF RESPONSIBILITY

A. The School Board. The school board holds all school personnel responsible for the

maintenance of order within the school district and supports all personnel acting within the framework of this discipline policy.

- B. Superintendent. The superintendent shall establish guidelines and directives to carry out this policy, hold all school personnel, students, and parents responsible for conforming to this policy, and support all school personnel performing their duties within the framework of this policy. The superintendent shall also establish guidelines and directives for using the services of appropriate agencies for assisting students and parents. Any guidelines or directives established to implement this policy shall be submitted to the school board for approval and shall be attached as an addendum to this policy.
- C. Principal. The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of Behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to ~~correct or~~ restrain a student ~~to~~ prevent imminent bodily harm or death to the student or another.
- D. Teachers. All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to ~~correct or~~ restrain a student ~~to~~ prevent imminent bodily harm or death to the student or another.
- E. Other School District Personnel. All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student ~~to~~ prevent bodily harm or death to the student or another.
- F. Parents or Legal Guardians. Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate regarding the behavior of their children.
- G. Students. All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.
- H. Community Members. Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

I. Reasonable Force Reports

- 1. The school district must report data on its use of any reasonable force used on a student with a disability to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the

definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c), as outlined in section 125A.0942, subdivision 3, paragraph (b).

2. Beginning with the 2024-2025 school year, the school district must report annually by July 15, in a form and manner determined by the MDE Commissioner, data from the prior school year about any reasonable force used on a general education student to correct or restrain the student to prevent imminent bodily harm or death to the student or another that is consistent with the definition of physical holding under Minnesota Statutes, section 125A.0941, paragraph (c).

3. Any reasonable force used under Minnesota Statutes, sections 121A.582; 609.06, subdivision 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred shall be reported to the Minnesota Department of Education as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person.

VI. STUDENT RIGHTS

All students have the right to an education and the right to learn.

VII. STUDENT RESPONSIBILITIES

All students have the responsibility:

- A. For their behavior and for knowing and obeying all school rules, regulations, policies, and procedures;
- B. To attend school daily, except when excused, and to be on time to all classes and other school functions;
- C. To pursue and attempt to complete the courses of study prescribed by the state and local school authorities;
- D. To make necessary arrangements for making up work when absent from school;
- E. To assist the school staff in maintaining a safe school for all students;
- F. To be aware of all school rules, regulations, policies, and procedures, including those in this policy, and to conduct themselves in accord with them;
- G. To assume that until a rule or policy is waived, altered, or repealed, it is in full force and effect;
- H. To be aware of and comply with federal, state, and local laws;
- I. To volunteer information in disciplinary cases should they have any knowledge relating to such cases and to cooperate with school staff as appropriate;
- J. To respect and maintain the school's property and the property of others;
- K. To dress and groom in a manner which meets standards of safety and health and common standards of decency and which is consistent with applicable school district

policy;

- L. To avoid inaccuracies in student newspapers or publications and refrain from indecent or obscene language;
- M. To conduct themselves in an appropriate physical or verbal manner; and
- N. To recognize and respect the rights of others.

VIII. CODE OF STUDENT CONDUCT

- A. The following are examples of unacceptable behavior subject to disciplinary action by the school district. These examples are not intended to be an exclusive list. Any student who engages in any of these activities shall be disciplined in accordance with this policy. This policy applies to all school buildings, school grounds, and school property or property immediately adjacent to school grounds; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting unacceptable behavior subject to disciplinary action at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.
 - 1. Violations against property including, but not limited to, damage to or destruction of school property or the property of others, failure to compensate for damage or destruction of such property, arson, breaking and entering, theft, robbery, possession of stolen property, extortion, trespassing, unauthorized usage, or vandalism;
 - 2. The use of profanity or obscene language, or the possession of obscene materials;
 - 3. Gambling, including, but not limited to, playing a game of chance for stakes;
 - 4. Violation of the school district's Hazing Prohibition Policy;
 - 5. Attendance problems including, but not limited to, truancy, absenteeism, tardiness, skipping classes, or leaving school grounds without permission;
 - 6. Violation of the school district's Student Attendance Policy;
 - 7. Opposition to authority using physical force or violence;
 - 8. Using, possessing, or distributing tobacco, tobacco-related devices, electronic cigarettes, or tobacco paraphernalia in violation of the school district's Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices Policy;
 - 9. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of alcohol or other

intoxicating substances or look-alike substances;

10. Using, possessing, distributing, intending to distribute, making a request to another person for (solicitation), or being under the influence of narcotics, drugs, or other controlled substances (except as prescribed by a physician), or look-alike substances (these prohibitions include medical marijuana or medical cannabis, even when prescribed by a physician, and one student sharing prescription medication with another student);
11. Using, possessing, or distributing items or articles that are illegal or harmful to persons or property including, but not limited to, drug paraphernalia;
12. Using, possessing, or distributing weapons, or look-alike weapons or other dangerous objects;
13. Violation of the school district's Weapons Policy;
14. Violation of the school district's Violence Prevention Policy;
15. Possession of ammunition including, but not limited to, bullets or other projectiles designed to be used in or as a weapon;
16. Possession, use, or distribution of explosives or any compound or mixture, the primary or common purpose or intended use of which is to function as an explosive;
17. Possession, use, or distribution of fireworks or any substance or combination of substances or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation;
18. Using an ignition device, including a butane or disposable lighter or matches, inside an educational building and under circumstances where there is a risk of fire, except where the device is used in a manner authorized by the school;
19. Violation of any local, state, or federal law as appropriate;
20. Acts disruptive of the educational process, including, but not limited to, disobedience, disruptive or disrespectful behavior, defiance of authority, cheating, insolence, insubordination, failure to identify oneself, improper activation of fire alarms, or bomb threats;
21. Violation of the school district's Internet Acceptable Use and Safety Policy;
22. ~~Use of a cell phone in violation of the school district's Internet Acceptable Use and Safety Policy; Possession of nuisance devices or objects which cause distractions and may facilitate cheating including, but not limited to, pagers, radios, and phones, including picture phones;~~
23. Violation of school bus or transportation rules or the school district's Student Transportation Safety Policy;
24. Violation of parking or school traffic rules and regulations, including, but not limited to, driving on school property in such a manner as to endanger persons or property;

25. Violation of directives or guidelines relating to lockers or improperly gaining access to a school locker;
26. Violation of the school district's Search of Student Lockers, Desks, Personal Possessions, and Student's Person Policy;
27. Violation of the school district's Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches Policy;
28. Possession or distribution of slanderous, libelous, or pornographic materials;
29. Violation of the school district's Bullying Prohibition Policy;
30. Student attire or personal grooming which creates a danger to health or safety or creates a disruption to the educational process, including clothing which bears a message which is lewd, vulgar, or obscene, apparel promoting products or activities that are illegal for use by minors, or clothing containing objectionable emblems, signs, words, objects, or pictures communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group or which connotes gang membership;
31. Criminal activity;
32. Falsification of any records, documents, notes, or signatures;
33. Tampering with, changing, or altering records or documents of the school district by any method including, but not limited to, computer access or other electronic means;
34. Scholastic dishonesty which includes, but is not limited to, cheating on a school assignment or test, plagiarism, or collusion, including the use of picture phones or other technology to accomplish this end;
35. Impertinent or disrespectful words, symbols, acronyms, or language, whether oral or written, related to teachers or other school district personnel;
36. Violation of the school district's Harassment and Violence Policy;
37. Actions, including fighting or any other assaultive behavior, which causes or could cause injury to the student or other persons or which otherwise endangers the health, safety, or welfare of teachers, students, other school district personnel, or other persons;
38. Committing an act which inflicts great bodily harm upon another person, even though accidental or a result of poor judgment;
39. Violations against persons, including, but not limited to, assault or threatened assault, fighting, harassment, interference or obstruction, attack with a weapon, or look-alike weapon, sexual assault, illegal or inappropriate sexual conduct, or indecent exposure;
40. Verbal assaults or verbally abusive behavior including, but not limited to, use of words, symbols, acronyms, or language, whether oral or written, that are discriminatory, abusive, obscene, threatening, intimidating, degrading to other people, or threatening to school property;

41. Physical or verbal threats including, but not limited to, the staging or reporting of dangerous or hazardous situations that do not exist;
42. Inappropriate, abusive, threatening, or demeaning actions based on race, color, creed, religion, sex, marital status, status with regard to public assistance, disability, national origin, or sexual orientation;
43. Violation of the school district's Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees Policy;
44. Violation of the school district's one-to-one device rules and regulations;
45. Violation of school rules, regulations, policies, or procedures, including, but not limited to, those policies specifically enumerated in this policy;
46. Other acts, as determined by the school district, which are disruptive of the educational process or dangerous or detrimental to the student or other students, school district personnel or surrounding persons, or which violate the rights of others or which damage or endanger the property of the school, or which otherwise interferes with or obstruct the mission or operations of the school district or the safety or welfare of students or employees.

IX. RECESS AND OTHER BREAKS

- A. "Recess detention" means excluding or excessively delaying a student from participating in a scheduled recess period as a consequence for student behavior. Recess detention does not include, among other things, providing alternative recess at the student's choice.
- B. The school district is encouraged to ensure student access to structured breaks from the demands of school and to support teachers, principals, and other school staff in their efforts to use evidence-based approaches to reduce exclusionary forms of discipline.
- C. The school district must not use recess detention unless:
 1. a student causes or is likely to cause serious physical harm to other students or staff;
 2. the student's parent or guardian specifically consents to the use of recess detention; or
 3. for students receiving special education services, the student's individualized education program team has determined that withholding recess is appropriate based on the individualized needs of the student.
- D. The school district must not withhold recess from a student based on incomplete schoolwork.
- E. The school district must require school staff to make a reasonable attempt to notify a parent or guardian within 24 hours of using recess detention.
- F. The school district must compile information on each recess detention at the end of each school year, including the student's age, grade, gender, race or ethnicity, and special education status. This information must be available to the public upon request. The

school district is encouraged to use the data in professional development promoting the use of nonexclusionary discipline.

G. The school district must not withhold or excessively delay a student's participation in scheduled mealtimes. This section does not alter a district or school's existing responsibilities under Minnesota Statutes, section 124D.111 or other state or federal law.

X. DISCIPLINARY ACTION OPTIONS

The general policy of the school district is to utilize progressive discipline to the extent reasonable and appropriate based upon the specific facts and circumstances of student misconduct. The specific form of discipline chosen in a particular case is solely within the discretion of the school district. At a minimum, violation of school district code of conduct, rules, regulations, policies, or procedures will result in discussion of the violation and a verbal warning. The school district shall, however, impose more severe disciplinary sanctions for any violation, including exclusion or expulsion, if warranted by the student's misconduct, as determined by the school district. Disciplinary action may include, but is not limited to, one or more of the following:

- A. Student conference with teacher, principal, counselor, or other school district personnel, and verbal warning;
- B. Confiscation by school district personnel and/or by law enforcement of any item, article, object, or thing, prohibited by, or used in the violation of, any school district policy, rule, regulation, procedure, or state or federal law. If confiscated by the school district, the confiscated item, article, object, or thing will be released only to the parent/guardian following the completion of any investigation or disciplinary action instituted or taken related to the violation.
- C. Parent contact;
- D. Parent conference;
- E. Removal from class;
- F. In-school suspension;
- G. Suspension from extracurricular activities;
- H. Detention or restriction of privileges;
- I. Loss of school privileges;
- J. In-school monitoring or revised class schedule;
- K. Referral to in-school support services;
- L. Referral to community resources or outside agency services;
- M. Financial restitution;
- N. Referral to police, other law enforcement agencies, or other appropriate authorities;
- O. A request for a petition to be filed in district court for juvenile delinquency adjudication;

- P. Out-of-school suspension under the Pupil Fair Dismissal Act;
- Q. Preparation of an admission or readmission plan;
- R. Saturday school;
- S. Expulsion under the Pupil Fair Dismissal Act;
- T. Exclusion under the Pupil Fair Dismissal Act; and/or
- U. Other disciplinary action as deemed appropriate by the school district.

XI. REMOVAL OF STUDENTS FROM CLASS

- A. The teacher of record shall have the general control and government of the classroom. Teachers have the responsibility of attempting to modify disruptive student behavior by such means as conferring with the student, using positive reinforcement, assigning detention or other consequences, or contacting the student’s parents. When such measures fail, or when the teacher determines it is otherwise appropriate based upon the student’s conduct, the teacher shall have the authority to remove the student from class pursuant to the procedures established by this discipline policy. “Removal from class” and “removal” mean any actions taken by a teacher, principal, or other school district employee to prohibit a student from attending a class or activity period for a period of time not to exceed five (5) days, pursuant to this discipline policy.

Grounds for removal from class shall include any of the following:

1. Willful conduct that significantly disrupts the rights of others to an education, including conduct that interferes with a teacher’s ability to teach or communicate effectively with students in a class or with the ability of other students to learn;
2. Willful conduct that endangers surrounding persons, including school district employees, the student or other students, or the property of the school;
3. Willful violation of any school rules, regulations, policies or procedures, including the Code of Student Conduct in this policy; or
4. Other conduct, which in the discretion of the teacher or administration, requires removal of the student from class.

Such removal shall be for at least one (1) activity period or class period of instruction for a given course of study and shall not exceed five (5) such periods.

A student must be removed from class immediately if the student engages in assault or violent behavior. “Assault” is an act done with intent to cause fear in another of immediate bodily harm or death; or the intentional infliction of, or attempt to inflict, bodily harm upon another.

- B. If a student is removed from class more than ten (10) times in a school year, the school district shall notify the parent or guardian of the student’s tenth removal from class and make reasonable attempts to convene a meeting with the student’s parent or guardian to discuss the problem that is causing the student to be removed from class.

[Note: The following Sections C. - J. must be developed and inserted by each school

district based upon individual district practices, procedures, and preferences. School districts may consider developing and inserting procedures identified in Sections K-N.]

C. Procedures for Removal of a Student From a Class.

1. Specify procedures to remove a student from a class to be followed by a teacher, school administrator, or other school district employee ~~to remove a student from a class~~;
2. Specify required approvals necessary;
3. Specify paperwork and reporting procedures.

D. Period of Time for which a Student may be Removed from a Class (may not exceed five (5) class periods for a violation of a rule of conduct)

1. The removal from class shall be for a period of time deemed appropriate by the principal, in consultation with the teacher.

E. Responsibility for and Custody of a Student Removed from Class.

1. Designation of where student is to go when removed;
2. Designation of how student is to get to designated destination;
3. Whether student must be accompanied;
4. Statement of what student is to do when and while removed;
5. Designation of who has control over and responsibility for student after removal from class.

F. Procedures for Return of a Student to a Specific Class from Which the Student was Removed.

1. Specification of procedures;
2. Actions or approvals required such as notes, conferences, readmission plans.

G. Procedures for Notifying a Student and the Student's Parents or Guardian of Violation of the Rules of Conduct and of Resulting Disciplinary Actions;

1. ~~Specification of Procedures; Specify procedures for notifying students and parents/guardians of violations of the rules of conduct and resulting disciplinary action;~~
2. Actions or approvals required, such as notes, conferences, readmission plans.

H. Disabled Students; Special Provisions.

1. Procedures for consideration of whether there is a need for further assessment;
2. Procedures for consideration of whether there is a need for a review of the adequacy of the current Individualized Education Program (IEP) of a disabled

student who is removed from class or disciplined; and

3. Any procedures determined appropriate for referring students in need of special education services to those services.

I. Procedures for Detecting and Addressing Chemical Abuse Problems of Students While on School Premises.

1. Establishment of a chemical abuse preassessment team pursuant to Minnesota Statutes, section 121A.26;
2. Establishment of teacher reporting procedures to the chemical abuse preassessment team pursuant to Minnesota Statutes, section 121A.29.

J. Procedures for Immediate and Appropriate Interventions Tied to Violations of the Code of Student Conduct.

K. Any Procedures Determined Appropriate for Encouraging Early Involvement of Parents or Guardians in Attempts to Improve a Student's Behavior.

L. Any Procedures Determined Appropriate for Encouraging Early Detection of Behavioral Problems.

M. Any Procedures Determined Appropriate for Referring a Student in Need of Special Education Services to Those Services; and

N. Any Procedures Determined Appropriate for Ensuring Victims of Bullying who Respond with Behavior not Allowed under the School's Behavior Policies have Access to a Remedial Response, Consistent with Minnesota Statutes, section 121A.031.

XII. DISMISSAL

- A. "Dismissal" means the denial of the current educational program to any student, including exclusion, expulsion, and suspension. Dismissal does not include removal from class.

The school district shall not deny due process or equal protection of the law to any student involved in a dismissal proceeding which may result in suspension, exclusion or expulsion.

The school district shall not dismiss any student without attempting to ~~provide alternative educational services~~ use nonexclusionary disciplinary policies and procedures before dismissal proceedings ~~or pupil withdrawal agreements~~, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property.

- B. Violations leading to suspension, based upon severity, may also be grounds for actions leading to expulsion, and/or exclusion. A student may be dismissed on any of the following grounds:

1. Willful violation of any reasonable school board regulation, including those found in this policy;
2. Willful conduct that significantly disrupts the rights of others to an education, or

the ability of school personnel to perform their duties, or school sponsored extracurricular activities; or

3. Willful conduct that endangers the student or other students, or surrounding persons, including school district employees, or property of the school.

C. Disciplinary Dismissals Prohibited

1. A pupil enrolled in the following is not subject to dismissals under the Pupil Fair Dismissal Act:

a. a preschool or prekindergarten program, including an early childhood family education, school readiness, school readiness plus, voluntary prekindergarten, Head Start, or other school-based preschool or prekindergarten program; or

b. kindergarten through Grade 3.

2. This section does not apply to a dismissal from school for less than one school day, except as provided under Minnesota Statutes, chapter 125A and federal law for a student receiving special education services.

3. Notwithstanding this section, expulsions and exclusions may be used only after resources outlined under Nonexclusionary discipline have been exhausted, and only in circumstances where there is an ongoing serious safety threat to the child or others.

D. Suspension Procedures

1. "Suspension" means an action by the school administration, under rules promulgated by the School Board, prohibiting a student from attending school for a period of no more than ten (10) school days; provided, however, if a suspension is longer than five (5) school days, the suspending administrator shall provide the superintendent with a reason for the longer term of suspension. This definition does not apply to dismissal for one (1) school day or less where a student with a disability does not receive regular or special education instruction during that dismissal period.

2. School administration must allow a suspended pupil the opportunity to complete all school work assigned during the period of the pupil's suspension and to receive full credit for satisfactorily completing the assignments. The school principal or other person having administrative control of the school building or program is encouraged to designate a district or school employee as a liaison to work with the pupil's teachers to allow the suspended pupil to (1) receive timely course materials and other information, and (2) complete daily and weekly assignments and receive teachers' feedback.

3. If a student's total days of removal from school exceed ten (10) cumulative days in a school year, the school district shall make reasonable attempts to convene a meeting with the student and the student's parent or guardian before subsequently removing the student from school and, with the permission of the parent or guardian, arrange for a mental health screening for the student at the parent or guardian's expense. The purpose of this meeting is to attempt to determine the student's need for assessment or other services or whether the parent or guardian should have the student assessed or diagnosed to determine

whether the student needs treatment for a mental health disorder.

4. The definition of suspension under Minnesota Statutes, section 121A.41, subdivision 10, does not apply to a student's dismissal from school for one school day or less, except as provided under federal law for a student with a disability. Each suspension action may include a readmission plan. The plan shall include, where appropriate, a provision for implementing alternative educational services upon readmission which must not be used to extend the current suspension. A readmission plan must not obligate a parent or guardian to provide psychotropic drugs to their student as a condition of readmission. School administration must not use the refusal of a parent or guardian to consent to the administration of psychotropic drugs to their student or to consent to a psychiatric evaluation, screening, or examination of the student as a ground, by itself, to prohibit the student from attending class or participating in a school-related activity, or as a basis of a charge of child abuse, child neglect, or medical or educational neglect. The school administration may not impose consecutive suspensions against the same student for the same course of conduct, or incident of misconduct, except where the student will create an immediate and substantial danger to self or to surrounding persons or property or where the school district is in the process of initiating an expulsion, in which case the school administration may extend the suspension to a total of fifteen (15) days.
5. A child with a disability may be suspended. When a child with a disability has been suspended for more than five (5) consecutive days or ten (10) cumulative school days in the same year, and that suspension does not involve a recommendation for expulsion or exclusion or other change in placement under federal law, relevant members of the child's IEP team, including at least one of the child's teachers, shall meet and determine the extent to which the child needs services in order to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals in the child's IEP. That meeting must occur as soon as possible, but no more than ten (10) days after the sixth (6th) consecutive day of suspension or the tenth (10th) cumulative day of suspension has elapsed.
6. Alternative education services must be provided to a pupil who is suspended for more than five (5) consecutive school days. The school administration shall implement alternative educational services when the suspension exceeds five (5) days. Alternative educational services may include, but are not limited to, special tutoring, modified curriculum, modified instruction, other modifications or adaptations, instruction through electronic media, special education services as indicated by appropriate assessments, homebound instruction, supervised homework, or enrollment in another district or in an alternative learning center under Minnesota Statutes, section 123A.05 selected to allow the student to progress toward meeting graduation standards under Minnesota Statutes, section 120B.02, although in a different setting.
7. The school administration shall not suspend a student from school without an informal administrative conference with the student. The informal administrative conference shall take place before the suspension, except where it appears that the student will create an immediate and substantial danger to self or to surrounding persons or property, in which case the conference shall take place as soon as practicable following the suspension. At the informal administrative conference, a school administrator shall notify the student of the grounds for the suspension, provide an explanation of the evidence the

authorities have, and the student may present the student's version of the facts. A separate administrative conference is required for each period of suspension.

8. After school administration notifies a student of the grounds for suspension, school administration may, instead of imposing the suspension, do one or more of the following:
 - a. strongly encourage a parent or guardian of the student to attend school with the student for one day;
 - b. assign the student to attend school on Saturday as supervised by the principal or the principal's designee; and
 - c. petition the juvenile court that the student is in need of services under Minnesota Statutes chapter 260C.
9. A written notice containing the grounds for suspension, a brief statement of the facts, a description of the testimony, a readmission plan, and a copy of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56, shall be personally served upon the student at or before the time the suspension is to take effect, and upon the student's parent or guardian by mail within forty-eight (48) hours of the conference. (See attached sample Notice of Suspension.)
10. The school administration shall make reasonable efforts to notify the student's parent or guardian of the suspension by telephone as soon as possible following suspension.
11. In the event a student is suspended without an informal administrative conference on the grounds that the student will create an immediate and substantial danger to surrounding persons or property, the written notice shall be served upon the student and the student's parent or guardian within forty-eight (48) hours of the suspension. Service by mail shall be complete upon mailing.
12. Notwithstanding the foregoing provisions, the student may be suspended pending the school board's decision in an expulsion or exclusion proceeding, provided that alternative educational services are implemented to the extent that suspension exceeds five (5) consecutive school days.

E. Expulsion and Exclusion Procedures

1. "Expulsion" means a school board action to prohibit an enrolled student from further attendance for up to twelve (12) months from the date the student is expelled. The authority to expel rests with the school board.
2. "Exclusion" means an action taken by the school board to prevent enrollment or re-enrollment of a student for a period that shall not extend beyond the school year. The authority to exclude rests with the school board.
3. All expulsion and exclusion proceedings will be held pursuant to and in accordance with the provisions of the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56.
4. No expulsion or exclusion shall be imposed without a hearing, unless the right

to a hearing is waived in writing by the student and parent or guardian.

5. The student and parent or guardian shall be provided written notice of the school district's intent to initiate expulsion or exclusion proceedings. This notice shall be served upon the student and his or her parent or guardian personally or by mail, and shall contain a complete statement of the facts; a list of the witnesses and a description of their testimony; state the date, time and place of hearing; be accompanied by a copy of the Pupil Fair Dismissal Act, Minnesota Statutes, sections 121A.40-121A.56; describe ~~alternative educational services~~ the nonexclusionary disciplinary practices accorded the student in an attempt to avoid the expulsion proceedings; and inform the student and parent or guardian of their right to: (1) have a representative of the student's own choosing, including legal counsel at the hearing; (2) examine the student's records before the hearing; (3) present evidence; and (4) confront and cross-examine witnesses. The school district ~~shall~~ must advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from the Minnesota Department of Education (MDE) and is posted on its website.
6. The hearing shall be scheduled within ten (10) days of the service of the written notice unless an extension, not to exceed five (5) days, is requested for good cause by the school district, student, parent, or guardian.
7. All hearings shall be held at a time and place reasonably convenient to the student, parent, or guardian and shall be closed, unless the student, parent, or guardian requests an open hearing.
8. The school district shall record the hearing proceedings at district expense, and a party may obtain a transcript at its own expense.
9. The student shall have a right to a representative of the student's own choosing, including legal counsel, at the student's sole expense. The school district shall advise the student's parent or guardian that free or low-cost legal assistance may be available and that a legal assistance resource list is available from MDE. The school board may appoint an attorney to represent the school district in any proceeding.
10. If the student designates a representative other than the parent or guardian, the representative must have a written authorization from the student and the parent or guardian providing them with access to and/or copies of the student's records.
11. All expulsion or exclusion hearings shall take place before and be conducted by an independent hearing officer designated by the school district. The hearing shall be conducted in a fair and impartial manner. Testimony shall be given under oath and the hearing officer shall have the power to issue subpoenas and administer oaths.
12. At a reasonable time prior to the hearing, the student, parent or guardian, or authorized representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the proposed dismissal action may be based.
13. The student, parent or guardian, or authorized representative, shall have the right to compel the presence of any school district employee or agent or any

other person who may have evidence upon which the proposed dismissal action may be based, and to confront and cross-examine any witnesses testifying for the school district.

14. The student, parent or guardian, or authorized representative, shall have the right to present evidence and testimony, including expert psychological or educational testimony.
15. The student cannot be compelled to testify in the dismissal proceedings.
16. The hearing officer shall prepare findings and a recommendation based solely upon substantial evidence presented at the hearing, which must be made to the school board and served upon the parties within two (2) days after the close of the hearing.
17. The school board shall base its decision upon the findings and recommendation of the hearing officer and shall render its decision at a meeting held within five (5) days after receiving the findings and recommendation. The school board may provide the parties with the opportunity to present exceptions and comments to the hearing officer's findings and recommendation provided that neither party presents any evidence not admitted at the hearing. The decision by the school board must be based on the record, must be in writing, and must state the controlling facts on which the decision is made in sufficient detail to apprise the parties and the Commissioner of the Minnesota Department of Education (Commissioner) of the basis and reason for the decision.
18. A party to an expulsion or exclusion decision made by the school board may appeal the decision to the Commissioner within twenty-one (21) calendar days of school board action pursuant to Minnesota Statutes section 121A.49. The decision of the school board shall be implemented during the appeal to the Commissioner.
19. The school district shall report any suspension, expulsion or exclusion action taken to the appropriate public service agency, when the student is under the supervision of such agency.
20. The school district must report, through the MDE electronic reporting system, each expulsion or exclusion within thirty (30) days of the effective date of the action to the Commissioner. This report must include a statement of alternative educational services given the student and the reason for, the effective date, and the duration of the exclusion or expulsion. The report must also include the student's age, grade, gender, race, and special education status. The dismissal report must include state student identification numbers of affected students.
21. Whenever a student fails to return to school within ten (10) school days of the termination of dismissal, a school administrator shall inform the student and his/her parent or guardian by mail of the student's right to attend and to be reinstated in the school district.

XIII. ADMISSION OR READMISSION PLAN

A school administrator ~~shall~~must prepare and enforce an admission or readmission plan for any student who is excluded or expelled from school. The plan ~~may~~must include measures to improve the student's behavior, ~~including which may include~~ completing a character education program consistent with Minnesota Statutes, section 120B.232, subdivision 1, social and

emotional learning, counseling, social work services, mental health services, referrals for special education or 504 evaluation, and evidence-based academic interventions. The plan must include reasonable attempts to obtain -parental involvement in the admission or readmission process, and may indicate the consequences to the student of not improving the student's behavior. The readmission plan must not obligate parents to provide a sympathomimetic medication for their child as a condition of readmission.

XIV. NOTIFICATION OF POLICY VIOLATIONS

Notification of any violation of this policy and resulting disciplinary action shall be as provided herein, or as otherwise provided by the Pupil Fair Dismissal Act or other applicable law. The teacher, principal or other school district official may provide additional notification as deemed appropriate.

In addition, the school district must report, through the MDE electronic reporting system, each exclusion or expulsion, each physical assault of a school district employee by a student-pupil, and each pupil withdrawal agreement within thirty (30) days of the assault effective date of the dismissal action, pupil withdrawal, or assault, to the MDE Commissioner. This report must include a statement of the alternative educational services nonexclusionary disciplinary practices, or other sanction, intervention, or resolution in response to the assault given to the student-pupil and the reason for, the effective date, and the duration of the exclusion or expulsion or other sanction, intervention, or resolution. The report must also include the student's-pupil's age, grade, gender, race, and special education status.

XV. STUDENT DISCIPLINE RECORDS

The policy of the school district is that complete and accurate student discipline records be maintained. The collection, dissemination, and maintenance of student discipline records shall be consistent with applicable school district policies and federal and state law, including the Minnesota Government Data Practices Act, Minnesota Statutes chapter 13.

XVI. STUDENTS WITH DISABILITIES

Students who are currently identified as eligible under the IDEA or Section 504 will be subject to the provisions of this policy, unless the student's IEP or 504 plan specifies a necessary modification.

Before initiating an expulsion or exclusion of a student with a disability, relevant members of the child's IEP team and the child's parent shall, consistent with federal law, conduct a manifestation determination and determine whether the child's behavior was (i) caused by or had a direct and substantial relationship to the child's disability and (ii) whether the child's conduct was a direct result of a failure to implement the child's IEP. If the student's educational program is appropriate and the behavior is not a manifestation of the student's disability, the school district will proceed with discipline – up to and including expulsion – as if the student did not have a disability, unless the student's educational program provides otherwise. If the team determines that the behavior subject to discipline is a manifestation of the student's disability, the team shall conduct a functional behavioral assessment and implement a behavioral intervention plan for such student provided that the school district had not conducted such assessment prior to the manifestation determination before the behavior that resulted in a change of placement. Where a behavioral intervention plan previously has been developed, the team will review the behavioral intervention plan and modify it as necessary to address the behavior.

When a student who has an IEP is excluded or expelled for misbehavior that is not a manifestation of the student's disability, the school district shall continue to provide special education and related services during the period of expulsion or exclusion.

XVII. OPEN ENROLLED STUDENTS

The school district may terminate the enrollment of a nonresident student enrolled under an Enrollment Option Program (Minnesota Statutes section 124D.03) or Enrollment in Nonresident District (Minnesota Statutes section 124D.08) at the end of a school year if the student meets the definition of a habitual truant, the student has been provided appropriate services for truancy (Minnesota Statutes chapter 260A), and the student's case has been referred to juvenile court. The school district may also terminate the enrollment of a nonresident student over the age of seventeen (17) enrolled under an Enrollment Options Program if the student is absent without lawful excuse for one or more periods on fifteen (15) school days and has not lawfully withdrawn from school.

XVIII. DISCIPLINE COMPLAINT PROCEDURE

Students, parents and other guardians, and school staff may file a complaint and seek corrective action when the requirements of the Minnesota Pupil Fair Dismissal Act, including the implementation of the local behavior and discipline policies, are not being implemented appropriately or are being discriminately applied.

The Discipline Complaint Procedure must, at a minimum:

1. provide procedures for communicating this policy including the ability for a parent to appeal a decision under Minnesota Statutes, section 121A.49 that contains explicit instructions for filing the complaint;
2. provide an opportunity for involved parties to submit additional information related to the complaint;
3. provide a procedure to begin to investigate complaints within three school days of receipt, and identify personnel who will manage the investigation and any resulting record and are responsible for keeping and regulating access to any record;
4. provide procedures for issuing a written determination to the complainant that addresses each allegation and contains findings and conclusions;
5. if the investigation finds the requirements of Minnesota Statutes, sections 121A.40 to 121A.61, including any local policies that were not implemented appropriately, contain procedures that require a corrective action plan to correct a student's record and provide relevant staff with training, coaching, or other accountability practices to ensure appropriate compliance with policies in the future; and
6. prohibit reprisals or retaliation against any person who asserts, alleges, or reports a complaint, and provide procedures for applying appropriate consequences for a person who engages in reprisal or retaliation.

XIX. DISTRIBUTION OF POLICY

The school district will notify students and parents of the existence and contents of this policy in such manner as it deems appropriate. Copies of this discipline policy shall be made available to all students and parents at the commencement of each school year and to all new students and parents upon enrollment. This policy shall also be available upon request in each principal's office.

XX. REVIEW OF POLICY

The principal and representatives of parents, students and staff in each school building shall confer at least annually to review this discipline policy, determine if the policy is working as intended, and to assess whether the discipline policy has been enforced. Any recommended changes shall be submitted to the superintendent for consideration by the school board, which shall conduct an annual review of this policy.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota Students)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.26 (School Preassessment Teams)
Minn. Stat. § 121A.29 (Reporting; Chemical Abuse)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.575 (Alternatives to Pupil Suspension)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. §§ 121A.60 (Definitions)
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
Minn. Stat. § 122A.42 (General Control of Schools)
Minn. Stat. § 123A.05 (State-Approved Alternative Program Organization)
Minn. Stat. § 124D.03 (Enrollment Options Program)
Minn. Stat. § 124D.08 (School Boards' Approval to Enroll in Nonresident District; Exceptions)
Minn. Stat. Ch. 125A (Special Education and Special Programs)
Minn. Stat. § 152.22, Subd. 6 (Definitions)
Minn. Stat. § 152.23 (Limitations)
Minn. Stat. Ch. 260A (Truancy)
Minn. Stat. Ch. 260C (Juvenile Safety and Placement)
20 U.S.C. §§ 1400-1487 (Individuals with Disabilities Education Act)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. § 300.530(e)(1) (Manifestation Determination)

Cross References: MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices)
MSBA/MASA Model Policy 501 (School Weapons)
MSBA/MASA Model Policy 502 (Search of Student Lockers, Desks, Personal Possessions, and Student's Person)
MSBA/MASA Model Policy 503 (Student Attendance)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)
MSBA/MASA Model Policy 610 (Field Trips)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

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514 BULLYING PROHIBITION POLICY

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

I. PURPOSE

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with a student's ability to learn and/or a teacher's ability to educate students in a safe environment. The school district cannot monitor the activities of students at all times and eliminate all incidents of bullying between students, particularly when students are not under the direct supervision of school personnel. However, to the extent such conduct affects the educational environment of the school district and the rights and welfare of its students and is within the control of the school district in its normal operations, the school district intends to prevent bullying and to take action to investigate, respond to, and to remediate and discipline for those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the school district in its goal of preventing and responding to acts of bullying, intimidation, violence, reprisal, retaliation, and other similar disruptive and detrimental behavior.

II. GENERAL STATEMENT OF POLICY

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, on school district property, at school functions or activities, or on school transportation. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.
- C. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.

- D. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.
- E. False accusations or reports of bullying against another student are prohibited.
- F. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures, including the school district's discipline policy (See MSBA/MASA Model Policy 506). The school district may take into account the following factors:
 - 1. The developmental ages and maturity levels of the parties involved;
 - 2. The levels of harm, surrounding circumstances, and nature of the behavior;
 - 3. Past incidences or past or continuing patterns of behavior;
 - 4. The relationship between the parties involved; and
 - 5. The context in which the alleged incidents occurred.

Consequences for students who commit prohibited acts of bullying may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. The school district shall employ research-based developmentally appropriate best practices that include preventative and remedial measures and effective discipline for deterring violations of this policy, apply throughout the school district, and foster student, parent, and community participation.

Consequences for employees who permit, condone, or tolerate bullying or engage in an act of reprisal or intentional false reporting of bullying may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from school district property and events.

- G. The school district will act to investigate all complaints of bullying reported to the school district and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

III. DEFINITIONS

For purposes of this policy, the definitions included in this section apply.

- A. “Bullying” means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:
1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
 2. materially and substantially interferes with a student’s educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

The term, “bullying,” specifically includes cyberbullying as defined in this policy.

- B. “Cyberbullying” means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.

- C. “Immediately” means as soon as possible but in no event longer than 24 hours.

- D. “Intimidating, threatening, abusive, or harming conduct” means, but is not limited to, conduct that does the following:

1. Causes physical harm to a student or a student’s property or causes a student to be in reasonable fear of harm to person or property;
2. Under Minnesota common law, violates a student’s reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or
3. Is directed at any student or students, including those based on a person’s actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

- E. “On school premises, on school district property, at school functions or activities, or on school transportation” means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school

bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.

- F. "Prohibited conduct" means bullying or cyberbullying as defined in this policy or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about bullying.
- G. "Remedial response" means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.
- H. "Student" means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

- A. Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.
- C. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a third party designated by the school district shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.

- D. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.
- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.
- F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.
- G. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. SCHOOL DISTRICT ACTION

- A. Within three days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion,

expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy (See MSBA/MASA Model Policy 506) and other applicable school district policies; and applicable regulations.

- E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the school district shall, when determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in bullying or other prohibited conduct.

VI. RETALIATION OR REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged bullying or prohibited conduct, who provides information about bullying or prohibited conduct, who testifies, assists, or participates in an investigation of alleged bullying or prohibited conduct, or who testifies, assists, or participates in a proceeding or hearing relating to such bullying or prohibited conduct. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

VII. TRAINING AND EDUCATION

- A. The school district shall discuss this policy with school personnel and volunteers and provide appropriate training to school district personnel regarding this policy. The school district shall establish a training cycle for school personnel to occur

during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.

- B. The school district shall require ongoing professional development, consistent with Minn. Stat. § 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:
1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
 2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
 3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;
 4. The incidence and nature of cyberbullying; and
 5. Internet safety and cyberbullying.
- C. The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.
- D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.
- E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

The administration must establish strategies for creating a positive school climate

and use evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct.

The administration is encouraged, to the extent practicable, to take such actions as it may deem appropriate to accomplish the following:

1. Engage all students in creating a safe and supportive school environment;
 2. Partner with parents and other community members to develop and implement prevention and intervention programs;
 3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
 4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
 5. Teach students to advocate for themselves and others;
 6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
 7. Foster student collaborations that, in turn, foster a safe and supportive school climate.
- F. The school district may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
- G. The school district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (See MSBA/MASA Model Policy 515) in the student handbook.

VIII. NOTICE

- A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. This policy or a summary thereof must be conspicuously posted in the administrative offices of the school district and the office of each school.
- C. This policy must be given to each school employee and independent contractor

who regularly interacts with students at the time of initial employment with the school district.

- D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See MSBA/MASA Model Policy 506) distributed to parents at the beginning of each school year.
- E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school district's or a school's website.
- F. The school district shall provide an electronic copy of its most recently amended policy to the Commissioner of Education.

IX. POLICY REVIEW

To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minn. Stat. § 121A.031 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definition of Public School)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.03 (Sexual, Religious and Racial Harassment and Violence)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.0311 (Notice of Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. Ch. 124E (Charter School)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
MSBA/MASA Model Policy 423 (Employee-Student Relationships)
MSBA/MASA Model Policy 501 (School Weapons Policy)

MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 507 (Corporal Punishment)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil
Records)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety
Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior
by Students)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on
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514 BULLYING PROHIBITION POLICY

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

I. PURPOSE

A safe and civil environment is needed for students to learn and attain high academic standards and to promote healthy human relationships. Bullying, like other violent or disruptive behavior, is conduct that interferes with a student's ability to learn and/or a teacher's ability to educate students in a safe environment. The school district cannot monitor the activities of students at all times and eliminate all incidents of bullying between students, particularly when students are not under the direct supervision of school personnel. However, to the extent such conduct affects the educational environment of the school district and the rights and welfare of its students and is within the control of the school district in its normal operations, the school district intends to prevent bullying and to take action to investigate, respond to, and to remediate and discipline for those acts of bullying which have not been successfully prevented. The purpose of this policy is to assist the school district in its goal of preventing and responding to acts of bullying, intimidation, violence, reprisal, retaliation, and other similar disruptive and detrimental behavior.

II. GENERAL STATEMENT OF POLICY

- A. An act of bullying, by either an individual student or a group of students, is expressly prohibited:
1. on the school premises, at the school functions or activities, on the school transportation;
 2. by the use of electronic technology and communications on the school premises, during the school functions or activities, on the school transportation, or on the school computers, networks, forums, and mailing lists; or
 3. by use of electronic technology and communications off the school premises to the extent such use substantially and materially disrupts student learning or the school environment.
- B. A school-aged child who voluntarily participates in a public school activity, such as a cocurricular or extracurricular activity, is subject to the policy provisions applicable to the public school students participating in the activity.
- C. This policy applies not only to students who directly engage in an act of bullying but also to students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources. This policy also

applies to sexual exploitation.

D. Malicious and sadistic conduct involving race, color, creed, national origin, sex, age, marital status, status with regard to public assistance, disability, religion, sexual harassment, and sexual orientation and gender identity as defined in Minnesota Statutes, chapter 363A is prohibited. This prohibition applies to students, independent contractors, teachers, administrators, and other school personnel.

Malicious and sadistic conduct and sexual exploitation by a school district or school staff member, independent contractor, or enrolled student against a staff member, independent contractor, or student that occurs as described in Article II.A above is prohibited.

E. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying.

F. Apparent permission or consent by a student being bullied does not lessen or negate the prohibitions contained in this policy.

G. Retaliation against a victim, good faith reporter, or a witness of bullying is prohibited.

H. False accusations or reports of bullying against another student are prohibited.

I. A person who engages in an act of bullying, reprisal, retaliation, or false reporting of bullying or permits, condones, or tolerates bullying shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures, including the school district's discipline policy (See MSBA/MASA Model Policy 506). The school district may take into account the following factors:

1. The developmental ages and maturity levels of the parties involved;
2. The levels of harm, surrounding circumstances, and nature of the behavior;
3. Past incidences or past or continuing patterns of behavior;
4. The relationship between the parties involved; and
5. The context in which the alleged incidents occurred.

Consequences for students who commit prohibited acts of bullying may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. The school district shall employ research-based developmentally appropriate best practices that include preventative and remedial measures and effective discipline for deterring violations of this policy, apply throughout the school district, and foster student, parent, and community participation.

Consequences for employees who permit, condone, or tolerate bullying or engage in an act of reprisal or intentional false reporting of bullying may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from school district property and events.

J. The school district will act to investigate all complaints of bullying reported to the school district and will discipline or take appropriate action against any student, teacher,

administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

III. DEFINITIONS

For purposes of this policy, the definitions included in this section apply.

- A. "Bullying" means intimidating, threatening, abusive, or harming conduct that is objectively offensive and:
1. an actual or perceived imbalance of power exists between the student engaging in the prohibited conduct and the target of the prohibited conduct, and the conduct is repeated or forms a pattern; or
 2. materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges.

The term "bullying" specifically includes cyberbullying, malicious and sadistic conduct as defined in this policy, and sexual exploitation.

- B. "Cyberbullying" means bullying using technology or other electronic communication, including, but not limited to, a transfer of a sign, signal, writing, image, sound, or data, including a post on a social network Internet website or forum, transmitted through a computer, cell phone, or other electronic device. The term applies to prohibited conduct which occurs on school premises, on school district property, at school functions or activities, on school transportation, or on school computers, networks, forums, and mailing lists, or off school premises to the extent that it substantially and materially disrupts student learning or the school environment.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. "Intimidating, threatening, abusive, or harming conduct" means, but is not limited to, conduct that does the following:
1. Causes physical harm to a student or a student's property or causes a student to be in reasonable fear of harm to person or property;
 2. Under Minnesota common law, violates a student's reasonable expectation of privacy, defames a student, or constitutes intentional infliction of emotional distress against a student; or
 3. Is directed at any student or students, including those based on a person's actual or perceived race, ethnicity, color, creed, religion, national origin, immigration status, sex, marital status, familial status, socioeconomic status, physical appearance, sexual orientation including gender identity and expression, academic status related to student performance, disability, or status with regard to public assistance, age, or any additional characteristic defined in the Minnesota Human Rights Act (MHRA). However, prohibited conduct need not be based on any particular characteristic defined in this paragraph or the MHRA.

- E. "Malicious and sadistic conduct" means creating a hostile learning environment by acting with the intent to cause harm by intentionally injuring another without just cause or reason or engaging in extreme or excessive cruelty or delighting in cruelty.

- F.** “On school premises, on school district property, at school functions or activities, or on school transportation” means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student’s walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting bullying at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
- G.** “Prohibited conduct” means bullying, ~~or cyberbullying as defined in this policy, malicious and sadistic conduct, sexual exploitation,~~ or retaliation or reprisal for asserting, alleging, reporting, or providing information about such conduct or knowingly making a false report about prohibited conduct, bullying.
- H.** “Remedial response” means a measure to stop and correct prohibited conduct, prevent prohibited conduct from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of prohibited conduct.
- I.** “Student” means a student enrolled in a public school or a charter school.

IV. REPORTING PROCEDURE

- A.** Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B.** The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.
- C.** The building principal, the principal’s designee, or the building supervisor (hereinafter the “building report taker”) is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as the primary contact on policy and procedural matters. The building report taker or a third party designated by the school district shall be responsible for the investigation. The building report taker shall provide information about available community resources to the target or victim of the bullying or other prohibited conduct, the perpetrator, and other affected individuals as appropriate.

- D.** A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include

bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.

- E. Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation.
- F. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.
- G. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

V. SCHOOL DISTRICT ACTION

- A. Within three days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.
- C. The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- D. Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy (See MSBA/MASA Model Policy 506) and other applicable school district policies; and applicable regulations.
- E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who

are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.

- F. In order to prevent or respond to bullying or other prohibited conduct committed by or directed against a child with a disability, the school district shall, when determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in bullying or other prohibited conduct.

VI. RETALIATION OR REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged bullying or prohibited conduct, who provides information about bullying or prohibited conduct, who testifies, assists, or participates in an investigation of alleged bullying or prohibited conduct, or who testifies, assists, or participates in a proceeding or hearing relating to such bullying or prohibited conduct. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy.

VII. TRAINING AND EDUCATION

- A. The school district shall discuss this policy with school personnel and volunteers and provide appropriate training to school district personnel regarding this policy. The school district shall establish a training cycle for school personnel to occur during a period not to exceed every three school years. Newly employed school personnel must receive the training within the first year of their employment with the school district. The school district or a school administrator may accelerate the training cycle or provide additional training based on a particular need or circumstance. This policy shall be included in employee handbooks, training materials, and publications on school rules, procedures, and standards of conduct, which materials shall also be used to publicize this policy.
- B. The school district shall require ongoing professional development, consistent with Minnesota Statutes section 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following:
 - 1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct;
 - 2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct;
 - 3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school;

4. The incidence and nature of cyberbullying; and
 5. Internet safety and cyberbullying.
- C. The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.
 - D. The administration of the school district is directed to implement programs and other initiatives to prevent bullying, to respond to bullying in a manner that does not stigmatize the target or victim, and to make resources or referrals to resources available to targets or victims of bullying.
 - E. The administration is encouraged to provide developmentally appropriate instruction and is directed to review programmatic instruction to determine if adjustments are necessary to help students identify and prevent or reduce bullying and other prohibited conduct, to value diversity in school and society, to develop and improve students' knowledge and skills for solving problems, managing conflict, engaging in civil discourse, and recognizing, responding to, and reporting bullying or other prohibited conduct, and to make effective prevention and intervention programs available to students.

The administration must establish strategies for creating a positive school climate and use evidence-based social-emotional learning to prevent and reduce discrimination and other improper conduct.

The administration is encouraged, to the extent practicable, to take such actions as it may deem appropriate to accomplish the following:

1. Engage all students in creating a safe and supportive school environment;
 2. Partner with parents and other community members to develop and implement prevention and intervention programs;
 3. Engage all students and adults in integrating education, intervention, and other remedial responses into the school environment;
 4. Train student bystanders to intervene in and report incidents of bullying and other prohibited conduct to the schools' primary contact person;
 5. Teach students to advocate for themselves and others;
 6. Prevent inappropriate referrals to special education of students who may engage in bullying or other prohibited conduct; and
 7. Foster student collaborations that, in turn, foster a safe and supportive school climate.
- F. The school district may implement violence prevention and character development education programs to prevent or reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, and resourcefulness.
 - G. The school district shall inform affected students and their parents of rights they may

have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy (See MSBA/MASA Model Policy 515) in the student handbook.

VIII. NOTICE

- A. The school district will give annual notice of this policy to students, parents or guardians, and staff, and this policy shall appear in the student handbook.
- B. This policy ~~or a summary thereof~~ must be conspicuously posted throughout each school building, in the administrative offices of the school district, and in the office of each school.
- C. This policy must be ~~distributed~~given to each school district or school employee and independent contractor at the time of hiring or contracting. ~~who regularly interacts with students at the time of initial employment with the school district.~~
- D. Notice of the rights and responsibilities of students and their parents under this policy must be included in the student discipline policy (See MSBA/MASA Model Policy 506) distributed to parents at the beginning of each school year.
- E. This policy shall be available to all parents and other school community members in an electronic format in the language appearing on the school district's or a school's website.
- F. Each school must develop a process for discussing this policy with students, parents of students, independent contractors, and school employees.
- G. The school district shall provide an electronic copy of its most recently amended policy to the Minnesota Commissioner of Education.

IX. POLICY REVIEW

To the extent practicable, the school board shall, on a cycle consistent with other school district policies, review and revise this policy. The policy shall be made consistent with Minnesota Statutes, sections 121A.031 and 121A.0312 and other applicable law. Revisions shall be made in consultation with students, parents, and community organizations.

Legal References:

Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 120A.05, Subds. 9, 11, 13, and 17 (Definitions)
Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 121A.03 (Model Policy)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.0312 (Malicious and Sadistic Conduct)
Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents under the Safe and Supportive Minnesota Schools Act)
Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)
Minn. Stat. Ch. 124E (Charter Schools)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
34 C.F.R. §§ 99.1 - 99.67 (Family Educational Rights and Privacy)

Cross References:

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School

District Employees)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
MSBA/MASA Model Policy 423 (Employee-Student Relationships)
MSBA/MASA Model Policy 501 (School Weapons Policy)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 507 (Corporal Punishment)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Policy)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 529 (Staff Notification of Violent Behavior by Students)
MSBA/MASA Model Policy 709 (Student Transportation Safety Policy)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 712 (Video Surveillance Other Than on Buses)

Adopted: _____

MSBA/MASA Model Policy 515

Orig. 1995

Revised: _____

Rev. 2013

515 PROTECTION AND PRIVACY OF PUPIL RECORDS

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

I. PURPOSE

The school district recognizes its responsibility in regard to the collection, maintenance, and dissemination of pupil records and the protection of the privacy rights of students as provided in federal law and state statutes.

II. GENERAL STATEMENT OF POLICY

The following procedures and policies regarding the protection and privacy of parents and students are adopted by the school district, pursuant to the requirements of 20 U.S.C. § 1232g, *et seq.*, (Family Educational Rights and Privacy Act (FERPA)) 34 C.F.R. Part 99 and consistent with the requirements of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, and Minn. Rules Parts 1205.0100-1205.2000.

III. DEFINITIONS

A. Authorized Representative

“Authorized representative” means any entity or individual designated by the school district, state, or an agency headed by an official of the Comptroller of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or state and local educational authorities to conduct, with respect to federal or state supported education programs, any audit or evaluation or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

B. Biometric Record

“Biometric record,” as referred to in “Personally Identifiable,” means a record of one or more measurable biological or behavioral characteristics that can be used for authorized recognition of an individual (e.g., fingerprints, retina and iris patterns, voice prints, DNA sequence, facial characteristics, and handwriting).

C. Dates of Attendance

“Dates of attendance,” as referred to in “Directory Information,” means the period of time during which a student attends or attended a school or schools in the school district, including attendance in person or by paper correspondence, satellite, internet or other electronic communication technologies for students who

are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student's attendance at a school or schools in the school district.

D. Directory Information

“Directory information” means information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to: the student's name, address, telephone listing, electronic mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, enrollment status (i.e., full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and the most recent educational agency or institution attended. It also includes the name, address, and telephone number of the student's parent(s). Directory information does not include:

1. a student's social security number;
2. a student's identification number (ID), user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems if the identifier may be used to access education records without use of one or more factors that authenticate the student's identity such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user;
3. a student ID or other unique personal identifier that is displayed on a student ID badge if the identifier can be used to gain access to educational records when used in conjunction with one or more factors that authenticate the student's identity, such as a PIN, password, or other factor known or possessed only by the student;
4. personally identifiable data which references religion, race, color, social position, or nationality; or
5. data collected from nonpublic school students, other than those who receive shared time educational services, unless written consent is given by the student's parent or guardian.

[Note: This definition includes all of the types of information specifically referenced by state and federal law as directory information. A school district may choose not to designate some or all of the enumerated information as directory information. A school district also may add to the list of directory information, as long as the added data is not information that generally would be deemed as an invasion of privacy or information that references the student's religion, race, color, social position, or nationality. Federal law now allows a school district to specify that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. The identity of

those parties and/or purposes should be identified. To the extent a school district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the school district are advised. Designation of directory information is an important policy decision for the local school board which must balance not only the privacy interests of the student against public disclosure but also the additional administrative requirements such restrictions on disclosures will place on the school district.]

E. Education Records

1. What constitutes “education records.” Education records means those records which: (1) are directly related to a student; and (2) are maintained by the school district or by a party acting for the school district.
2. What does not constitute an education record. The term, “education records,” does not include:
 - a. Records of instructional personnel which:
 - (1) are in the sole possession of the maker of the record; and
 - (2) are not accessible or revealed to any other individual except a substitute teacher; and
 - (3) are destroyed at the end of the school year.
 - b. Records of a law enforcement unit of the school district, provided education records maintained by the school district are not disclosed to the unit, and the law enforcement records are:
 - (1) maintained separately from education records;
 - (2) maintained solely for law enforcement purposes; and
 - (3) disclosed only to law enforcement officials of the same jurisdiction.
 - c. Records relating to an individual, including a student, who is employed by the school district which:
 - (1) are made and maintained in the normal course of business;
 - (2) relate exclusively to the individual in that individual’s capacity as an employee; and
 - (3) are not available for use for any other purpose.

However, these provisions shall not apply to records relating to an individual in attendance at the school district who is employed as a result of his or her status as a student.

- d. Records relating to an eligible student, or a student attending an institution of post-secondary education, which are:
 - (1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;
 - (2) made, maintained, or used only in connection with the provision of treatment to the student; and
 - (3) disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the school district.
- e. Records that only contain information about an individual after he or she is no longer a student at the school district and that are not directly related to the individual's attendance as a student.

F. Eligible Student

"Eligible student" means a student who has attained eighteen (18) years of age or is attending an institution of post-secondary education.

G. Juvenile Justice System

"Juvenile justice system" includes criminal justice agencies and the judiciary when involved in juvenile justice activities.

H. Legitimate Educational Interest

"Legitimate educational interest" includes interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, student health and welfare, and the ability to respond to a request for education data. It includes a person's need to know in order to:

- 1. Perform an administrative task required in the school or employee's contract or position description approved by the school board;
- 2. Perform a supervisory or instructional task directly related to the student's

education; or

3. Perform a service or benefit for the student or the student's family such as health care, counseling, student job placement, or student financial aid.
4. Perform a task directly related to responding to a request for data.

I. Parent

"Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent of the student in the absence of a parent or guardian. The school district may presume the parent has the authority to exercise the rights provided herein, unless it has been provided with evidence that there is a state law or court order governing such matters as marriage dissolution, separation or child custody, or a legally binding instrument which provides to the contrary.

J. Personally Identifiable

"Personally identifiable" means that the data or information includes, but is not limited to: (a) a student's name; (b) the name of the student's parent or other family member; (c) the address of the student or student's family; (d) a personal identifier such as the student's social security number or student number or biometric record; (e) other direct identifiers, such as the student's date of birth, place of birth, and mother's maiden name; (f) other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or (g) information requested by a person who the school district reasonably believes knows the identity of the student to whom the education record relates.

K. Record

"Record" means any information or data recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.

L. Responsible Authority

"Responsible authority" means *[designate title and actual name of individual]*.

M. Student

"Student" includes any individual who is or has been in attendance, enrolled, or registered at the school district and regarding whom the school district maintains education records. Student also includes applicants for enrollment or registration at the school district and individuals who receive shared time educational services

from the school district.

N. School Official

“School official” includes: (a) a person duly elected to the school board; (b) a person employed by the school board in an administrative, supervisory, instructional, or other professional position; (c) a person employed by the school board as a temporary substitute in a professional position for the period of his or her performance as a substitute; and (d) a person employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, a public information officer or data practices compliance official, an attorney, or an auditor for the period of his or her performance as an employee or contractor.

[Note: School districts may wish to reference police liaison officers in the definition of a “school official.” Depending on the circumstances of the relationship, this may be added in subpart (d) of the definition or in a new subpart (e). Caution should be used to ensure that police liaison officers are considered “school officials” only when performing duties as a police liaison officer. Consultation with the school district’s legal counsel is recommended.]

O. Summary Data

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

P. Other Terms and Phrases

All other terms and phrases shall be defined in accordance with applicable state and federal law or ordinary customary usage.

IV. GENERAL CLASSIFICATION

State law provides that all data collected, created, received, or maintained by a school district are public unless classified by state or federal law as not public or private or confidential. State law classifies all data on individuals maintained by a school district which relates to a student as private data on individuals. This data may not be disclosed to parties other than the parent or eligible student without consent, except pursuant to a valid court order, certain state statutes authorizing access, and the provisions of FERPA and the regulations promulgated thereunder.

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

Parents and eligible students have the following rights under this policy:

1. The right to inspect and review the student's education records;
2. The right to request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that such consent is not required for disclosure pursuant to this policy, state or federal law, or the regulations promulgated thereunder;
4. The right to refuse release of names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions;
5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the federal law and the regulations promulgated thereunder;
6. The right to be informed about rights under the federal law; and
7. The right to obtain a copy of this policy at the location set forth in Section XXI. of this policy.

B. Eligible Students

All rights and protections given parents under this policy transfer to the student when he or she reaches eighteen (18) years of age or enrolls in an institution of post-secondary education. The student then becomes an "eligible student." However, the parents of an eligible student who is also a "dependent student" are entitled to gain access to the education records of such student without first obtaining the consent of the student. In addition, parents of an eligible student may be given access to education records in connection with a health or safety emergency if the disclosure meets the conditions of any provision set forth in 34 C.F.R. § 99.31(a).

C. Disabled Students

The school district shall follow 34 C.F.R. §§ 300.610-300.617 with regard to the confidentiality of information related to students with a disability.

VI. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure

1. The school district shall obtain a signed and dated written informed consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the

student, except as provided herein.

2. The written consent required by this subdivision must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:
 - a. a specification of the records to be disclosed;
 - b. the purpose or purposes of the disclosure;
 - c. the party or class of parties to whom the disclosure may be made;
 - d. the consequences of giving informed consent; and
 - e. if appropriate, a termination date for the consent.
3. When a disclosure is made under this subdivision:
 - a. if the parent or eligible student so requests, the school district shall provide him or her with a copy of the records disclosed; and
 - b. if the parent of a student who is not an eligible student so requests, the school district shall provide the student with a copy of the records disclosed.
4. A signed and dated written consent may include a record and signature in electronic form that:
 - a. identifies and authenticates a particular person as the source of the electronic consent; and
 - b. indicates such person's approval of the information contained in the electronic consent.
5. If the responsible authority seeks an individual's informed consent to the release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:
 - a. in plain language;
 - b. dated;
 - c. specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject;
 - d. specific as to the nature of the information the subject is

authorizing to be disclosed;

- e. specific as to the persons or agencies to whom the subject is authorizing information to be disclosed;
- f. specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and
- g. specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for: (i) life insurance or noncancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under Minn. Stat. Ch. 256B or Minnesota Care under Minn. Stat. Ch. 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a school district that are subject to third party reimbursement.

6. Eligible Student Consent

Whenever a student has attained eighteen (18) years of age or is attending an institution of post-secondary education, the rights accorded to and the consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student, except as provided in Section V. of this policy.

B. Prior Consent for Disclosure Not Required

The school district may disclose personally identifiable information from the education records of a student without the written consent of the parent of the student or the eligible student unless otherwise provided herein, if the disclosure is:

- 1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;
- 2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:
 - a. performs an institutional service or function for which the school district would otherwise use employees;
 - b. is under the direct control of the school district with respect to the use and maintenance of education records; and

- c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made.
3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (see Section XIX.), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act *[insert the following if the school district has a policy regarding Staff Notification of Violent Behavior by Students]* and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minn. Stat. § 260B.171, unless the data are required to be destroyed under Minn. Stat. § 120A.22, Subd. 7(c) or § 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records which have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with Section XV. of this policy;
4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;
5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:
 - a. determine eligibility for the aid;
 - b. determine the amount of the aid;
 - c. determine conditions for the aid; or
 - d. enforce the terms and conditions of the aid.

“Financial aid” for purposes of this provision means a payment of funds provided to an individual or a payment in kind of tangible or intangible property to the individual that is conditioned on the individual's attendance at an educational agency or institution;

6. To state and local officials or authorities to whom such information is

specifically allowed to be reported or disclosed pursuant to state statute adopted:

- a. before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve the student whose records are released; or
 - b. after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the school district shall disclose the following information to the juvenile justice system under this paragraph: a student's full name, home address, telephone number, and date of birth; a student's school schedule, attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers.
7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. For purposes of this provision, the term, "organizations," includes, but is not limited to, federal, state, and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years;

8. To accrediting organizations in order to carry out their accrediting functions;
9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes;
10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the school district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 U.S.C. § 2332b(g)(5)(B), an act of domestic or international terrorism as defined in 18 U.S.C. § 2331, or a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of the proceeding. If the school district initiates legal action against a parent or student, it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as plaintiff. Also, if a parent or eligible student initiates a legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself;
11. To appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health, including the mental health, or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health or safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the

school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;

12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;
13. Information the school district has designated as “directory information” pursuant to Section VII. of this policy;
14. To military recruiting officers and post-secondary educational institutions pursuant to Section XI. of this policy;
15. To the parent of a student who is not an eligible student or to the student himself or herself;
16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;
17. To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;
18. To the juvenile justice system, on written request that certifies that the information will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student:
 - a. the following information about a student must be disclosed: a student’s full name, home address, telephone number, date of birth; a student’s school schedule, daily attendance record, and photographs, if any; and any parents’ names, home addresses, and telephone numbers;
 - b. the existence of the following information about a student, not the actual data or other information contained in the student’s education record, may be disclosed provided that a request for access must be submitted on the statutory form and it must contain an explanation of why access to the information is necessary to serve the student: (1) use of a controlled substance, alcohol, or tobacco; (2) assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act; (3) possession or use of weapons or look-alike weapons; (4) theft; or (5) vandalism or other damage to property. Prior to releasing this information, the principal or chief administrative officer of a

school who receives such a request must, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information. If the student's parent or guardian notifies the school official of an objection to the disclosure within ten (10) days of receiving certified notice, the school official must not disclose the information and instead must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the school official must respond to the request for information.

The written requests of the juvenile justice system member(s), as well as a record of any release, must be maintained in the student's file;

19. To the principal where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition order received by a superintendent under Minn. Stat. § 260B.171, Subd. 3. The principal must notify the counselor immediately and must place the disposition order in the student's permanent education record. The principal also must notify immediately any teacher or administrator who directly supervises or reports on the behavior or progress of the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other school district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individual need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student, outline the offense, and describe any conditions of probation about which the school must provide information if this information is provided in the disposition order. Disposition order information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information may not be further disseminated by the counselor, teacher, administrator, staff member, substitute, or volunteer except as necessary to serve the student, to protect students and staff, or as otherwise required by law, and only to the student or the student's parent or guardian;
20. To the principal where the student attends if it is information from a peace officer's record of children received by a superintendent under Minn. Stat. § 260B.171, Subd. 5. The principal must place the information in the student's education record. The principal also must notify immediately any teacher, counselor, or administrator directly supervising the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may

also notify other district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student and describe the alleged offense if this information is provided in the peace officer's notice. Peace officer's record information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information must not be further disseminated by the counselor, teacher administrator, staff member, substitute, or volunteer except to communicate with the student or the student's parent or guardian as necessary to serve the student, to protect students and staff, or as otherwise required by law.

The principal must delete the peace officer's record from the student's education record, destroy the data, and make reasonable efforts to notify any teacher, counselor, staff member, administrator, substitute, or volunteer who received information from the peace officer's record if the county attorney determines not to proceed with a petition or directs the student into a diversion or mediation program or if a juvenile court makes a decision on a petition and the county attorney or juvenile court notifies the superintendent of such action; or

21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that: (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements.
22. To an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in 25 U.S.C. § 5304), who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization

to receive such disclosure and such disclosure is consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records.

C. Nonpublic School Students

The school district may disclose personally identifiable information from the education records of a nonpublic school student, other than a student who receives shared time educational services, without the written consent of the parent of the student or the eligible student unless otherwise provided herein, if the disclosure is:

1. Pursuant to a valid court order;
2. Pursuant to a statute specifically authorizing access to the private data; or
3. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiological investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted.

VII. RELEASE OF DIRECTORY INFORMATION

A. Classification

Directory information is public except as provided herein.

B. Former Students

Unless a former student validly opted out of the release of directory information while the student was in attendance and has not rescinded the opt out request at any time, the school district may disclose directory information from the education records generated by it regarding the former student without meeting the requirements of Paragraph C. of this section. In addition, under an explicit exclusion from the definition of an "education record," the school district may release records that only contain information about an individual obtained after he or she is no longer a student at the school district and that are not directly related to the individual's attendance as a student (e.g., a student's activities as an alumnus of the school district).

C. Present Students and Parents

The school district may disclose directory information from the education records of a student and information regarding parents without prior written consent of the parent of the student or eligible student, except as provided herein. Prior to such disclosure the school district shall:

1. Annually give public notice by any means that are reasonably likely to inform the parents and eligible students of:
 - a. the types of personally identifiable information regarding students and/or parents that the school district has designated as directory information;
 - b. the parent's or eligible student's right to refuse to let the school district designate any or all of those types of information about the student and/or the parent as directory information; and
 - c. the period of time in which a parent or eligible student has to notify the school district in writing that he or she does not want any or all of those types of information about the student and/or the parent designated as directory information.

[Note: Federal law now allows a school district to specify that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. If the school district chooses to impose these limitations, it is advisable to add a new paragraph VII.C.1.d. which specifies that disclosures of directory information will be limited to specific parties and/or for specific purposes and identify those parties and/or purposes. To the extent a school district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the school district are advised. This is an important policy decision for the local school board which must balance not only the privacy interests of the student against public disclosure, but also the additional administrative requirements such restrictions will place on the school district.]

2. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the school district in writing that any or all of the information so designated should not be disclosed without the parent's or eligible student's prior written consent, except as provided in Section VI. of this policy.
3. A parent or eligible student may not opt out of the directory information disclosures to:
 - a. prevent the school district from disclosing or requiring the student to disclose the student's name, ID, or school district e-mail address in a class in which the student is enrolled; or
 - b. prevent the school district from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that may be designated as directory information and that has been properly designated by the school district as directory information.

4. The school district shall not disclose or confirm directory information without meeting the written consent requirements contained in Section VI.A. of this policy if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.

D. Procedure for Obtaining Nondisclosure of Directory Information

The parent's or eligible student's written notice shall be directed to the responsible authority and shall include the following:

1. Name of the student and/or parent, as appropriate;
2. Home address;
3. School presently attended by student;
4. Parent's legal relationship to student, if applicable; and
5. Specific categories of directory information to be made not public without the parent's or eligible student's prior written consent, which shall only be applicable for that school year.

E. Duration

The designation of any information as directory information about a student or parents will remain in effect for the remainder of the school year unless the parent or eligible student provides the written notifications provided herein.

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

For the purposes herein, education records are records which are classified as private data on individuals by state law and which are accessible only to the student who is the subject of the data and the student's parent if the student is not an eligible student. The school district may not disclose private records or their contents except as summary data, or except as provided in Section VI. of this policy, without the prior written consent of the parent or the eligible student. The school district will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other party to whom personally identifiable information from education records is disclosed.

B. Private Records Not Accessible to Parent

In certain cases state law intends, and clearly provides, that certain information contained in the education records of the school district pertaining to a student be

accessible to the student alone, and to the parent only under special circumstances, if at all.

1. The responsible authority may deny access to private data by a parent when a minor student who is the subject of that data requests that the responsible authority deny such access. The minor student's request must be submitted in writing setting forth the reasons for denying access to the parent and must be signed by the minor. Upon receipt of such request the responsible authority shall determine if honoring the request to deny the parent access would be in the best interest of the minor data subject. In making this determination the responsible authority shall consider the following factors:
 - a. whether the minor is of sufficient age and maturity to be able to explain the reasons for and understand the consequences of the request to deny access;
 - b. whether the personal situation of the minor is such that denying parental access may protect the minor data subject from physical or emotional harm;
 - c. whether there are grounds for believing that the minor data subject's reasons for precluding parental access are reasonably accurate;
 - d. whether the data in question is of such a nature that disclosure of it to the parent may lead to physical or emotional harm to the minor data subject; and
 - e. whether the data concerns medical, dental or other health services provided pursuant to Minn. Stat. §§ 144.341-144.347, in which case the data may be released only if the failure to inform the parent would seriously jeopardize the health of the minor.

C. Private Records Not Accessible to Student

Students shall not be entitled to access to private data concerning financial records and statements of the student's parent or any information contained therein.

IX. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential Records

Confidential records are those records and data contained therein which are made not public by state or federal law, and which are inaccessible to the student and the student's parents or to an eligible student.

B. Reports Under the Maltreatment of Minors Reporting Act

Pursuant to Minn. Stat. § 626.556, written copies of reports pertaining to a neglected and/or physically and/or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies. In respect to other parties, such data shall be confidential and will not be made available to the parent or the subject individual by the school district. The subject individual, however, may obtain a copy of the report from either the local welfare agency, county sheriff, or the local police department subject to the provisions of Minn. Stat. § 626.556, Subd. 11.

Regardless of whether a written report is made under Minn. Stat. § 626.556, Subd. 7, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.

C. Investigative Data

Data collected by the school district as part of an active investigation undertaken for the purpose of the commencement or defense of pending civil legal action, or which are retained in anticipation of a pending civil legal action are classified as protected nonpublic data in the case of data not on individuals, and confidential data in the case of data on individuals.

1. The school district may make any data classified as protected non-public or confidential pursuant to this subdivision accessible to any person, agency, or the public if the school district determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.
2. A complainant has access to a statement he or she provided to the school district.
3. Parents or eligible students may have access to investigative data of which the student is the subject, but only to the extent the data is not inextricably intertwined with data about other school district students, school district employees, and/or attorney data as defined in Minn. Stat. § 13.393.
4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of this provision, a civil investigation becomes inactive upon the occurrence of any of the following events:
 - a. a decision by the school district, or by the chief attorney for the

school district, not to pursue the civil legal action. However, such investigation may subsequently become active if the school district or its attorney decides to renew the civil legal action;

- b. the expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action; or
- c. the exhaustion or expiration of rights of appeal by either party to the civil legal action.

- 5. A “pending civil legal action” for purposes of this subdivision is defined as including, but not limited to, judicial, administrative, or arbitration proceedings.

D. Chemical Abuse Records

To the extent the school district maintains records of the identity, diagnosis, prognosis, or treatment of any student which are maintained in connection with the performance of any drug abuse prevention function conducted, regulated, or directly or indirectly assisted by any department or agency of the United States, such records are classified as confidential and shall be disclosed only for the purposes and under the circumstances expressly authorized by law.

X. DISCLOSURE OF SCHOOL RECORDS PRIOR TO EXCLUSION OR EXPULSION HEARING

At a reasonable time prior to any exclusion or expulsion hearing, the student and the student’s parent or guardian or representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the action proposed by the school district may be based, pursuant to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. § 121A.40, *et seq.*

XI. DISCLOSURE OF DATA TO MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS

A. The school district will release the names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data pursuant to Paragraph C. below.

B. Data released to military recruiting officers under this provision:

- 1. may be used only for the purpose of providing information to students about military service, state and federal veterans’ education benefits, and other career and educational opportunities provided by the military; and
- 2. cannot be further disseminated to any other person except personnel of the

recruiting services of the armed forces.

- C. A parent or eligible student has the right to refuse the release of the name, address, or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the responsible authority [*designate title of individual, i.e., building principal*] in writing by [*date*] each year. The written request must include the following information:
1. Name of student and parent, as appropriate;
 2. Home address;
 3. Student's grade level;
 4. School presently attended by student;
 5. Parent's legal relationship to student, if applicable;
 6. Specific category or categories of information which are not to be released to military recruiting officers and post-secondary educational institutions; and
 7. Specific category or categories of information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.
- D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.
- E. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public, including military recruiting officers and post-secondary educational institutions.

XII. LIMITS ON REDISCLOSURE

- A. Redisclosure

Consistent with the requirements herein, the school district may only disclose personally identifiable information from the education records of a student on the condition that the party to whom the information is to be disclosed will not disclose the information to any other party without the prior written consent of the parent of the student or the eligible student, except that the officers, employees, and agents of any party receiving personally identifiable information under this section may use the information, but only for the purposes for which the disclosure was made.

B. Redisclosure Not Prohibited

1. Subdivision A. of this section does not prevent the school district from disclosing personally identifiable information under Section VI. of this policy with the understanding that the party receiving the information may make further disclosures of the information on behalf of the school district provided:
 - a. The disclosures meet the requirements of Section VI. of this policy; and
 - b. The school district has complied with the record-keeping requirements of Section XIII. of this policy.
2. Subdivision A. of this section does not apply to disclosures made pursuant to court orders or lawfully issued subpoenas or litigation, to disclosures of directory information, to disclosures to a parent or student or to parents of dependent students, or to disclosures concerning sex offenders and other individuals required to register under 42 U.S.C. § 14071. However, the school district must provide the notification required in Section XII.D. of this policy if a redisclosure is made based upon a court order or lawfully issued subpoena.

[Note: 42 U.S.C. § 14071 was repealed. School districts should retain this statutory reference, however, as it remains a reference in FERPA and the Minnesota Government Data Practices Act and still may apply to individuals required to register prior to the repeal of this law.]

C. Classification of Disclosed Data

The information disclosed shall retain the same classification in the hands of the party receiving it as it had in the hands of the school district.

D. Notification

The school district shall inform the party to whom a disclosure is made of the requirements set forth in this section, except for disclosures made pursuant to court orders or lawfully issued subpoenas, disclosure of directory information

under Section VII. of this policy, disclosures to a parent or student, or disclosures to parents of a dependent student. In the event that the Family Policy Compliance Office determines that a state or local educational authority, a federal agency headed by an official listed in 34 C.F.R. § 99.31(a)(3), or an authorized representative of a state or local educational authority or a federal agency headed by an official listed in § 99.31(a)(3), or a third party outside of the school district improperly rediscloses personally identifiable information from education records or fails to provide notification required under this section of this policy, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.

XIII. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

The responsible authority shall be responsible for the maintenance and security of student records.

B. Record Security

The principal of each school subject to the supervision and control of the responsible authority shall be the records manager of the school, and shall have the duty of maintaining and securing the privacy and/or confidentiality of student records.

C. Plan for Securing Student Records

The building principal shall submit to the responsible authority a written plan for securing students records by September 1 of each school year. The written plan shall contain the following information:

1. A description of records maintained;
2. Titles and addresses of person(s) responsible for the security of student records;
3. Location of student records, by category, in the buildings;
4. Means of securing student records; and
5. Procedures for access and disclosure.

D. Review of Written Plan for Securing Student Records

The responsible authority shall review the plans submitted pursuant to Paragraph C. of this section for compliance with the law, this policy and the various administrative policies of the school district. The responsible authority shall then promulgate a chart incorporating the provisions of Paragraph C. which shall be

attached to and become a part of this policy.

E. Record Keeping

1. The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record with the education records of the student which indicates:
 - a. the parties who have requested or received personally identifiable information from the education records of the student;
 - b. the legitimate interests these parties had in requesting or obtaining the information; and
 - c. the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.

2. In the event the school district discloses personally identifiable information from an education record of a student pursuant to Section XII.B. of this policy, the record of disclosure required under this section shall also include:
 - a. the names of the additional parties to which the receiving party may disclose the information on behalf of the school district;
 - b. the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information; and
 - c. a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 C.F.R. § 99.32 and to whom the school district disclosed information from an education record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.

3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B.1. of this policy, to requests for disclosures of directory information under Section VII. of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has

ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18. U.S.C. § 2332b(g)(5)(B) or an act of domestic or international terrorism.

[Note: While Section XIII.E.1. does not apply to requests for or disclosures of directory information under Section VII. of this policy, to the extent the school district chooses to limit the disclosure of directory information to specific parties, for specific purposes, or both, it is advisable that records be kept to identify the party to whom the disclosure was made and/or purpose for the disclosure.]

4. The record of requests of disclosures may be inspected by:
 - a. the parent of the student or the eligible student;
 - b. the school official or his or her assistants who are responsible for the custody of the records; and
 - c. the parties authorized by law to audit the record-keeping procedures of the school district.
5. The school district shall record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:
 - a. the articulable and significant threat to the health or safety of a student or other individual that formed the basis for the disclosure; and
 - b. the parties to whom the school district disclosed the information.
6. The record of requests and disclosures shall be maintained with the education records of the student as long as the school district maintains the student's education records.

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

A. Parent of a Student, an Eligible Student or the Parent of an Eligible Student Who is Also a Dependent Student

The school district shall permit the parent of a student, an eligible student, or the parent of an eligible student who is also a dependent student who is or has been in attendance in the school district to inspect or review the education records of the student, except those records which are made confidential by state or federal law or as otherwise provided in Section VIII. of this policy.

B. Response to Request for Access

The school district shall respond to any request pursuant to Subdivision A. of this section immediately, if possible, or within ten (10) days of the date of the request, excluding Saturdays, Sundays, and legal holidays.

C. Right to Inspect and Review

The right to inspect and review education records under Subdivision A. of this section includes:

1. The right to a response from the school district to reasonable requests for explanations and interpretations of records; and
2. If circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the education records, the school district shall provide the parent or eligible student with a copy of the records requested or make other arrangements for the parent or eligible student to inspect and review the requested records.
3. Nothing in this policy shall be construed as limiting the frequency of inspection of the education records of a student with a disability by the student's parent or guardian or by the student upon the student reaching the age of majority.

D. Form of Request

Parents or eligible students shall submit to the school district a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect.

E. Collection of Student Records

If a student's education records are maintained in more than one location, the responsible authority may collect copies of the records or the records themselves from the various locations so they may be inspected at one site. However, if the parent or eligible student wishes to inspect these records where they are maintained, the school district shall attempt to accommodate those wishes. The parent or eligible student shall be notified of the time and place where the records may be inspected.

F. Records Containing Information on More Than One Student

If the education records of a student contain information on more than one student, the parent or eligible student may inspect and review or be informed of only the specific information which pertains to that student.

G. Authority to Inspect or Review

The school district may presume that either parent of the student has authority to inspect or review the education records of a student unless the school district has been provided with evidence that there is a legally binding instrument or a state law or court order governing such matters as marriage dissolution, separation, or custody which provides to the contrary.

H. Fees for Copies of Records

1. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the school district shall consider the following:
 - a. the cost of materials, including paper, used to provide the copies;
 - b. the cost of the labor required to prepare the copies;
 - c. any schedule of standard copying charges established by the school district in its normal course of operations;
 - d. any special costs necessary to produce such copies from machine based record-keeping systems, including but not limited to computers and microfilm systems; and
 - e. mailing costs.
2. If 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and, instead, the charge shall be no more than 25 cents for each page copied.
3. The cost of providing copies shall be borne by the parent or eligible student.
4. The responsible authority, however, may not impose a fee for a copy of an education record made for a parent or eligible student if doing so would effectively prevent or, in the case of a student with a disability, impair the parent or eligible student from exercising their right to inspect or review the student's education records.

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

The parent of a student or an eligible student who believes that information contained in the education records of the student is inaccurate, misleading, or violates the privacy rights of the student may request that the school district

amend those records.

1. The request shall be in writing, shall identify the item the requestor believes to be inaccurate, misleading, or in violation of the privacy or other rights of the student, shall state the reason for this belief, and shall specify the correction the requestor wishes the school district to make. The request shall be signed and dated by the requestor.
2. The school district shall decide whether to amend the education records of the student in accordance with the request within thirty (30) days after receiving the request.
3. If the school district decides to refuse to amend the education records of the student in accordance with the request, it shall inform the parent of the student or the eligible student of the refusal and advise the parent or eligible student of the right to a hearing under Subdivision B. of this section.

B. Right to a Hearing

If the school district refuses to amend the education records of a student, the school district, on request, shall provide an opportunity for a hearing in order to challenge the content of the student's education records to ensure that information in the education records of the student is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. A hearing shall be conducted in accordance with Subdivision C. of this section.

1. If, as a result of the hearing, the school district decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing.
2. If, as a result of the hearing, the school district decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school district, or both.
3. Any statement placed in the education records of the student under Subdivision B. of this section shall:
 - a. be maintained by the school district as part of the education records of the student so long as the record or contested portion thereof is maintained by the school district; and
 - b. if the education records of the student or the contested portion

thereof is disclosed by the school district to any party, the explanation shall also be disclosed to that party.

C. Conduct of Hearing

1. The hearing shall be held within a reasonable period of time after the school district has received the request, and the parent of the student or the eligible student shall be given notice of the date, place, and time reasonably in advance of the hearing.
2. The hearing may be conducted by any individual, including an official of the school district who does not have a direct interest in the outcome of the hearing. The school board attorney shall be in attendance to present the school board's position and advise the designated hearing officer on legal and evidentiary matters.
3. The parent of the student or eligible student shall be afforded a full and fair opportunity for hearing to present evidence relative to the issues raised under Subdivisions A. and B. of this section and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.
4. The school district shall make a decision in writing within a reasonable period of time after the conclusion of the hearing. The decision shall be based solely on evidence presented at the hearing and shall include a summary of evidence and reasons for the decision.

D. Appeal

The final decision of the designated hearing officer may be appealed in accordance with the applicable provisions of Minn. Stat. Ch. 14 relating to contested cases.

XVI. PROBLEMS ACCESSING DATA

- A. The data practices compliance official is the designated employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.
- B. Data practices compliance official means *[designate title and actual name of individual]*.
- C. Any request by an individual with a disability for reasonable modifications of the school district's policies or procedures for purposes of accessing records shall be made to the data practices compliance official.

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

A. Where to File Complaints

Complaints regarding alleged violations of rights accorded parents and eligible students by FERPA, and the rules promulgated thereunder, shall be submitted in writing to the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue S.W., Washington, D.C. 20202.

B. Content of Complaint

A complaint filed pursuant to this section must contain specific allegations of fact giving reasonable cause to believe that a violation of FERPA and the rules promulgated thereunder has occurred.

XVIII. WAIVER

A parent or eligible student may waive any of his or her rights provided herein pursuant to FERPA. A waiver shall not be valid unless in writing and signed by the parent or eligible student. The school district may not require such a waiver.

XIX. ANNUAL NOTIFICATION OF RIGHTS

A. Contents of Notice

The school district shall give parents of students currently in attendance and eligible students currently in attendance annual notice by such means as are reasonably likely to inform the parents and eligible students of the following:

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;
2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;
3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosure without consent;
4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA and the rules promulgated thereunder;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing

education records to other school officials whom the school district has determined to have legitimate educational interests; and

6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal Every Student Succeeds Act and, if applicable, a student's history of violent behavior.

B. Notification to Parents of Students Having a Primary Home Language Other Than English

The school district shall provide for the need to effectively notify parents of students identified as having a primary or home language other than English.

C. Notification to Parents or Eligible Students Who are Disabled

The school district shall provide for the need to effectively notify parents or eligible students identified as disabled.

XX. DESTRUCTION AND RETENTION OF RECORDS

Destruction and retention of records by the school district shall be controlled by state and federal law.

XXI. COPIES OF POLICY

Copies of this policy may be obtained by parents and eligible students at the office of the superintendent.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. Ch. 14 (Administrative Procedures Act)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)
Minn. Stat. § 121A.75 (Sharing Disposition Order and Peace Officer Records)
Minn. Stat. § 127A.852 (Military-Connected Youth Identifier)
Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)
Minn. Stat. § 260B.171, Subds. 3 and 5 (Disposition Order and Peace Officer Records of Children)
Minn. Stat. § 363A.42 (Public Records; Accessibility)
Minn. Stat. § 626.556 (Reporting of Maltreatment of Minors)
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)
18 U.S.C. § 2331 (Definitions)

18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
20 U.S.C. § 6301 *et seq.* (Every Student Succeeds Act)
20 U.S.C. § 7908 (Armed Forces Recruiting Information)
26 U.S.C. §§ 151 and 152 (Internal Revenue Code)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)
34 C.F.R. § 300.610-300.627 (Confidentiality of Information)
42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)
Gonzaga University v. Doe, 536 U.S. 273, 122 S.Ct. 2268, 153 L.Ed. 2d
309 (2002)

Cross References: MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect
or Physical or Sexual Abuse)
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside
Agencies)
MSBA/MASA Model Policy 520 (Student Surveys)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 906 (Community Notification of Predatory
Offenders)
MSBA Service Manual, Chapter 13, School Law Bulletin “I” (School
Records – Privacy – Access to Data)

Adopted: _____

MSBA/MASA Model Policy 515

Orig. 1995

Revised: _____

Rev. 2023

515 PROTECTION AND PRIVACY OF PUPIL RECORDS

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

I. PURPOSE

The school district recognizes its responsibility in regard to the collection, maintenance, and dissemination of pupil records and the protection of the privacy rights of students as provided in federal law and state statutes.

II. GENERAL STATEMENT OF POLICY

The following procedures and policies regarding the protection and privacy of parents and students are adopted by the school district, pursuant to the requirements of 20 United States Code, section 1232g, *et seq.*, (Family Educational Rights and Privacy Act (FERPA)) 34 Code of Federal Regulations part 99 and consistent with the requirements of the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13, and Minnesota Rules parts 1205.0100-1205.2000.

III. DEFINITIONS

A. Authorized Representative

“Authorized representative” means any entity or individual designated by the school district, state, or an agency headed by an official of the Comptroller of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or state and local educational authorities to conduct, with respect to federal or state supported education programs, any audit or evaluation or any compliance or enforcement activity in connection with federal legal requirements that relate to these programs.

B. Biometric Record

“Biometric record,” as referred to in “Personally Identifiable,” means a record of one or more measurable biological or behavioral characteristics that can be used for automated recognition of an individual (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting).

C. Dates of Attendance

“Dates of attendance,” as referred to in “Directory Information,” means the period of time during which a student attends or attended a school or schools in the school district, including attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunications technologies for students who are not in the classroom, and including the period during which a student is working under a work-study program. The term does not include specific daily records of a student’s attendance at a school or schools in the school district.

D. Directory Information

1. "Directory information," under federal law, means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; dates of attendance; grade level; enrollment status (i.e., full-time or part-time); participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended. It also includes the name, address, and telephone number of the student's parent(s). Directory information does not include:

- a. a student's social security number;
- b. a student's identification number (ID), user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems if the identifier may be used to access education records without use of one or more factors that authenticate the student's identity such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user;
- c. a student ID or other unique personal identifier that is displayed on a student ID badge if the identifier can be used to gain access to educational records when used in conjunction with one or more factors that authenticate the student's identity, such as a PIN, password, or other factor known or possessed only by the student;
- d. personally identifiable data which references religion, race, color, social position, or nationality; or
- e. data collected from nonpublic school students, other than those who receive shared time educational services, unless written consent is given by the student's parent or guardian.

2. Under Minnesota law, a school district may not designate a student's home address, telephone number, email address, or other personal contact information as "directory information."

[Note: The federal definition includes all of the types of information specifically referenced by state and or federal law as directory information. The federal definition applies to information requests by military recruiting officers, as set out in Article XI below.]

The Minnesota definition imposes additional restrictions upon the types of information that may be designated as directory information.

A school district may choose not to designate some or all of the enumerated information as directory information. A school district also may add to the list of directory information, as long as the added data is not information that generally would be

deemed as an invasion of privacy or information that references the student's religion, race, color, social position, or nationality. Federal law now allows a school district to specify that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. The identity of those parties and/or purposes should be identified. To the extent a school district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the school district are advised. Designation of directory information is an important policy decision for the local school board who must balance not only the privacy interests of the student against public disclosure but also the additional administrative requirements such restrictions on disclosures will place on the school district.]

E. Education Records

1. What constitutes "education records." Education records means those records that are: (1) directly related to a student; and (2) maintained by the school district or by a party acting for the school district.
2. What does not constitute education records. The term "education records" does not include:
 - a. Records of instructional personnel that are:
 - (1) kept in the sole possession of the maker of the record;
 - (2) used only as a personal memory aid;
 - (3) not accessible or revealed to any other individual except a temporary substitute teacher; and
 - (4) destroyed at the end of the school year.
 - b. Records of a law enforcement unit of the school district, provided education records maintained by the school district are not disclosed to the unit, and the law enforcement records are:
 - (1) maintained separately from education records;
 - (2) maintained solely for law enforcement purposes; and
 - (3) disclosed only to law enforcement officials of the same jurisdiction.
 - c. Records relating to an individual, including a student, who is employed by the school district which:
 - (1) are made and maintained in the normal course of business;
 - (2) relate exclusively to the individual in that individual's capacity as an employee; and

- (3) are not available for use for any other purpose.

However, records relating to an individual in attendance at the school district who is employed as a result of his or her status as a student are education records.

- d. Records relating to an eligible student, or a student attending an institution of post-secondary education, that are:
 - (1) made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional or paraprofessional capacity or assisting in that capacity;
 - (2) made, maintained, or used only in connection with the provision of treatment to the student; and
 - (3) disclosed only to individuals providing the treatment; provided that the records can be personally reviewed by a physician or other appropriate professional of the student's choice. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are a part of the program of instruction within the school district.
- e. Records created or received by the school district after an individual is no longer a student at the school district and that are not directly related to the individual's attendance as a student.
- f. Grades on peer-related papers before the papers are collected and recorded by a teacher.

F. Education Support Services Data

"Education support services data" means data on individuals collected, created, maintained, used, or disseminated relating to programs administered by a government entity or entity under contract with a government entity designed to eliminate disparities and advance equities in educational achievement for youth by coordinating services available to participants, regardless of the youth's involvement with other government services. Education support services data does not include welfare data under Minnesota Statutes, section 13.46.

Unless otherwise provided by law, all education support services data are private data on individuals and must not be disclosed except according to Minnesota Statutes, section 13.05 or a court order.

G. Eligible Student

"Eligible student" means a student who has attained eighteen (18) years of age or is attending an institution of post-secondary education.

H. Juvenile Justice System

"Juvenile justice system" includes criminal justice agencies and the judiciary when involved in juvenile justice activities.

I. Legitimate Educational Interest

“Legitimate educational interest” includes an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, student health and welfare, and the ability to respond to a request for education data. It includes a person’s need to know in order to:

1. Perform an administrative task required in the school or employee’s contract or position description approved by the school board;
2. Perform a supervisory or instructional task directly related to the student’s education;
3. Perform a service or benefit for the student or the student’s family such as health care, counseling, student job placement, or student financial aid; or
4. Perform a task directly related to responding to a request for data.

J. Parent

“Parent” means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent of the student in the absence of a parent or guardian. The school district may presume the parent has the authority to exercise the rights provided herein, unless it has been provided with evidence that there is a state law or court order governing such matters as marriage dissolution, separation or child custody, or a legally binding instrument which provides to the contrary.

K. Personally Identifiable

“Personally identifiable” means that the data or information includes, but is not limited to: (a) a student’s name; (b) the name of the student’s parent or other family member; (c) the address of the student or student’s family; (d) a personal identifier such as the student’s social security number or student number or biometric record; (e) other indirect identifiers, such as the student’s date of birth, place of birth, and mother’s maiden name; (f) other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or (g) information requested by a person who the school district reasonably believes knows the identity of the student to whom the education record relates.

L. Record

“Record” means any information or data recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm, and microfiche.

M. Responsible Authority

“Responsible authority” means *[designate title and actual name of individual]*.

N. Student

“Student” includes any individual who is or has been in attendance, enrolled, or registered at the school district and regarding whom the school district maintains

education records. Student also includes applicants for enrollment or registration at the school district and individuals who receive shared time educational services from the school district.

O. School Official

"School official" includes: (a) a person duly elected to the school board; (b) a person employed by the school board in an administrative, supervisory, instructional, or other professional position; (c) a person employed by the school board as a temporary substitute in a professional position for the period of his or her performance as a substitute; and (d) a person employed by, or under contract to, the school board to perform a special task such as a secretary, a clerk, a public information officer or data practices compliance official, an attorney, or an auditor for the period of his or her performance as an employee or contractor.

[Note: School districts may wish to reference police liaison officers in the definition of a "school official." Depending on the circumstances of the relationship, this may be added in subpart (d) of the definition or in a new subpart (e). Caution should be used to ensure that police liaison officers are considered "school officials" only when performing duties as a police liaison officer and that they are trained as to their obligations pursuant to this policy. Consultation with the school district's legal counsel is recommended.]

P. Summary Data

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

Q. Other Terms and Phrases

All other terms and phrases shall be defined in accordance with applicable state and federal law or ordinary customary usage.

IV. GENERAL CLASSIFICATION

State law provides that all data collected, created, received, or maintained by a school district are public unless classified by state or federal law as not public or private or confidential. State law classifies all data on individuals maintained by a school district which relates to a student as private data on individuals. This data may not be disclosed to parties other than the parent or eligible student without consent, except pursuant to a valid court order, certain state statutes authorizing access, and the provisions of FERPA and the regulations promulgated thereunder.

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

Parents and eligible students have the following rights under this policy:

1. The right to inspect and review the student's education records;
2. The right to request the amendment of the student's education records to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights;

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that such consent is not required for disclosure pursuant to this policy, state or federal law, or the regulations promulgated thereunder;
4. The right to refuse release of names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions;
5. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the school district to comply with the federal law and the regulations promulgated thereunder;
6. The right to be informed about rights under the federal law; and
7. The right to obtain a copy of this policy at the location set forth in Section XXI. of this policy.

B. Eligible Students

All rights and protections given to parents under this policy transfer to the student when he or she reaches eighteen (18) years of age or enrolls in an institution of post-secondary education. The student then becomes an "eligible student." However, the parents of an eligible student who is also a "dependent student" are entitled to gain access to the education records of such student without first obtaining the consent of the student. In addition, parents of an eligible student may be given access to education records in connection with a health or safety emergency if the disclosure meets the conditions of any provision set forth in 34 Code of Federal Regulations section 99.31(a).

C. Students with a Disability

The school district shall follow 34 Code of Federal Regulations sections 300.610-300.617 with regard to the privacy, notice, access, recordkeeping, and accuracy of information related to students with a disability.

VI. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure

1. The school district shall obtain a signed and dated written informed consent of the parent of a student or the eligible student before disclosing personally identifiable information from the education records of the student, except as provided herein.
2. The written consent required by this subdivision must be signed and dated by the parent of the student or the eligible student giving the consent and shall include:
 - a. a specification of the records to be disclosed;
 - b. the purpose or purposes of the disclosure;
 - c. the party or class of parties to whom the disclosure may be made;
 - d. the consequences of giving informed consent; and

- e. if appropriate, a termination date for the consent.
3. When a disclosure is made under this subdivision:
- a. if the parent or eligible student so requests, the school district shall provide him or her with a copy of the records disclosed; and
 - b. if the parent of a student who is not an eligible student so requests, the school district shall provide the student with a copy of the records disclosed.
4. A signed and dated written consent may include a record and signature in electronic form that:
- a. identifies and authenticates a particular person as the source of the electronic consent; and
 - b. indicates such person's approval of the information contained in the electronic consent.
5. If the responsible authority seeks an individual's informed consent to the release of private data to an insurer or the authorized representative of an insurer, informed consent shall not be deemed to have been given unless the statement is:
- a. in plain language;
 - b. dated;
 - c. specific in designating the particular persons or agencies the data subject is authorizing to disclose information about the data subject;
 - d. specific as to the nature of the information the subject is authorizing to be disclosed;
 - e. specific as to the persons or agencies to whom the subject is authorizing information to be disclosed;
 - f. specific as to the purpose or purposes for which the information may be used by any of the parties named in Clause e. above, both at the time of the disclosure and at any time in the future; and
 - g. specific as to its expiration date which should be within a reasonable time, not to exceed one year except in the case of authorizations given in connection with applications for: (i) life insurance or noncancellable or guaranteed renewable health insurance and identified as such, two years after the date of the policy, or (ii) medical assistance under Minnesota Statutes, chapter 256B or Minnesota Care under Minnesota Statutes, chapter 256L, which shall be ongoing during all terms of eligibility, for individualized education program health-related services provided by a school district that are subject to third party reimbursement.
6. Eligible Student Consent

Whenever a student has attained eighteen (18) years of age or is attending an institution of post-secondary education, the rights accorded to and the consent required of the parent of the student shall thereafter only be accorded to and required of the eligible student, except as provided in Section V. of this policy.

B. Prior Consent for Disclosure Not Required

The school district may disclose personally identifiable information from the education records of a student without the written consent of the parent of the student or the eligible student unless otherwise provided herein, if the disclosure is:

1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;
2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:
 - a. performs an institutional service or function for which the school district would otherwise use employees;
 - b. is under the direct control of the school district with respect to the use and maintenance of education records; and
 - c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made;
3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, and with proper annual notice (see Section XIX.), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act, 20 United States Code section 7917, *[insert the following if the school district has a policy regarding Staff Notification of Violent Behavior by Students]* and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minnesota Statutes, section 260B.171, unless the data are required to be destroyed under Minnesota Statutes, section 120A.22, subdivision 7(c) or section 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records that have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with Section XV. of this policy;
4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;
5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:

- a. determine eligibility for the aid;
- b. determine the amount of the aid;
- c. determine conditions for the aid; or
- d. enforce the terms and conditions of the aid.

“Financial aid” for purposes of this provision means a payment of funds provided to an individual or a payment in kind of tangible or intangible property to the individual that is conditioned on the individual’s attendance at an educational agency or institution;

- 6. To state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state statute adopted:
 - a. before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system’s ability to effectively serve the student whose records are released; or
 - b. after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system’s ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the school district shall disclose the following information to the juvenile justice system under this paragraph: a student’s full name, home address, telephone number, and date of birth; a student’s school schedule, attendance record, and photographs, if any; and parents’ names, home addresses, and telephone numbers;
- 7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. For purposes of this provision, the term, “organizations,” includes, but is not limited to, federal, state, and local agencies and independent organizations. In the event the Department of Education determines that a third

party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years;

8. To accrediting organizations in order to carry out their accrediting functions;
9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes;
10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the school district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 United States Code section 2332b(g)(5)(B), an act of domestic or international terrorism as defined in 18 U.S.C. § 2331, or a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of the proceeding. If the school district initiates legal action against a parent or student, it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as a plaintiff. Also, if a parent or eligible student initiates a legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself;
11. To appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the health, including the mental health, or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health or safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;
12. To the juvenile justice system if information about the behavior of a student who poses a risk of harm is reasonably necessary to protect the health or safety of the student or other individuals;

13. Information the school district has designated as "directory information" pursuant to Section VII. of this policy;
14. To military recruiting officers and post-secondary educational institutions pursuant to Section XI. of this policy;
15. To the parent of a student who is not an eligible student or to the student himself or herself;
16. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiologic investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted;
17. To volunteers who are determined to have a legitimate educational interest in the data and who are conducting activities and events sponsored by or endorsed by the educational agency or institution for students or former students;
18. To the juvenile justice system, on written request that certifies that the information will not be disclosed to any other person except as authorized by law without the written consent of the parent of the student:
 - a. the following information about a student must be disclosed: a student's full name, home address, telephone number, date of birth; a student's school schedule, daily attendance record, and photographs, if any; and any parents' names, home addresses, and telephone numbers;
 - b. the existence of the following information about a student, not the actual data or other information contained in the student's education record, may be disclosed provided that a request for access must be submitted on the statutory form and it must contain an explanation of why access to the information is necessary to serve the student: (1) use of a controlled substance, alcohol, or tobacco; (2) assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act; (3) possession or use of weapons or look-alike weapons; (4) theft; or (5) vandalism or other damage to property. Prior to releasing this information, the principal or chief administrative officer of a school who receives such a request must, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information. If the student's parent or guardian notifies the school official of an objection to the disclosure within ten (10) days of receiving certified notice, the school official must not disclose the information and instead must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the school official must respond to the request for information.

The written requests of the juvenile justice system member(s), as well as a record of any release, must be maintained in the student's file;

19. To the principal where the student attends and to any counselor directly supervising or reporting on the behavior or progress of the student if it is information from a disposition order received by a superintendent under Minnesota Statutes, section 260B.171, subdivision 3. The principal must notify

the counselor immediately and must place the disposition order in the student's permanent education record. The principal also must notify immediately any teacher or administrator who directly supervises or reports on the behavior or progress of the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other school district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student, outline the offense, and describe any conditions of probation about which the school must provide information if this information is provided in the disposition order. Disposition order information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information may not be further disseminated by the counselor, teacher, administrator, staff member, substitute, or volunteer except as necessary to serve the student, to protect students and staff, or as otherwise required by law, and only to the student or the student's parent or guardian;

20. To the principal where the student attends if it is information from a peace officer's record of children received by a superintendent under Minnesota Statutes, section 260B.171, subdivision 5. The principal must place the information in the student's education record. The principal also must notify immediately any teacher, counselor, or administrator directly supervising the student whom the principal believes needs the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. The principal may also notify other district employees, substitutes, and volunteers who are in direct contact with the student if the principal determines that these individuals need the information to work with the student in an appropriate manner, to avoid being needlessly vulnerable, or to protect other persons from needless vulnerability. Such notices from the principal must identify the student and describe the alleged offense if this information is provided in the peace officer's notice. Peace officer's record information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information must not be further disseminated by the counselor, teacher administrator, staff member, substitute, or volunteer except to communicate with the student or the student's parent or guardian as necessary to serve the student, to protect students and staff, or as otherwise required by law.

The principal must delete the peace officer's record from the student's education record, destroy the data, and make reasonable efforts to notify any teacher, counselor, staff member, administrator, substitute, or volunteer who received information from the peace officer's record if the county attorney determines not to proceed with a petition or directs the student into a diversion or mediation program or if a juvenile court makes a decision on a petition and the county attorney or juvenile court notifies the superintendent of such action;

21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies

and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that: (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements; or

22. To an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in 25 United States Code section 5304), who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records.

C. Nonpublic School Students

The school district may disclose personally identifiable information from the education records of a nonpublic school student, other than a student who receives shared time educational services, without the written consent of the parent of the student or the eligible student unless otherwise provided herein, if the disclosure is:

1. Pursuant to a valid court order;
2. Pursuant to a statute specifically authorizing access to the private data; or
3. To appropriate health authorities to the extent necessary to administer immunization programs and for bona fide epidemiological investigations which the commissioner of health determines are necessary to prevent disease or disability to individuals in the public educational agency or institution in which the investigation is being conducted.

VII. RELEASE OF DIRECTORY INFORMATION

A. Classification Educational Data

1. Educational data designated as directory information is public data on individuals to the extent required under federal law. Directory information must be designated pursuant to the provisions of:

a. Minnesota Statutes, section 13.32, subdivision 5; and

b. United States Code, title 20, section 1232g, and Code of Federal Regulations, title 34, section 99.37, which were in effect on January 3, 2012.

2. The school district may not designate a student's home address, telephone

number, email address, or other personal contact information as directory information under this section.

3. When requested, the school district must share personal contact information and directory information, whether public or private, with the Minnesota Department of Education, as required for federal reporting purposes.

[Note: This section became effective on the day following final enactment (May 19, 2023). Beginning on the effective date, a student's personal contact information subject to this section must be treated as private educational data under Minnesota Statutes, section 13.32, regardless of whether that contact information was previously designated as directory information under Minnesota Statutes, section 13.32, subdivision 5].

~~Directory information is public except as provided herein.~~

B. Former Students

Unless a former student validly opted out of the release of directory information while the student was in attendance and has not rescinded the opt out request at any time, the school district may disclose directory information from the education records generated by it regarding the former student without meeting the requirements of Paragraph C. of this section. In addition, under an explicit exclusion from the definition of an "education record," the school district may release records that only contain information about an individual obtained after he or she is no longer a student at the school district and that are not directly related to the individual's attendance as a student (e.g., a student's activities as an alumnus of the school district).

C. Present Students and Parents

The school district may disclose directory information from the education records of a student and information regarding parents without prior written consent of the parent of the student or eligible student, except as provided herein. ~~Prior to such disclosure the school district shall:~~

1. When conducting the directory information designation and notice process required by federal law, the school district shall give parents and students notice of the right to refuse to let the district designate specified data about the student as directory information.

2. The school district shall give ~~public-annual~~ notice by any means that are reasonably likely to inform the parents and eligible students of:

- a. the types of personally identifiable information regarding students and/or parents that the school district has designated as directory information;
- b. the parent's or eligible student's right to refuse to let the school district designate any or all of those types of information about the student and/or the parent as directory information; and
- c. the period of time in which a parent or eligible student has to notify the school district in writing that he or she does not want any or all of those types of information about the student and/or the parent designated as directory information.

[Note: Federal law allows a school district to specify that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. If the school district chooses to impose these limitations, it is advisable to add a new paragraph VII.C.1.d. that specifies that disclosures of directory information will be limited to specific parties and/or for specific purposes and identify those parties and/or purposes. To the extent a school district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the school district are advised. This is an important policy decision for the local school board which must balance not only the privacy interests of the student against public disclosure, but also the additional administrative requirements such restrictions will place on the school district.]

2. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the school district in writing that any or all of the information so designated should not be disclosed without the parent's or eligible student's prior written consent, except as provided in Section VI. of this policy.
3. A parent or eligible student may not opt out of the directory information disclosures to:
 - a. prevent the school district from disclosing or requiring the student to disclose the student's name, ID, or school district e-mail address in a class in which the student is enrolled; or
 - b. prevent the school district from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that may be designated as directory information and that has been properly designated by the school district as directory information.
4. The school district shall not disclose or confirm directory information without meeting the written consent requirements contained in Section VI.A. of this policy if a student's social security number or other non-directory information is used alone or in combination with other data elements to identify or help identify the student or the student's records.

D. Procedure for Obtaining Nondisclosure of Directory Information

The parent's or eligible student's written notice shall be directed to the responsible authority and shall include the following:

1. Name of the student and/or parent, as appropriate;
2. Home address;
3. School presently attended by student;
4. Parent's legal relationship to student, if applicable; and
5. Specific categories of directory information to be made not public without the parent's or eligible student's prior written consent, which shall only be applicable for that school year.

E. Duration

The designation of any information as directory information about a student or parents will remain in effect for the remainder of the school year unless the parent or eligible student provides the written notifications provided herein.

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

For the purposes herein, education records are records which are classified as private data on individuals by state law and which are accessible only to the student who is the subject of the data and the student's parent if the student is not an eligible student. The school district may not disclose private records or their contents except as summary data, or except as provided in Section VI. of this policy, without the prior written consent of the parent or the eligible student. The school district will use reasonable methods to identify and authenticate the identity of parents, students, school officials, and any other party to whom personally identifiable information from education records is disclosed.

B. Private Records Not Accessible to Parent

In certain cases, state law intends, and clearly provides, that certain information contained in the education records of the school district pertaining to a student be accessible to the student alone, and to the parent only under special circumstances, if at all.

1. The responsible authority may deny access to private data by a parent when a minor student who is the subject of that data requests that the responsible authority deny such access. The minor student's request must be submitted in writing setting forth the reasons for denying access to the parent and must be signed by the minor. Upon receipt of such request the responsible authority shall determine if honoring the request to deny the parent access would be in the best interest of the minor data subject. In making this determination the responsible authority shall consider the following factors:
 - a. whether the minor is of sufficient age and maturity to be able to explain the reasons for and understand the consequences of the request to deny access;
 - b. whether the personal situation of the minor is such that denying parental access may protect the minor data subject from physical or emotional harm;
 - c. whether there are grounds for believing that the minor data subject's reasons for precluding parental access are reasonably accurate;
 - d. whether the data in question is of such a nature that disclosure of it to the parent may lead to physical or emotional harm to the minor data subject; and
 - e. whether the data concerns medical, dental or other health services provided pursuant to Minnesota Statutes, sections 144.341-144.347, in which case the data may be released only if the failure to inform the parent would seriously jeopardize the health of the minor.

C. Private Records Not Accessible to Student

Students shall not be entitled to access to private data concerning financial records and statements of the student's parent or any information contained therein.

D. Military-Connected Youth Identifier

When a school district updates its enrollment forms in the ordinary course of business, the school district must include a box on the enrollment form to allow students to self-identify as a military-connected youth. For purposes of this section, a "military-connected youth" means having an immediate family member, including a parent or sibling, who is currently in the armed forces either as a reservist or on active duty or has recently retired from the armed forces. Data collected under this provision is private data on individuals, but summary data may be published by the Department of Education.

IX. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential Records

Confidential records are those records and data contained therein which are made not public by state or federal law, and which are inaccessible to the student and the student's parents or to an eligible student.

B. Reports Under the Maltreatment of Minors Reporting Act

Pursuant to Minnesota Statutes, chapter 260E, written copies of reports pertaining to a neglected and/or physically and/or sexually abused child shall be accessible only to the appropriate welfare and law enforcement agencies. In respect to other parties, such data shall be confidential and will not be made available to the parent or the subject individual by the school district. The subject individual, however, may obtain a copy of the report from either the local welfare agency, county sheriff, or the local police department subject to the provisions of Minnesota Statutes, chapter 260E.

Regardless of whether a written report is made under Minnesota Statutes, chapter 260E, as soon as practicable after a school receives information regarding an incident that may constitute maltreatment of a child in a school facility, the school shall inform the parent, legal guardian, or custodian of the child that an incident occurred that may constitute maltreatment of the child, when the incident occurred, and the nature of the conduct that may constitute maltreatment.

C. Investigative Data

Data collected by the school district as part of an active investigation undertaken for the purpose of the commencement or defense of pending civil legal action, or are retained in anticipation of a pending civil legal action are classified as protected nonpublic data in the case of data not on individuals, and confidential data in the case of data on individuals.

1. The school district may make any data classified as protected non-public or confidential pursuant to this subdivision accessible to any person, agency, or the public if the school district determines that such access will aid the law enforcement process, promote public health or safety, or dispel widespread rumor or unrest.

2. A complainant has access to a statement he or she provided to the school district.
3. Parents or eligible students may have access to investigative data of which the student is the subject, but only to the extent the data is not inextricably intertwined with data about other school district students, school district employees, and/or attorney data as defined in Minnesota Statutes, section 13.393.
4. Once a civil investigation becomes inactive, civil investigative data becomes public unless the release of the data would jeopardize another pending civil legal action, except for those portions of such data that are classified as not public data under state or federal law. Any civil investigative data presented as evidence in court or made part of a court record shall be public. For purposes of this provision, a civil investigation becomes inactive upon the occurrence of any of the following events:
 - a. a decision by the school district, or by the chief attorney for the school district, not to pursue the civil legal action. However, such investigation may subsequently become active if the school district or its attorney decides to renew the civil legal action;
 - b. the expiration of the time to file a complaint under the statute of limitations or agreement applicable to the civil legal action; or
 - c. the exhaustion or expiration of rights of appeal by either party to the civil legal action.
5. A "pending civil legal action" for purposes of this subdivision is defined as including, but not limited to, judicial, administrative, or arbitration proceedings.

D. Chemical Abuse Records

To the extent the school district maintains records of the identity, diagnosis, prognosis, or treatment of any student which are maintained in connection with the performance of any drug abuse prevention function conducted, regulated, or directly or indirectly assisted by any department or agency of the United States, such records are classified as confidential and shall be disclosed only for the purposes and under the circumstances expressly authorized by law.

X. DISCLOSURE OF SCHOOL RECORDS PRIOR TO EXCLUSION OR EXPULSION HEARING

At a reasonable time prior to any exclusion or expulsion hearing, the student and the student's parent or guardian or representative shall be given access to all school district records pertaining to the student, including any tests or reports upon which the action proposed by the school district may be based, pursuant to the Minnesota Pupil Fair Dismissal Act, Minnesota Statutes, section 121A.40, *et seq.*

XI. DISCLOSURE OF DATA TO MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS

- A. The school district will release the names, addresses, electronic mail address (which shall be the electronic mail addresses provided by the school district, if available, that may be released to military recruiting officers only), and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary

educational institutions within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data pursuant to Paragraph C. below.

- B. Data released to military recruiting officers under this provision:
1. may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military;
 2. cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces; and
 3. copying fees shall not be imposed.
- C. A parent or eligible student has the right to refuse the release of the name, address, electronic mail addresses (which shall be the electronic mail addresses provided by the school, if available, that may be released to military recruiting officers only) or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the responsible authority [*designate title of individual, i.e., building principal*] in writing by [*date*] each year. The written request must include the following information:
1. Name of student and parent, as appropriate;
 2. Home address;
 3. Student's grade level;
 4. School presently attended by student;
 5. Parent's legal relationship to student, if applicable;
 6. Specific category or categories of information which are not to be released to military recruiting officers and post-secondary educational institutions; and
 7. Specific category or categories of information which are not to be released to the public, including military recruiting officers and post-secondary educational institutions.
- D. Annually, the school district will provide public notice by any means that are reasonably likely to inform the parents and eligible students of their rights to refuse to release the names, addresses, and home phone numbers of students in grades 11 and 12 without prior consent.
- E. A parent or eligible student's refusal to release the above information to military recruiting officers and post-secondary educational institutions does not affect the school district's release of directory information to the rest of the public, which includes military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in Section VII. of this policy also must be followed. Accordingly, to the extent the school district has designated the name, address, home phone number, and grade level of students as directory information, absent a request from a parent or eligible student not to release such data, this information will be public data and accessible to members of the public,

including military recruiting officers and post-secondary educational institutions.

XII. LIMITS ON REDISCLOSURE

A. Redisclosure

Consistent with the requirements herein, the school district may only disclose personally identifiable information from the education records of a student on the condition that the party to whom the information is to be disclosed will not disclose the information to any other party without the prior written consent of the parent of the student or the eligible student, except that the officers, employees, and agents of any party receiving personally identifiable information under this section may use the information, but only for the purposes for which the disclosure was made.

B. Redisclosure Not Prohibited

1. Subdivision A. of this section does not prevent the school district from disclosing personally identifiable information under Section VI. of this policy with the understanding that the party receiving the information may make further disclosures of the information on behalf of the school district provided:
 - a. The disclosures meet the requirements of Section VI. of this policy; and
 - b. The school district has complied with the record-keeping requirements of Section XIII. of this policy.
2. Subdivision A. of this section does not apply to disclosures made pursuant to court orders or lawfully issued subpoenas or litigation, to disclosures of directory information, to disclosures to a parent or student or to parents of dependent students, or to disclosures concerning sex offenders and other individuals required to register under 42 United States Code section 14071. However, the school district must provide the notification required in Section XII.D. of this policy if a redisclosure is made based upon a court order or lawfully issued subpoena.

[Note: 42 United States Code section§ 14071 was repealed. School districts should retain this statutory reference, however, as it remains a reference in FERPA and the Minnesota Government Data Practices Act and still may apply to individuals required to register prior to the repeal of this law.]

C. Classification of Disclosed Data

The information disclosed shall retain the same classification in the hands of the party receiving it as it had in the hands of the school district.

D. Notification

The school district shall inform the party to whom a disclosure is made of the requirements set forth in this section, except for disclosures made pursuant to court orders or lawfully issued subpoenas, disclosure of directory information under Section VII. of this policy, disclosures to a parent or student, or disclosures to parents of a dependent student. In the event that the Family Policy Compliance Office determines that a state or local educational authority, a federal agency headed by an official listed in 34 Code of Federal Regulations section 99.31(a)(3), or an authorized representative

of a state or local educational authority or a federal agency headed by an official listed in section 99.31(a)(3), or a third party outside of the school district improperly rediscloses personally identifiable information from education records or fails to provide notification required under this section of this policy, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.

XIII. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

The responsible authority shall be responsible for the maintenance and security of student records.

B. Record Security

The principal of each school subject to the supervision and control of the responsible authority shall be the records manager of the school, and shall have the duty of maintaining and securing the privacy and/or confidentiality of student records.

C. Plan for Securing Student Records

The building principal shall submit to the responsible authority a written plan for securing students records by September 1 of each school year. The written plan shall contain the following information:

1. A description of records maintained;
2. Titles and addresses of person(s) responsible for the security of student records;
3. Location of student records, by category, in the buildings;
4. Means of securing student records; and
5. Procedures for access and disclosure.

D. Review of Written Plan for Securing Student Records

The responsible authority shall review the plans submitted pursuant to Paragraph C. of this section for compliance with the law, this policy, and the various administrative policies of the school district. The responsible authority shall then promulgate a chart incorporating the provisions of Paragraph C. which shall be attached to and become a part of this policy.

E. Record Keeping

1. The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record, with the education records of the student, that indicates:
 - a. the parties who have requested or received personally identifiable information from the education records of the student;
 - b. the legitimate interests these parties had in requesting or obtaining the information; and

- c. the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.
2. In the event the school district discloses personally identifiable information from an education record of a student pursuant to Section XII.B. of this policy, the record of disclosure required under this section shall also include:
 - a. the names of the additional parties to which the receiving party may disclose the information on behalf of the school district;
 - b. the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information; and
 - c. a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 Code of Federal Regulations section 99.32 and to whom the school district disclosed information from an education record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed upon a request from a parent or eligible student to review the record of requests for disclosure.
3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B.1. of this policy, to requests for disclosures of directory information under Section VII. of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 United States Code section 2332b(g)(5)(B) or an act of domestic or international terrorism.

[Note: While Section XIII.E.1. does not apply to requests for or disclosures of directory information under Section VII. of this policy, to the extent the school district chooses to limit the disclosure of directory information to specific parties, for specific purposes, or both, it is advisable that records be kept to identify the party to whom the disclosure was made and/or purpose for the disclosure.]

4. The record of requests of disclosures may be inspected by:
 - a. the parent of the student or the eligible student;
 - b. the school official or his or her assistants who are responsible for the custody of the records; and

- c. the parties authorized by law to audit the record-keeping procedures of the school district.
- 5. The school district shall record the following information when it discloses personally identifiable information from education records under the health or safety emergency exception:
 - a. the articulable and significant threat to the health or safety of a student or other individual that formed the basis for the disclosure; and
 - b. the parties to whom the school district disclosed the information.
- 6. The record of requests and disclosures shall be maintained with the education records of the student as long as the school district maintains the student's education records.

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

A. Parent of a Student, an Eligible Student or the Parent of an Eligible Student Who is Also a Dependent Student

The school district shall permit the parent of a student, an eligible student, or the parent of an eligible student who is also a dependent student who is or has been in attendance in the school district to inspect or review the education records of the student, except those records which are made confidential by state or federal law or as otherwise provided in Section VIII. of this policy.

B. Response to Request for Access

The school district shall respond to any request pursuant to Subdivision A. of this section immediately, if possible, or within ten (10) days of the date of the request, excluding Saturdays, Sundays, and legal holidays.

C. Right to Inspect and Review

The right to inspect and review education records under Subdivision A. of this section includes:

- 1. The right to a response from the school district to reasonable requests for explanations and interpretations of records; and
- 2. If circumstances effectively prevent the parent or eligible student from exercising the right to inspect and review the education records, the school district shall provide the parent or eligible student with a copy of the records requested or make other arrangements for the parent or eligible student to inspect and review the requested records.
- 3. Nothing in this policy shall be construed as limiting the frequency of inspection of the education records of a student with a disability by the student's parent or guardian or by the student upon the student reaching the age of majority.

D. Form of Request

Parents or eligible students shall submit to the school district a written request to inspect education records which identify as precisely as possible the record or records he or she

wishes to inspect.

E. Collection of Student Records

If a student's education records are maintained in more than one location, the responsible authority may collect copies of the records or the records themselves from the various locations so they may be inspected at one site. However, if the parent or eligible student wishes to inspect these records where they are maintained, the school district shall attempt to accommodate those wishes. The parent or eligible student shall be notified of the time and place where the records may be inspected.

F. Records Containing Information on More Than One Student

If the education records of a student contain information on more than one student, the parent or eligible student may inspect and review or be informed of only the specific information which pertains to that student.

G. Authority to Inspect or Review

The school district may presume that either parent of the student has authority to inspect or review the education records of a student unless the school district has been provided with evidence that there is a legally binding instrument or a state law or court order governing such matters as marriage dissolution, separation, or custody which provides to the contrary.

H. Fees for Copies of Records

1. The school district shall charge a reasonable fee for providing photocopies or printed copies of records unless printing a copy is the only method to provide for the inspection of data. In determining the amount of the reasonable fee, the school district shall consider the following:
 - a. the cost of materials, including paper, used to provide the copies;
 - b. the cost of the labor required to prepare the copies;
 - c. any schedule of standard copying charges established by the school district in its normal course of operations;
 - d. any special costs necessary to produce such copies from machine-based record-keeping systems, including but not limited to computers and microfilm systems; and
 - e. mailing costs.
2. If 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and, instead, the charge shall be no more than 25 cents for each page copied.
3. The cost of providing copies shall be borne by the parent or eligible student.
4. The responsible authority, however, may not impose a fee for a copy of an education record made for a parent or eligible student if doing so would effectively prevent or, in the case of a student with a disability, impair the parent or eligible student from exercising their right to inspect or review the student's

education records.

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

The parent of a student or an eligible student who believes that information contained in the education records of the student is inaccurate, misleading, or violates the privacy rights of the student may request that the school district amend those records.

1. The request shall be in writing, shall identify the item the requestor believes to be inaccurate, misleading, or in violation of the privacy or other rights of the student, shall state the reason for this belief, and shall specify the correction the requestor wishes the school district to make. The request shall be signed and dated by the requestor.
2. The school district shall decide whether to amend the education records of the student in accordance with the request within thirty (30) days after receiving the request.
3. If the school district decides to refuse to amend the education records of the student in accordance with the request, it shall inform the parent of the student or the eligible student of the refusal and advise the parent or eligible student of the right to a hearing under Subdivision B. of this section.

B. Right to a Hearing

If the school district refuses to amend the education records of a student, the school district, on request, shall provide an opportunity for a hearing in order to challenge the content of the student's education records to ensure that information in the education records of the student is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. A hearing shall be conducted in accordance with Subdivision C. of this section.

1. If, as a result of the hearing, the school district decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall amend the education records of the student accordingly and so inform the parent of the student or the eligible student in writing.
2. If, as a result of the hearing, the school district decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it shall inform the parent or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why he or she disagrees with the decision of the school district, or both.
3. Any statement placed in the education records of the student under Subdivision B. of this section shall:
 - a. be maintained by the school district as part of the education records of the student so long as the record or contested portion thereof is maintained by the school district; and
 - b. if the education records of the student or the contested portion thereof is disclosed by the school district to any party, the explanation shall also

be disclosed to that party.

C. Conduct of Hearing

1. The hearing shall be held within a reasonable period of time after the school district has received the request, and the parent of the student or the eligible student shall be given notice of the date, place, and time reasonably in advance of the hearing.
2. The hearing may be conducted by any individual, including an official of the school district who does not have a direct interest in the outcome of the hearing. The school board attorney shall be in attendance to present the school board's position and advise the designated hearing officer on legal and evidentiary matters.
3. The parent of the student or eligible student shall be afforded a full and fair opportunity for hearing to present evidence relative to the issues raised under Subdivisions A. and B. of this section and may be assisted or represented by individuals of his or her choice at his or her own expense, including an attorney.
4. The school district shall make a decision in writing within a reasonable period of time after the conclusion of the hearing. The decision shall be based solely on evidence presented at the hearing and shall include a summary of evidence and reasons for the decision.

D. Appeal

The final decision of the designated hearing officer may be appealed in accordance with the applicable provisions of Minnesota Statutes, chapter 14 relating to contested cases.

XVI. PROBLEMS ACCESSING DATA

- A. The data practices compliance official is the designated employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.
- B. Data practices compliance official means *[designate title and actual name of individual]*.
- C. Any request by an individual with a disability for reasonable modifications of the school district's policies or procedures for purposes of accessing records shall be made to the data practices compliance official.

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

A. Where to File Complaints

Complaints regarding alleged violations of rights accorded parents and eligible students by FERPA, and the rules promulgated thereunder, shall be submitted in writing to the U.S. Department of Education, Student Privacy Policy Office, 400 Maryland Avenue S.W., Washington, D.C. 20202-8520.

B. Content of Complaint

A complaint filed pursuant to this section must contain specific allegations of fact giving reasonable cause to believe that a violation of FERPA and the rules promulgated thereunder has occurred.

XVIII. WAIVER

A parent or eligible student may waive any of his or her rights provided herein pursuant to FERPA. A waiver shall not be valid unless in writing and signed by the parent or eligible student. The school district may not require such a waiver.

XIX. ANNUAL NOTIFICATION OF RIGHTS

A. Contents of Notice

The school district shall give parents of students currently in attendance and eligible students currently in attendance annual notice by such means as are reasonably likely to inform the parents and eligible students of the following:

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;
2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and the procedure for requesting amendment of records;
3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosure without consent;
4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA and the rules promulgated thereunder;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the school district has determined to have legitimate educational interests; and
6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal Every Student Succeeds Act and, if applicable, a student's history of violent behavior.

B. Notification to Parents of Students Having a Primary Home Language Other Than English

The school district shall provide for the need to effectively notify parents of students identified as having a primary or home language other than English.

C. Notification to Parents or Eligible Students Who are Disabled

The school district shall provide for the need to effectively notify parents or eligible students identified as disabled.

XX. DESTRUCTION AND RETENTION OF RECORDS

Destruction and retention of records by the school district shall be controlled by state and federal law.

XXI. COPIES OF POLICY

Copies of this policy may be obtained by parents and eligible students at the superintendent's office.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
[Minn. Stat. § 13.32, Subd. 5 \(Directory Information\)](#)
Minn. Stat. § 13.393 (Attorneys)
Minn. Stat. Ch. 14 (Administrative Procedures Act)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)
Minn. Stat. § 121A.75 (Receipt of Records; Sharing)
Minn. Stat. § 127A.852 (Military-Connected Youth Identifier)
Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)
Minn. Stat. Ch. 256B (Medical Assistance for Needy Persons)
Minn. Stat. Ch. 256L (MinnesotaCare)
Minn. Stat. § 260B.171, Subds. 3 and 5 (Disposition Order and Peace Officer Records of Children)
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
Minn. Stat. § 363A.42 (Public Records; Accessibility)
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)
18 U.S.C. § 2331 (Definitions)
18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
20 U.S.C. § 6301 *et seq.* (Every Student Succeeds Act)
20 U.S.C. § 7908 (Armed Forces Recruiting Information)
20 U.S.C. § 7917 (Transfer of School Disciplinary Records)
25 U.S.C. § 5304 (Definitions – Tribal Organization)
26 U.S.C. §§ 151 and 152 (Internal Revenue Code)
42 U.S.C. § 1711 *et seq.* (Child Nutrition Act)
42 U.S.C. § 1751 *et seq.* (Richard B. Russell National School Lunch Act)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)
34 C.F.R. § 300.610-300.627 (Confidentiality of Information)
42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)
Gonzaga University v. Doe, 536 U.S. 273 309 (2002)
Dept. of Admin. Advisory Op. No. 21-008 (December 8, 2021)

Cross References: MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
MSBA/MASA Model Policy 520 (Student Surveys)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 722 (Public Data Requests)
MSBA/MASA Model Policy 906 (Community Notification of Predatory Offenders)
MSBA School Law Bulletin "I" (School Records – Privacy – Access to Data)

PUBLIC NOTICE

Independent School District No. _____ gives notice to parents of students currently in attendance in the District, and eligible students currently in attendance in the District, of their rights regarding pupil records.

1. Parents and eligible students are hereby informed that they have the following rights:
 - a. That a parent or eligible student has a right to inspect and review the student's education records within 45 days after the day the request for access is received by the school district. A parent or eligible student should submit to the school district a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect. The parent or eligible student will be notified of the time and place where the records may be inspected;
 - b. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy rights. A parent or eligible student may ask the school district to amend a record that they believe is inaccurate or misleading. The request shall be in writing, identify the item the parent or eligible student believes to be inaccurate, misleading, or in violation of the privacy rights of the student, shall state the reason for this belief, and shall specify the correction the parent or eligible student wishes the school district to make. The request shall be signed by the parent or eligible student. If the school district decides not to amend the record as requested by the parent or eligible student, the school district will notify the parent or eligible student of the decision and advise him or her of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing;
 - c. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosures without consent;
 - d. That the school district may disclose education records to other school officials within the school district if the school district has determined they have legitimate educational interests. For purposes of such disclosure, a "school official" is a person employed by the school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or other employee; a person serving on the school board; a person or company with

whom the school district has consulted to perform a specific task (such as an attorney, auditor, medical consultant, therapist, public information officer, or data practices compliance official); or a parent or student serving on an official committee, such as a disciplinary or grievance committee; or any individual assisting a school official in the performance of his or her tasks. A school official has a “legitimate educational interest” if the individual needs to review an education record in order to fulfill his or her professional responsibility and includes, but is not limited to, an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, and student health and welfare and the ability to respond to a request for educational data;

- e. That the school district forwards education records on request to a school or post-secondary educational institution in which a student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student’s enrollment, including information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, suspension and expulsion information pursuant to 20 U.S.C. § 7917, part of the federal Every Student Succeeds Act *[insert the following bracketed phrase if the school district has a policy regarding Staff Notification of Violent Behavior by Students]* [and data regarding a student’s history of violent behavior,] and any disposition order which adjudicates the student as delinquent for committing an illegal act on school district property and certain other illegal acts;
- f. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of 20 U.S.C. § 1232g and the rules promulgated thereunder. The name and address of the office that administers the Family Education Rights and Privacy Act is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue S.W.
Washington, D.C. 20202

[optional]

- g. That the parent or eligible student has a right to obtain a copy of the school district’s policy regarding the protection and privacy of pupil records; and

[optional]

- h. That copies of the school district’s policy regarding the protection and privacy of school records are located at _____ *[insert location]*.

[optional]

2. Independent School District No. _____ has adopted a school board policy in order to comply with state and federal laws regarding education records. The policy does the following:
 - a. It classifies records as public, private, or confidential.
 - b. It establishes procedures and regulations to permit parents or students to inspect and review a student's education records. These procedures include the method of determining fees for copies, a listing of the locations of these education records, and the identity of the individuals in charge of the records.
 - c. It establishes procedures and regulations to allow parents or students to request the amendment of a student's education records to ensure that the records are not inaccurate, misleading, or otherwise in violation of the student's privacy rights.
 - d. It establishes procedures and regulations for access to and disclosure of education records.
 - e. It establishes procedures and regulations for safeguarding the privacy of education records and for obtaining prior written consent of the parent or student when required prior to disclosure.
3. Copies of the school board policy and accompanying procedures and regulations are available to parents and students upon written request to the Superintendent.
4. Pursuant to applicable law, Independent School District No. _____ gives notice to parents of students currently in attendance in the school district, and eligible students currently in attendance in the school district, of their rights regarding "directory information."

"Directory information" includes the following information relating to a student: the student's name; address; telephone number; electronic mail address; photograph; date and place of birth; major field of study; dates of attendance; grade level; enrollment status; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; the most recent educational agency or institution attended by the student; and other similar information. "Directory information" also includes the name, address, and telephone number of the student's parent(s). "Directory information" does not include a student's social security number or a student's identification number (ID) if the ID may be used to access education records without use of one or more factors that authenticate the student's identity such as a personal identification number, password, or other factor known or possessed only by the authorized user. It also does not include identifying information on a student's religion, race, color, social position, or nationality.

[Note: The definition of directory information is found on page 515-2 of the school district's policy. This definition includes all of the types of information specifically referenced by state and federal law as directory information. A school district may choose not to include some or all of the enumerated information as directory information. A school district also may add to the list of directory information, as long as the added data is not information that generally would be deemed as an invasion of privacy or information that references the student's religion, race, color, social position, or nationality. A school district also may specify in this section that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. The identity of those parties and/or purposes should be identified. To the extent a school district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the school district are advised. Designation of directory information is an important policy decision for the local school board which must balance not only the privacy interests of the student against public disclosure but also the additional administrative requirements such restrictions on disclosures will place on the school district.]

- a. **THE INFORMATION LISTED ABOVE SHALL BE PUBLIC INFORMATION WHICH THE SCHOOL DISTRICT MAY DISCLOSE FROM THE EDUCATION RECORDS OF A STUDENT OR INFORMATION REGARDING A PARENT.**

- b. **SHOULD THE PARENT OF A STUDENT OR THE STUDENT SO DESIRE, ANY OR ALL OF THE LISTED INFORMATION WILL NOT BE DISCLOSED WITHOUT THE PARENT'S OR ELIGIBLE STUDENT'S PRIOR WRITTEN CONSENT EXCEPT TO SCHOOL OFFICIALS AS PROVIDED UNDER FEDERAL LAW.**

- c. **IN ORDER TO MAKE ANY OR ALL OF THE DIRECTORY INFORMATION LISTED ABOVE "PRIVATE" (I.E., SUBJECT TO CONSENT PRIOR TO DISCLOSURE), THE PARENT OR ELIGIBLE STUDENT MUST MAKE A WRITTEN REQUEST TO THE BUILDING PRINCIPAL WITHIN THIRTY (30) DAYS AFTER THE DATE OF THE LAST PUBLICATION OF THIS NOTICE. THIS WRITTEN REQUEST MUST INCLUDE THE FOLLOWING INFORMATION:**
 - (1) **NAME OF STUDENT AND PARENT, AS APPROPRIATE;**
 - (2) **HOME ADDRESS;**
 - (3) **SCHOOL PRESENTLY ATTENDED BY STUDENT;**

- (4) PARENT'S LEGAL RELATIONSHIP TO STUDENT, IF APPLICABLE;
- (5) SPECIFIC CATEGORY OR CATEGORIES OF DIRECTORY INFORMATION WHICH IS NOT TO BE MADE PUBLIC WITHOUT THE PARENT'S OR ELIGIBLE STUDENT'S PRIOR WRITTEN CONSENT.

5. Pursuant to applicable law, Independent School District No. _____ hereby gives notice to parents of students and eligible students in grades 11 and 12 of their rights regarding release of information to military recruiting officers and post-secondary educational institutions. The school district must release the names, addresses, and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request. Data released to military recruiting officers under this provision may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military and cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces.

SHOULD THE PARENT OF A STUDENT OR THE ELIGIBLE STUDENT SO DESIRE, ANY OR ALL OF THE LISTED INFORMATION WILL NOT BE DISCLOSED TO MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS WITHOUT PRIOR CONSENT.

IN ORDER TO REFUSE THE RELEASE OF THIS INFORMATION WITHOUT PRIOR CONSENT, THE PARENT OR ELIGIBLE STUDENT MUST MAKE A WRITTEN REQUEST TO THE RESPONSIBLE AUTHORITY, *[DESIGNATE TITLE OF INDIVIDUAL, I.E., BUILDING PRINCIPAL]*, BY *[INSERT DATE]* EACH YEAR. THIS WRITTEN REQUEST MUST INCLUDE THE FOLLOWING INFORMATION:

- (1) NAME OF STUDENT AND PARENT, AS APPROPRIATE;
- (2) HOME ADDRESS;
- (3) STUDENT'S GRADE LEVEL;
- (4) SCHOOL PRESENTLY ATTENDED BY STUDENT;
- (5) PARENT'S LEGAL RELATIONSHIP TO STUDENT, IF APPLICABLE;
- (6) SPECIFIC CATEGORY OR CATEGORIES OF INFORMATION WHICH ARE NOT TO BE RELEASED TO MILITARY

RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS WITHOUT PRIOR CONSENT;

- (7) SPECIFIC CATEGORY OR CATEGORIES OF DIRECTORY INFORMATION WHICH ARE NOT TO BE RELEASED TO THE PUBLIC, INCLUDING MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS.**

Notice: Refusal to release the above information to military recruiting officers and post-secondary educational institutions alone does not affect the school district's release of directory information to the public, including military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in the Directory Information section of this notice also must be followed. If you do not want your child's or eligible student's directory information released to military recruiting officers or post-secondary educational institutions, you also must notify the school district that you do not want this directory information released to any member of the public, including military recruiting officers and post-secondary educational institutions.

INDEPENDENT SCHOOL DISTRICT NO. _____
_____, MINNESOTA

Dated: _____

Chair

[Note: The use of this form requesting information about specific activities or behavior is mandated by statute. In addition, the school district is required to maintain such requests and a record of any release in the student's file.]

**JUVENILE JUSTICE SYSTEM
REQUEST FOR INFORMATION**

Family Educational Rights and Privacy Act
Minnesota Government Data Practices Act, Minn. Stat. § 13.32, Subds. 3(i) and 8(b)

DATE/TIME OF REQUEST: _____

TO: _____
(Superintendent of school district or chief administrative officer of school)

FROM: _____
(Requester's name/agency)

STUDENT: _____

BASIS FOR REQUEST:

- _____ Juvenile delinquency investigation/prosecution
- _____ Child protection assessment/investigation
- _____ Investigation/filing of CHIPS or delinquency petition

REASON FOR REQUEST: (Requester must describe why information regarding existence of the data marked below is necessary to effectively serve the student)

RESPONSE TO REQUEST:

The school must indicate whether it has data on the student that document any activity or behavior marked by the requester.

INFORMATION REQUESTED: (*mark all that apply*) **RESPONSE PROVIDED:** (*yes / no*)

Indicate whether you have data that document the student's:

_____	Use of a controlled substance, alcohol, or tobacco	_____
_____	Assaultive or threatening conduct as defined in Minn. Stat. § 13.32, Subd. 8	_____
_____	Possession or use of weapons or look-alike weapons	_____
_____	Theft	_____
_____	Vandalism and damage to property	_____

CERTIFICATION: The undersigned certifies that he or she is a member of the juvenile justice system. The requested data are needed by the juvenile justice system so it may effectively serve, prior to adjudication, the student whose records are released. The undersigned will not disclose the information received to any other party, except as provided under state law, without prior written consent as required by Code of Federal Regulations, title 34, section 99.38(b). The undersigned further certifies that he or she understands that, by signing this request, he or she is subject to the penalties in Minn. Stat. § 13.09.

Signature/Title

[Note: A principal or chief administrative officer of a school who receives such a request to disclose information about a student to the juvenile justice system shall, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information before disclosing the information. If the student's parent or guardian notifies the principal or chief administrative officer within ten (10) days of receiving the certified notice that the parent or guardian objects to the disclosure, the principal or chief administrative officer must not disclose the information. The principal or chief administrative officer must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the principal or chief administrative officer must respond to the data request.]

PUBLIC NOTICE

Independent School District No. _____ gives notice to parents of students currently in attendance in the District, and eligible students currently in attendance in the District, of their rights regarding pupil records.

1. Parents and eligible students are hereby informed that they have the following rights:
 - a. That a parent or eligible student has a right to inspect and review the student's education records within 45 days after the day the request for access is received by the school district. A parent or eligible student should submit to the school district a written request to inspect education records which identify as precisely as possible the record or records he or she wishes to inspect. The parent or eligible student will be notified of the time and place where the records may be inspected;
 - b. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy rights. A parent or eligible student may ask the school district to amend a record that they believe is inaccurate or misleading. The request shall be in writing, identify the item the parent or eligible student believes to be inaccurate, misleading, or in violation of the privacy rights of the student, shall state the reason for this belief, and shall specify the correction the parent or eligible student wishes the school district to make. The request shall be signed by the parent or eligible student. If the school district decides not to amend the record as requested by the parent or eligible student, the school district will notify the parent or eligible student of the decision and advise him or her of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing;
 - c. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosures without consent;
 - d. That the school district may disclose education records to other school officials within the school district if the school district has determined they have legitimate educational interests. For purposes of such disclosure, a "school official" is a person employed by the school district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or other employee; a person serving on the school board; a person or company with whom the school district has consulted to perform a specific task (such as an attorney, auditor, medical consultant, therapist, public information officer, or data practices compliance official); or a parent or student serving on an official committee, such as a disciplinary or grievance committee; or any individual assisting a school official in the performance of his or her tasks. A school official has a "legitimate educational interest" if the individual needs to review an education record in order to fulfill his or her professional responsibility and includes, but is not limited to, an interest directly related to classroom instruction, teaching, student achievement and progress, discipline of a student, and student health and welfare and the ability to respond to a request for educational data;

- e. That the school district forwards education records on request to a school or post-secondary educational institution in which a student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment, including information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous weapon, suspension and expulsion information pursuant to 20 U.S.C. § 7917, part of the federal Every Student Succeeds Act *[insert the following bracketed phrase if the school district has a policy regarding Staff Notification of Violent Behavior by Students]* [and data regarding a student's history of violent behavior,] and any disposition order which adjudicates the student as delinquent for committing an illegal act on school district property and certain other illegal acts;
- f. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of 20 U.S.C. § 1232g and the rules promulgated thereunder. The name and address of the office that administers the Family Education Rights and Privacy Act is:

Family Policy Compliance Office
 U.S. Department of Education
 400 Maryland Avenue S.W.
 Washington, D.C. 20202-8520

[optional]

- g. That the parent or eligible student has a right to obtain a copy of the school district's policy regarding the protection and privacy of pupil records; and

[optional]

- h. That copies of the school district's policy regarding the protection and privacy of school records are located at _____ *[insert location]*.

[optional]

- 2. Independent School District No. _____ has adopted a school board policy in order to comply with state and federal laws regarding education records. The policy does the following:

- a. It classifies records as public, private, or confidential.
- b. It establishes procedures and regulations to permit parents or students to inspect and review a student's education records. These procedures include the method of determining fees for copies, a listing of the locations of these education records, and the identity of the individuals in charge of the records.
- c. It establishes procedures and regulations to allow parents or students to request the amendment of a student's education records to ensure that the records are not inaccurate, misleading, or otherwise in violation of the student's privacy rights.
- d. It establishes procedures and regulations for access to and disclosure of education records.
- e. It establishes procedures and regulations for safeguarding the privacy of education records and for obtaining prior written consent of the parent or student when required prior to disclosure.

3. Copies of the school board policy and accompanying procedures and regulations are available to parents and students upon written request to the Superintendent.
4. Pursuant to applicable law, Independent School District No. _____ gives notice to parents of students currently in attendance in the school district, and eligible students currently in attendance in the school district, of their rights regarding "directory information."

"Directory information" includes the following information relating to a student: the student's name; ~~address; telephone number; electronic mail address~~; photograph; date and place of birth; major field of study; dates of attendance; grade level; enrollment status; participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; the most recent educational agency or institution attended by the student; and other similar information. "Directory information" also includes the name, address, and telephone number of the student's parent(s). "Directory information" does not include a student's social security number or a student's identification number (ID) if the ID may be used to access education records without use of one or more factors that authenticate the student's identity such as a personal identification number, password, or other factor known or possessed only by the authorized user. It also does not include identifying information on a student's religion, race, color, social position, or nationality.

[Note: The definition of directory information is found on page 515-2 of the school district's policy. This definition includes all of the types of information specifically referenced by state and federal law as directory information. A school district may choose not to include some or all of the enumerated information as directory information. A school district also may add to the list of directory information, as long as the added data is not information that generally would be deemed as an invasion of privacy or information that references the student's religion, race, color, social position, or nationality. A school district also may specify in this section that the disclosure of directory information will be limited to specific parties, for specific purposes, or both. The identity of those parties and/or purposes should be identified. To the extent a school district adds these restrictions, it must then limit its directory information disclosures to those individuals and/or purposes specified in this public notice. Procedures to address how these restrictions will be enforced by the school district are advised. Designation of directory information is an important policy decision for the local school board which must balance not only the privacy interests of the student against public disclosure but also the additional administrative requirements such restrictions on disclosures will place on the school district.]

- a. **THE INFORMATION LISTED ABOVE SHALL BE PUBLIC INFORMATION WHICH THE SCHOOL DISTRICT MAY DISCLOSE FROM THE EDUCATION RECORDS OF A STUDENT OR INFORMATION REGARDING A PARENT.**
- b. **SHOULD THE PARENT OF A STUDENT OR THE STUDENT SO DESIRE, ANY OR ALL OF THE LISTED INFORMATION WILL NOT BE DISCLOSED WITHOUT THE PARENT'S OR ELIGIBLE STUDENT'S PRIOR WRITTEN CONSENT EXCEPT TO SCHOOL OFFICIALS AS PROVIDED UNDER FEDERAL LAW.**
- c. **IN ORDER TO MAKE ANY OR ALL OF THE DIRECTORY INFORMATION LISTED ABOVE "PRIVATE" (I.E., SUBJECT TO CONSENT PRIOR TO**

DISCLOSURE), THE PARENT OR ELIGIBLE STUDENT MUST MAKE A WRITTEN REQUEST TO THE BUILDING PRINCIPAL WITHIN THIRTY (30) DAYS AFTER THE DATE OF THE LAST PUBLICATION OF THIS NOTICE. THIS WRITTEN REQUEST MUST INCLUDE THE FOLLOWING INFORMATION:

- (1) NAME OF STUDENT AND PARENT, AS APPROPRIATE;**
- (2) HOME ADDRESS;**
- (3) SCHOOL PRESENTLY ATTENDED BY STUDENT;**
- (4) PARENT'S LEGAL RELATIONSHIP TO STUDENT, IF APPLICABLE;**
- (5) SPECIFIC CATEGORY OR CATEGORIES OF DIRECTORY INFORMATION WHICH IS NOT TO BE MADE PUBLIC WITHOUT THE PARENT'S OR ELIGIBLE STUDENT'S PRIOR WRITTEN CONSENT.**

5. Pursuant to applicable law, Independent School District No. _____ hereby gives notice to parents of students and eligible students in grades 11 and 12 of their rights regarding release of information to military recruiting officers and post-secondary educational institutions. The school district must release the names, addresses, [electronic mail address \(which shall be the electronic mail addresses provided by the school district, if available, that may be released to military recruiters only\)](#), and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request. Data released to military recruiting officers under this provision may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military and cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces.

SHOULD THE PARENT OF A STUDENT OR THE ELIGIBLE STUDENT SO DESIRE, ANY OR ALL OF THE LISTED INFORMATION WILL NOT BE DISCLOSED TO MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS WITHOUT PRIOR CONSENT.

IN ORDER TO REFUSE THE RELEASE OF THIS INFORMATION WITHOUT PRIOR CONSENT, THE PARENT OR ELIGIBLE STUDENT MUST MAKE A WRITTEN REQUEST TO THE RESPONSIBLE AUTHORITY, [DESIGNATE TITLE OF INDIVIDUAL, I.E., BUILDING PRINCIPAL], BY [INSERT DATE] EACH YEAR. THIS WRITTEN REQUEST MUST INCLUDE THE FOLLOWING INFORMATION:

- (1) NAME OF STUDENT AND PARENT, AS APPROPRIATE;**
- (2) HOME ADDRESS;**
- (3) STUDENT'S GRADE LEVEL;**
- (4) SCHOOL PRESENTLY ATTENDED BY STUDENT;**
- (5) PARENT'S LEGAL RELATIONSHIP TO STUDENT, IF APPLICABLE;**

- (6) SPECIFIC CATEGORY OR CATEGORIES OF INFORMATION WHICH ARE NOT TO BE RELEASED TO MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS WITHOUT PRIOR CONSENT;
- (7) SPECIFIC CATEGORY OR CATEGORIES OF DIRECTORY INFORMATION WHICH ARE NOT TO BE RELEASED TO THE PUBLIC, INCLUDING MILITARY RECRUITING OFFICERS AND POST-SECONDARY EDUCATIONAL INSTITUTIONS.

Notice: Refusal to release the above information to military recruiting officers and post-secondary educational institutions alone does not affect the school district's release of directory information to the public, including military recruiting officers and post-secondary educational institutions. In order to make any directory information about a student private, the procedures contained in the Directory Information section of this notice also must be followed. If you do not want your child's or eligible student's directory information released to military recruiting officers or post-secondary educational institutions, you also must notify the school district that you do not want this directory information released to any member of the public, including military recruiting officers and post-secondary educational institutions.

INDEPENDENT SCHOOL DISTRICT NO. _____
_____, MINNESOTA

Dated: _____

Chair

[Note: The use of this form requesting information about specific activities or behavior is mandated by statute. In addition, the school district is required to maintain such requests and a record of any release in the student's file.]

**JUVENILE JUSTICE SYSTEM
REQUEST FOR INFORMATION**

Family Educational Rights and Privacy Act
Minnesota Government Data Practices Act, Minn. Stat. § 13.32, Subds. 3(i) and 8(b)

DATE/TIME OF REQUEST: _____

TO: _____
(Superintendent of school district or chief administrative officer of school)

FROM: _____
(Requester's name/agency)

STUDENT: _____

BASIS FOR REQUEST:

- _____ Juvenile delinquency investigation/prosecution
- _____ Child protection assessment/investigation
- _____ Investigation/filing of CHIPS or delinquency petition

REASON FOR REQUEST: (Requester must describe why information regarding existence of the data marked below is necessary to effectively serve the student)

RESPONSE TO REQUEST:

The school must indicate whether it has data on the student that document any activity or behavior marked by the requester.

INFORMATION REQUESTED: (mark all that apply) **RESPONSE PROVIDED:** (yes / no)

Indicate whether you have data that document the student's:

_____ Use of a controlled substance, alcohol, or tobacco _____

_____	Assaultive or threatening conduct as defined in Minn. Stat. § 13.32, Subd. 8	_____
_____	Possession or use of weapons or look-alike weapons	_____
_____	Theft	_____
_____	Vandalism and damage to property	_____

CERTIFICATION: The undersigned certifies that he or she is a member of the juvenile justice system. The requested data are needed by the juvenile justice system so it may effectively serve, prior to adjudication, the student whose records are released. The undersigned will not disclose the information received to any other party, except as provided under state law, without prior written consent as required by Code of Federal Regulations, title 34, section 99.38(b). The undersigned further certifies that he or she understands that, by signing this request, he or she is subject to the penalties in Minn. Stat. § 13.09.

Signature/Title

[Note: A principal or chief administrative officer of a school who receives such a request to disclose information about a student to the juvenile justice system shall, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information before disclosing the information. If the student's parent or guardian notifies the principal or chief administrative officer within ten (10) days of receiving the certified notice that the parent or guardian objects to the disclosure, the principal or chief administrative officer must not disclose the information. The principal or chief administrative officer must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the principal or chief administrative officer must respond to the data request.]

Adopted: _____

MSBA/MASA Model Policy 516

Orig. 1995

Revised: _____

Rev. 2019

516 STUDENT MEDICATION

[Note: The necessary provisions for complying with Minn. Stat. §§ 121A.22, Administration of Drugs and Medicine, 121A.221, Possession and Use of Asthma Inhalers by Asthmatic Students, and 121A.222, Possession and Use of Nonprescription Pain Relievers by Secondary Students are included in this policy. The statutes do not regulate administration of drugs and medicine for students age 18 and over or other nonprescription medications. Please note that §121A.22 does not require school districts to apply the administration of medication rule to drugs or medicine used off school grounds, drugs or medicines used in connection with athletics or extra-curricular activities, and drugs and medicines that are used in connection with activities that occur before or after the regular school day.]

I. PURPOSE

The purpose of this policy is to set forth the provisions that must be followed when administering nonemergency prescription medication to students at school.

II. GENERAL STATEMENT OF POLICY

The school district acknowledges that some students may require prescribed drugs or medication during the school day. The school district's licensed school nurse, trained health clerk, principal, or teacher will administer prescribed medications, except any form of medical cannabis, in accordance with law and school district procedures.

III. REQUIREMENTS

- A. The administration of prescription medication or drugs at school requires a completed signed request from the student's parent. An oral request must be reduced to writing within two school days, provided that the school district may rely on an oral request until a written request is received.
- B. An "Administering Prescription Medications" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs. Prescription medication as used in this policy does not include any form of medical cannabis as defined in Minn. Stat. § 152.22, Subd. 6.
- C. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law, and must be administered in a manner consistent with the instructions on the label.
- D. The school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.

- E. Prescription medications are not to be carried by the student, but will be left with the appropriate school district personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Part J.5. below), and medications administered as noted in a written agreement between the school district and the parent or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan).
- F. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization or container label with new pharmacy instructions shall be required immediately as well.
- G. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.
- H. The school nurse, or other designated person, shall be responsible for the filing of the Administering Prescription Medications form in the health records section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.
- I. Procedures for administration of drugs and medicine at school and school activities shall be developed in consultation with a school nurse, a licensed school nurse, or a public or private health organization or other appropriate party (if appropriately contracted by the school district under Minn. Stat. § 121A.21). The school district administration shall submit these procedures and any additional guidelines and procedures necessary to implement this policy to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.
- J. Specific Exceptions:
 - 1. Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine;
 - 2. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy;
 - 3. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy;
 - 4. Drugs or medicines used at school in connection with services for which a minor may give effective consent are not governed by this policy;
 - 5. Drugs or medicines that are prescription asthma or reactive airway disease

medications can be self-administered by a student with an asthma inhaler if:

- a. the school district has received a written authorization from the pupil's parent permitting the student to self-administer the medication;
- b. the inhaler is properly labeled for that student; and
- c. the parent has not requested school personnel to administer the medication to the student.

The parent must submit written authorization for the student to self-administer the medication each school year. In a school that does not have a school nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

If the school district employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers;

6. Medications:
 - a. that are used off school grounds;
 - b. that are used in connection with athletics or extracurricular activities; or
 - c. that are used in connection with activities that occur before or after the regular school day

are not governed by this policy.

[Note: The provisions of paragraph 6 are optional and the school board may choose to include or exclude any of the provisions specified.]

7. Nonprescription Medication. A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the school district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The school district may

revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Except as stated in this paragraph, only prescription medications are governed by this policy.

[Note: School districts should consult with licensed medical and nursing personnel to address whether nonprescription medications will be allowed at elementary schools and whether and under what conditions school personnel will participate in storing or administering nonprescription medications.]

8. At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed epinephrine auto-injectors that enables the student to:
 - a. possess epinephrine auto-injectors; or
 - b. if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to epinephrine auto-injectors in close proximity to the student at all times during the instructional day.

The plan must designate the school staff responsible for implementing the student's health plan, including recognizing anaphylaxis and administering epinephrine auto-injectors when required, consistent with state law. This health plan may be included in a student's § 504 plan.

9. A student may possess and apply a topical sunscreen product during the school day while on school property or at a school-sponsored event without a prescription, physician's note, or other documentation from a licensed health care professional. School personnel are not required to provide sunscreen or assist students in applying sunscreen.

K. "Parent" for students 18 years old or older is the student.

L. Districts and schools may obtain and possess epinephrine auto-injectors to be maintained and administered by school personnel to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine auto-injector. The administration of an epinephrine auto-injector in accordance with this section is not the practice of medicine.

A district or school may enter into arrangements with manufacturers of epinephrine auto-injectors to obtain epinephrine auto-injectors at fair-market, free,

or reduced prices. A third party, other than a manufacturer or supplier, may pay for a school's supply of epinephrine auto-injectors.

Legal References: Minn. Stat. § 13.32 (Student Health Data)
Minn. Stat. § 121A.21 (Hiring of Health Personnel)
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)
Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)
Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine Auto-Injectors; Model Policy)
Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine Auto-Injectors)
Minn. Stat. § 121A.223 (Possession and Use of Sunscreen)
Minn. Stat. § 151.212 (Label of Prescription Drug Containers)
Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

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

Adopted: _____

MSBA/MASA Model Policy 516

Orig. 1995

Revised: _____

Rev. 2022~~0~~

516 STUDENT MEDICATION

[Note: The necessary provisions for complying with ~~Minn. Stat. §§~~Minnesota Statutes sections 121A.22, Administration of Drugs and Medicine, 121A.221, Possession and Use of Asthma Inhalers by Asthmatic Students, and 121A.222, Possession and Use of Nonprescription Pain Relievers by Secondary Students are included in this policy. The statutes do not regulate administration of drugs and medicine for students aged 18 and over or other nonprescription medications. Please note that ~~section§~~121A.22 does not require school districts to apply the administration of medication rule to drugs or medicine used off school grounds, drugs or medicines used in connection with athletics or extra-curricular activities, and drugs and medicines that are used in connection with activities that occur before or after the regular school day.]

I. PURPOSE

The purpose of this policy is to set forth the provisions that must be followed when administering nonemergency prescription medication to students at school.

II. GENERAL STATEMENT OF POLICY

The school district acknowledges that some students may require prescribed drugs or medication during the school day. The school district's licensed school nurse, trained health clerk, principal, or teacher will administer prescribed medications, except any form of medical cannabis, in accordance with law and school district procedures.

III. REQUIREMENTS

- A. The administration of prescription medication or drugs at school requires a completed signed request from the student's parent. An oral request must be reduced to writing within two school days, provided that the school district may rely on an oral request until a written request is received.
- B. An "Administering Prescription Medications" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs. Prescription medication as used in this policy does not include any form of medical cannabis as defined in ~~Minn. Stat. §~~Minnesota Statutes section 152.22, ~~subdivision~~Subd. 6.
- C. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law, and must be administered in a manner consistent with the instructions on the label.
- D. The school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.
- E. Prescription medications are not to be carried by the student, but will be left with the appropriate school district personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Part J.5. below), and medications administered as noted in a written agreement between the school district and the parent or as specified in an IEP (individualized education program), Section 504

plan, or IHP (individual health plan).

- F. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization or container label with new pharmacy instructions shall be required immediately as well.
- G. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.
- H. The school nurse, or other designated person, shall be responsible for the filing of the Administering Prescription Medications form in the health records section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.
- I. Procedures for administration of drugs and medicine at school and school activities shall be developed in consultation with a school nurse, a licensed school nurse, or a public or private health organization or other appropriate party (if appropriately contracted by the school district under [Minn. Stat. §Minnesota Statutes section 121A.21](#)). The school district administration shall submit these procedures and any additional guidelines and procedures necessary to implement this policy to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.
- J. If the administration of a drug or medication described in this section requires the school district to store the drug or medication, the parent or legal guardian must inform the school if the drug or medication is a controlled substance. For a drug or medication that is not a controlled substance, the request must include a provision designating the school district as an authorized entity to transport the drug or medication for the purpose of destruction if any unused drug or medication remains in the possession of school personnel. For a drug or medication that is a controlled substance, the request must specify that the parent or legal guardian is required to retrieve the drug or controlled substance when requested by the school.
- K. Specific Exceptions:
 - 1. Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine;
 - 2. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy;
 - 3. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy;
 - 4. Drugs or medicines used at school in connection with services for which a minor may give effective consent are not governed by this policy;
 - 5. Drugs or medicines that are prescription asthma or reactive airway disease medications can be self-administered by a student with an asthma inhaler if:
 - a. the school district has received a written authorization from the pupil's parent permitting the student to self-administer the medication;

- b. the inhaler is properly labeled for that student; and
- c. the parent has not requested school personnel to administer the medication to the student.

The parent must submit written authorization for the student to self-administer the medication each school year. In a school that does not have a school nurse or school nursing services, the student's parent or guardian must submit written verification from the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

If the school district employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers;

- 6. Medications:
 - a. that are used off school grounds;
 - b. that are used in connection with athletics or extracurricular activities; or
 - c. that are used in connection with activities that occur before or after the regular school day

are not governed by this policy.

[Note: The provisions of paragraph 6 are optional and the school board may choose to include or exclude any of the provisions specified.]

- 7. Nonprescription Medication. A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the school district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The school district may revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Except as stated in this paragraph, only prescription medications are governed by this policy.

[Note: School districts should consult with licensed medical and nursing personnel to address whether nonprescription medications will be allowed at elementary schools and whether and under what conditions school personnel will participate in storing or administering nonprescription medications.]

- 8. At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop

and implement an individualized written health plan for a student who is prescribed epinephrine auto-injectors that enables the student to:

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

The plan must designate the school staff responsible for implementing the student's health plan, including recognizing anaphylaxis and administering epinephrine auto-injectors when required, consistent with state law. This health plan may be included in a student's § 504 plan.

9. A student may possess and apply a topical sunscreen product during the school day while on school property or at a school-sponsored event without a prescription, physician's note, or other documentation from a licensed health care professional. School personnel are not required to provide sunscreen or assist students in applying sunscreen.

L. "Parent" for students 18 years old or older is the student.

M. Districts and schools may obtain and possess epinephrine auto-injectors to be maintained and administered by school personnel to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for an epinephrine auto-injector. The administration of an epinephrine auto-injector in accordance with this section is not the practice of medicine.

A district or school may enter into arrangements with manufacturers of epinephrine auto-injectors to obtain epinephrine auto-injectors at fair-market, free, or reduced prices. A third party, other than a manufacturer or supplier, may pay for a school's supply of epinephrine auto-injectors.

N. Procedure regarding unclaimed drugs or medications.

1. The school district has adopted the following procedure for the collection and transport of any unclaimed or abandoned prescription drugs or medications remaining in the possession of school personnel in accordance with this policy. Before the transportation of any prescription drug or medication under this policy, the school district shall make a reasonable attempt to return the unused prescription drug or medication to the student's parent or legal guardian. Transportation of unclaimed or unused prescription drugs or medications will occur at least annually, but may occur more frequently at the discretion of the school district.
2. If the unclaimed or abandoned prescription drug is not a controlled substance as defined under Minnesota Statutes [section](#)§ 152.01, subdivision 4, or is an over-the-counter medication, the school district will either designate an individual who shall be responsible for transporting the drug or medication to a designated drop-off box or collection site or request that a law enforcement agency transport the drug or medication to a drop-off box or collection site on behalf of the school district.
3. If the unclaimed or abandoned prescription drug is a controlled substance as defined in Minnesota Statutes [section](#)§ 152.01, subdivision 4, the school district or school personnel is prohibited from transporting the prescription drug to a drop-off box or collection site for prescription drugs identified under this paragraph. The school district must request that a law enforcement agency transport the prescription drug or medication to a collection ~~275~~ that complies with Drug Enforcement Agency

regulations, or if a site is not available, under the agency's procedure for transporting drugs.

- Legal References:** Minn. Stat. § 13.32 (~~Educational~~Student Health Data)
Minn. Stat. § 121A.21 (Hiring of Health Personnel)
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine Auto-Injectors; Model Policy)
Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine Auto-Injectors)
Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)
Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)
~~Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine Auto-Injectors; Model Policy)~~
~~Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine Auto-Injectors)~~
Minn. Stat. § 121A.223 (Possession and Use of Sunscreen)
Minn. Stat. § 151.212 (Label of Prescription Drug Containers)
Minn. Stat. § 152.01 (Definitions)
~~Minn. Stat. § 151.212 (Label of Prescription Drug Containers)~~
Minn. Stat. § 152.22 (~~Medical Cannabis~~; Definitions)
Minn. Stat. § 152.23 (~~Medical Cannabis~~; Limitations)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Improvement Act of 2004)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
- Cross References:** MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)

[Note: This notice may be given separately or included with the Public Notice in Policy 515.]

PUBLIC NOTICE

Independent School District No. ___ gives notice to parents of students currently in attendance in the school district, eligible students currently in attendance in the school district, and students currently in attendance in the school district of their rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical examinations.

1. Parents, eligible students, and students are hereby informed that they have the following rights:
 - a. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by parents or guardians of students.
 - b. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent, to submit to a survey that reveals information concerning:
 - (1) political affiliations or beliefs of the student or the student's parent;
 - (2) mental and psychological problems of the student or the student's family;
 - (3) sex behavior or attitudes;
 - (4) illegal, antisocial, self-incriminating, or demeaning behavior;
 - (5) critical appraisals of other individuals with whom respondents have close family relationships;
 - (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
 - (7) religious practices, affiliations, or beliefs of the student or the student's parent; or
 - (8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

- c. A parent, on behalf of a student or an eligible student, has the right to receive notice and an opportunity to opt the student out of participating in:
 - (1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.
 - (2) The administration of any third-party survey (non-Department of Education funded) containing one or more of the items contained in Paragraph 1.b., above.
 - (3) Any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical examination or screening permitted or required under state law.
- d. This notice does not preempt applicable state law that may require parental notification.
- e. The school district has developed and adopted a policy, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.
- f. The school district will directly notify parents and eligible students of these policies at least annually at the start of each school year and after any substantive changes.
- g. The school district will directly notify parents and eligible students, at least annually at the start of each school year or, if scheduled thereafter, parents will be provided with reasonable notice of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:
 - (1) Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
 - (2) Administration of any protected information survey not funded in whole or in part by the U.S. Department of Education.
 - (3) Any nonemergency, invasive physical examination or screening as described above.

[See consent/opt-out for specific activities attached hereto.]

Parents/eligible students who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202-5920

INDEPENDENT SCHOOL DISTRICT NO. _____
_____, MINNESOTA

Dated: _____

Chair

PPRA NOTICE AND CONSENT/OPT-OUT FOR SPECIFIC ACTIVITIES

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, requires **[name of school district or school]** to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas (“protected information surveys”):

1. Political affiliations or beliefs of the student or the student’s parent;
2. Mental and psychological problems of the student or the student’s family;
3. Sex behavior or attitudes;
4. Illegal, antisocial, self-incriminating, or demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the student or the student’s parent; or
8. Income, other than as required by law to determine program eligibility.

This requirement also applies to the collection, disclosure, or use of student information for marketing purposes (“marketing surveys”) and certain physical examinations and screenings.

Following is a schedule of activities requiring parental notification and consent or opt-out for the upcoming school year. (Please note that this notice and consent/opt-out transfers from parents to any student who is 18 or older or an emancipated minor under state law.

Date:
Grades: [see sample activity notices attached]
Activity:
Summary:

Consent or Opt-out: [or both depending on situation]

If you wish to review any survey instrument or instructional material used in connection with any protected information or marketing survey, please submit a request to **[school official, address]**. **[School official]** will notify you of the time and place where you may review these materials. You have the right to review a survey and/or instructional materials before the survey is administered to a student.

I [parent’s name] give my consent for [child’s name] to take [survey] on [date] .

Parent’s signature

Please return this form no later than [insert date] to [name of school official and mailing address].

EXAMPLES OF ACTIVITIES

Date: On or about October 15, 2010
Grades: Five and Six
Activity: ABC Survey of At-Risk Behaviors
Summary: This is an anonymous survey that asks students questions about behaviors such as drug and alcohol use, sexual conduct, violence, and other at-risk behaviors. The survey also asks questions of a demographic nature concerning family make-up, the relationship between parent and children, and use of alcohol and drugs at home.

Consent [for U.S. Department of Education funded, protected information surveys only]: A parent must sign and return the attached consent form no later than **[insert return date]** so that your child may participate in this survey.

Opt-out [for any non-U.S. Department of Education funded protected information survey]: Contact **[school official]** at **[telephone number, email, address, etc.]** no later than **[date]** if you do not want your child to participate in this activity.

Date: November 22-24, 2010
Grades: One through Six
Activity: Flu Shots
Summary: The County Department of Public Health Services will administer flu shots for influenza types A and B.

Opt-out: Contact **[school official]** at **[telephone number, email, address, etc.]** no later than **[date]** if you do not want your child to participate in this activity.

Below is an example dealing with the collection, use, and distribution of personal information for student-based commercial services.

[Limited to personal information designated as “directory information”]

Date: 2010-2011 School Year
Grades: Nine through Twelve
Activity: Student-Based Commercial Services
Summary: **[School]** collects, or allows businesses to collect, use, and disclose personal information on students, including names, addresses, and telephone listings. These businesses provide student-based products and services, such as computer equipment, sports clothing, school jewelry, and entertainment products.

Opt-out: Contact **[school official]** at **[telephone number, email, address, etc.]** no later than **[date]** if you do not want your child to participate in this activity.

[Note: This information – names, addresses, and telephone listings – may be designated and disclosed as “directory information” under the school district’s student records policy.

Instead of using this Model Notice format, schools *may* meet PPRA notice requirements for specific marketing activities that involve only designated “directory information” by allowing parents to opt out of “directory information” at the start of each school year, which would include all marketing activities.]

[Note: This notice may be given separately or included with the Public Notice in Policy 515.]

PUBLIC NOTICE

Independent School District No. ____ gives notice to parents of students currently in attendance in the school district, eligible students currently in attendance in the school district, and students currently in attendance in the school district of their rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical examinations.

1. Parents, eligible students, and students are hereby informed that they have the following rights:
 - a. All instructional materials, including teacher’s manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by parents or guardians of students.
 - b. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent, to submit to a survey that reveals information concerning:
 - (1) political affiliations or beliefs of the student or the student’s parent;
 - (2) mental and psychological problems of the student or the student’s family;
 - (3) sex behavior or attitudes;
 - (4) illegal, antisocial, self-incriminating, or demeaning behavior;
 - (5) critical appraisals of other individuals with whom respondents have close family relationships;
 - (6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
 - (7) religious practices, affiliations, or beliefs of the student or the student’s parent; or
 - (8) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).
 - c. A parent, on behalf of a student or an eligible student, has the right to receive notice and an opportunity to opt the student out of participating in:
 - (1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.
 - (2) The administration of any third-party survey (non-Department of

Education funded) containing one or more of the items contained in Paragraph 1.b., above.

- (3) Any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical examination or screening permitted or required under state law.
- d. This notice does not preempt applicable state law that may require parental notification.
- e. The school district has developed and adopted a policy, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.
- f. The school district will directly notify parents and eligible students of these policies at least annually at the start of each school year and after any substantive changes.
- g. The school district will directly notify parents and eligible students, at least annually at the start of each school year or, if scheduled thereafter, parents will be provided with reasonable notice of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:
 - (1) Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
 - (2) Administration of any protected information survey not funded in whole or in part by the U.S. Department of Education.
 - (3) Any nonemergency, invasive physical examination or screening as described above.

[See consent/opt-out for specific activities attached hereto.]

Parents/eligible students who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202-5920

INDEPENDENT SCHOOL DISTRICT NO. _____, MINNESOTA

Date: _____

School Board Chair

PPRA NOTICE AND CONSENT/OPT-OUT FOR SPECIFIC ACTIVITIES

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, requires **[name of school district or school]** to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas ("protected information surveys"):

1. Political affiliations or beliefs of the student or the student's parent;
2. Mental and psychological problems of the student or the student's family;
3. Sex behavior or attitudes;
4. Illegal, antisocial, self-incriminating, or demeaning behavior;
5. Critical appraisals of other individuals with whom respondents have close family relationships;
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. Religious practices, affiliations, or beliefs of the student or the student's parent; or
8. Income, other than as required by law to determine program eligibility.

This requirement also applies to the collection, disclosure, or use of student information for marketing purposes ("marketing surveys") and certain physical examinations and screenings.

Following is a schedule of activities requiring parental notification and consent or opt-out for the upcoming school year. (Please note that this notice and consent/opt-out transfers from parents to any student who is 18 or older or an emancipated minor under state law.

Date:

Grades: [see sample activity notices attached]

Activity:

Summary:

Consent or Opt-out: [or both depending on situation]

If you wish to review any survey instrument or instructional material used in connection with any protected information or marketing survey, please submit a request to **[school official, address]**. **[School official]** will notify you of the time and place where you may review these materials. You have the right to review a survey and/or instructional materials before the survey is administered to a student.

I [parent's name] give my consent for [child's name] to take [survey] on [date] .

Parent's signature

Please return this form no later than [insert date] to [name of school official and mailing address].

EXAMPLES OF ACTIVITIES

Date: On or about October 15, 2010
Grades: Five and Six
Activity: ABC Survey of At-Risk Behaviors
Summary: This is an anonymous survey that asks students questions about behaviors such as drug and alcohol use, sexual conduct, violence, and other at-risk behaviors. The survey also asks questions of a demographic nature concerning family make-up, the relationship between parent and children, and use of alcohol and drugs at home.

Consent [for U.S. Department of Education funded, protected information surveys only]: A parent must sign and return the attached consent form no later than **[insert return date]** so that your child may participate in this survey.

Opt-out [for any non-U.S. Department of Education funded protected information survey]: Contact **[school official]** at **[telephone number, email, address, etc.]** no later than **[date]** if you do not want your child to participate in this activity.

Date: November 22-24, 2010
Grades: One through Six
Activity: Flu Shots
Summary: The County Department of Public Health Services will administer flu shots for influenza types A and B.

Opt-out: Contact **[school official]** at **[telephone number, email, address, etc.]** no later than **[date]** if you do not want your child to participate in this activity.

Below is an example dealing with the collection, use, and distribution of personal information for student-based commercial services.

[Limited to personal information designated as “directory information”]

Date: 2010-2011 School Year
Grades: Nine through Twelve
Activity: Student-Based Commercial Services
Summary: **[School]** collects, or allows businesses to collect, use, and disclose personal information on students, including names, addresses, and telephone listings. These businesses provide student-based products and services, such as computer equipment, sports clothing, school jewelry, and entertainment products.

Opt-out: Contact **[school official]** at **[telephone number, email, address, etc.]** no later than **[date]** if you do not want your child to participate in this activity.

[Note: This information – names, addresses, and telephone listings – may be designated and disclosed as “directory information” under the school district’s student records policy. Instead of using this Model Notice format, schools may meet PPRA notice requirements for specific marketing activities that involve only designated “directory information” by allowing parents to opt out of “directory information” at the start of each school year, which would include all marketing activities.]

Adopted: _____

MSBA/MASA Model Policy 520

Orig. 1995

Revised: _____

Rev. 2016

520 STUDENT SURVEYS

[Note: School districts are required by statute to have a policy addressing student surveys.]

I. PURPOSE

Occasionally, the school district utilizes surveys to obtain student opinions and information about students. The purpose of this policy is to establish the parameters of information that may be sought in student surveys.

II. GENERAL STATEMENT OF POLICY

Student surveys may be conducted as determined necessary by the school district. Surveys, analyses, and evaluations conducted as part of any program funded through the U.S. Department of Education must comply with 20 U.S.C. § 1232h.

III. STUDENT SURVEYS IN GENERAL

- A. Student surveys will be conducted anonymously and in an indiscernible fashion. No mechanism will be used for identifying the participating student in any way. No attempt will be made in any way to identify a student survey participant. No requirement that the student return the survey shall exist, and no record of the student's returning a survey will be maintained.
- B. The superintendent may choose not to approve any survey that seeks probing personal and/or sensitive information that could result in identifying the survey participant, or is discriminatory in nature based on age, race, color, sex, disability, religion, or national origin.
- C. Surveys containing questions pertaining to the student's or the student's parent(s) or guardian(s) personal beliefs or practices in sex, family life, morality, and religion will not be administered to any student unless the parent or guardian of the student is notified in writing that such survey is to be administered and the parent or guardian of the student gives written permission for the student to participate or has the opportunity to opt out of the survey depending upon how the survey is funded. Any and all documents containing the written permission of a parent for a student to participate in a survey will be maintained by the school district in a file separate from the survey responses.
- D. Although the survey is conducted anonymously, potential exists for personally

identifiable information to be provided in response thereto. To the extent that personally identifiable information of a student is contained in his or her responses to a survey, the school district will take appropriate steps to ensure the data is protected in accordance with Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act), 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act) and 34 C.F.R. Part 99.

- E. The school district must not impose an academic or other penalty on a student who opts out of participating in a student survey.

IV. STUDENT SURVEYS CONDUCTED AS PART OF DEPARTMENT OF EDUCATION PROGRAM

- A. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by the parents or guardians of the students.
- B. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or, in the case of an unemancipated minor, without the prior written consent of the parent, to submit to a survey that reveals information concerning:
 - 1. political affiliations or beliefs of the student or the student's parent;
 - 2. mental and psychological problems of the student or the student's family;
 - 3. sex behavior or attitudes;
 - 4. illegal, antisocial, self-incriminating, or demeaning behavior;
 - 5. critical appraisals of other individuals with whom respondents have close family relationships;
 - 6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
 - 7. religious practices, affiliations, or beliefs of the student or the student's parent; or
 - 8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

C. A school district that receives funds under any program funded by the U.S. Department of Education shall develop local policies consistent with Sections IV.A. and IV.B., above, concerning student privacy, parental access to information, and administration of certain physical examinations to minors.

1. The following policies are to be adopted in consultation with parents:

a. The right of a parent to inspect, on request, a survey, including an evaluation, created by a third party before the survey is administered or distributed by a school to a student, including procedures for granting a parent's request for reasonable access to such survey within a reasonable period of time after the request is received.

“Parent” means a legal guardian or other person acting *in loco parentis* (in place of a parent), such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child.

b. Arrangements to protect student privacy in the event of the administration or distribution of a survey, including an evaluation, to a student which contains one or more of the items listed in Section IV.B., above, including the right of a parent of a student to inspect, on request, any such survey.

c. The right of a parent of a student to inspect, on request, any instructional material used as part of the educational curriculum for the student and procedures for granting a request by a parent for such access within a reasonable period of time after the request is received.

“Instructional material” means instructional content that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (i.e., materials accessible through the Internet). The term does not include academic tests or academic assessments.

d. The administration of physical examinations or screenings that the school district may administer to a student. This provision does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. § 1400, *et seq.*).

e. The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that

information (or otherwise providing the information to others for that purpose), including arrangements to protect student privacy that are provided by the school district in the event of such collection, disclosure, or use.

- (1) “Personal information” means individually identifiable information including a student or parent’s first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; or a Social Security identification number.
- (2) This provision does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as:
 - (a) college or other post-secondary education recruitment or military;
 - (b) book clubs, magazines, and programs providing access to low cost literary products;
 - (c) curriculum and instructional materials used by elementary and secondary schools;
 - (d) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students, or to generate other statistically useful data for the purpose of securing such tests and assessments and the subsequent analysis and public release of the aggregate data from such tests and assessments;
 - (e) the sale by students of products or services to raise funds for school-related or education-related activities; and
 - (f) student recognition programs.
- (3) The right of a parent to inspect, on request, any instrument used in the collection of information, as described in Section IV.C.1., Subparagraph e., above, before the instrument is administered or distributed to a student and procedures for granting a request by a parent for reasonable

access to such an instrument within a reasonable period of time after the request is received.

2. The policies adopted under Section IV.C., Subparagraph 1., above, shall provide for reasonable notice of the adoption or continued use of such policies directly to parents of students enrolled in or served by the school district.

a. The notice will be provided at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in a policy.

b. The notice will provide parents with an opportunity to opt out of participation in the following activities:

(1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.

(2) The administration of any third-party survey (non-Department of Education funded) containing one or more of the items contained in Section IV.B., above.

(3) Any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or other students.

“Invasive physical examination” means any medical examination that involves the exposure of private body parts, or act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

c. The notice will advise students of the specific or approximate dates during the school year when the activities in Section IV.C.2., Subparagraph b., above, are scheduled, or expected to be scheduled.

d. The notice provisions shall not be construed to preempt applicable provisions of state law that require parental notification and do not apply to any physical examination or screening that is permitted or required by applicable state law, including physical examinations

or screenings that are permitted without parental notification.

V. NOTICE

- A. The school district must give parents and students notice of this policy at the beginning of each school year and after making substantive changes to this policy.
- B. The school district must inform parents at the beginning of the school year if the district or school has identified specific or approximate dates for administering surveys and give parents reasonable notice of planned surveys scheduled after the start of the school year. The school district must give parents direct, timely notice when their students are scheduled to participate in a student survey by United States mail, e-mail, or another direct form of communication.
- C. The school district must give parents the opportunity to review the survey and to opt their students out of participating in the survey.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 121A.065 (District Surveys to Collect Student Information;
Parent Notice and Opportunity for Opting Out)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
20 U.S.C. § 1232h (Protection of Pupil Rights)
34 C.F.R. § 99 (Family Educational Rights and Privacy Act Regulations)
Gonzaga University v. Doe, 536 U.S. 273, 122 S.Ct. 2268, 153 L.Ed. 2d
309 (2002)
C.N. v. Ridgewood Bd. of Educ., 430 F.3d. 159 (3rd Cir. 2005)
Fields v. Palmdale School Dist., 427 F.3d. 1197 (9th Cir. 2005)

Cross References: MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil
Records)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)

Adopted: _____

MSBA/MASA Model Policy 520

Orig. 1995

Revised: _____

Rev. 20~~22~~16

520 STUDENT SURVEYS

[Note: School districts are required by statute to have a policy addressing student surveys.]

I. PURPOSE

Occasionally, the school district utilizes surveys to obtain student opinions and information about students. The purpose of this policy is to establish the parameters of information that may be sought in student surveys.

II. GENERAL STATEMENT OF POLICY

Student surveys may be conducted as determined necessary by the school district. Surveys, analyses, and evaluations conducted as part of any program funded through the U.S. Department of Education must comply with 20 [United States Code section U.S.C. §-1232h](#).

III. STUDENT SURVEYS IN GENERAL

- A. Student surveys will be conducted anonymously and in an indiscernible fashion. No mechanism will be used for identifying the participating student in any way. No attempt will be made in any way to identify a student survey participant. No requirement that the student return the survey shall exist, and no record of the student's returning a survey will be maintained.
- B. The superintendent may choose not to approve any survey that seeks probing personal and/or sensitive information that could result in identifying the survey participant, or is discriminatory in nature based on age, race, color, sex, disability, religion, or national origin.
- C. Surveys containing questions pertaining to the student's or the student's parent(s) or guardian(s) personal beliefs or practices in sex, family life, morality, and religion will not be administered to any student unless the parent or guardian of the student is notified in writing that such survey is to be administered and the parent or guardian of the student gives written permission for the student to participate or has the opportunity to opt out of the survey depending upon how the survey is funded. Any and all documents containing the written permission of a parent for a student to participate in a survey will be maintained by the school district in a file separate from the survey responses.
- D. Although the survey is conducted anonymously, potential exists for personally identifiable information to be provided in response thereto. To the extent that personally identifiable information of a student is contained in his or her responses to a survey, the school district will take appropriate steps to ensure the data is protected in accordance with [Minnesota Statutes chapter Minn. Stat. Ch. 13](#) (Minnesota Government Data Practices Act), 20 [United States Code section U.S.C. §-1232g](#) (Family Educational Rights and Privacy Act) and 34 [Code of Federal Regulations C.F.R.](#) Part 99.
- E. The school district must not impose an academic or other penalty on a student who opts out of participating in a student survey.

IV. STUDENT SURVEYS CONDUCTED AS PART OF DEPARTMENT OF EDUCATION PROGRAM

- A. All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be available for inspection by the parents or guardians of the students.

- B. No student shall be required, as part of any program funded in whole or in part by the U.S. Department of Education, without the prior consent of the student (if the student is an adult or emancipated minor), or, in the case of an unemancipated minor, without the prior written consent of the parent, to submit to a survey that reveals information concerning:
 - 1. political affiliations or beliefs of the student or the student's parent;
 - 2. mental and psychological problems of the student or the student's family;
 - 3. sex behavior or attitudes;
 - 4. illegal, antisocial, self-incriminating, or demeaning behavior;
 - 5. critical appraisals of other individuals with whom respondents have close family relationships;
 - 6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
 - 7. religious practices, affiliations, or beliefs of the student or the student's parent;
or
 - 8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

- C. A school district that receives funds under any program funded by the U.S. Department of Education shall develop local policies consistent with Sections IV.A. and IV.B., above, concerning student privacy, parental access to information, and administration of certain physical examinations to minors.
 - 1. The following policies are to be adopted in consultation with parents:
 - a. The right of a parent to inspect, on request, a survey, including an evaluation, created by a third party before the survey is administered or distributed by a school to a student, including procedures for granting a parent's request for reasonable access to such survey within a reasonable period of time after the request is received.

"Parent" means a legal guardian or other person acting *in loco parentis* (in place of a parent), such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child.
 - b. Arrangements to protect student privacy in the event of the administration or distribution of a survey, including an evaluation, to a

student which contains one or more of the items listed in Section IV.B., above, including the right of a parent of a student to inspect, on request, any such survey.

- c. The right of a parent of a student to inspect, on request, any instructional material used as part of the educational curriculum for the student and procedures for granting a request by a parent for such access within a reasonable period of time after the request is received.

“Instructional material” means instructional content that is provided to a student, regardless of format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (i.e., materials accessible through the Internet). The term does not include academic tests or academic assessments.

- d. The administration of physical examinations or screenings that the school district may administer to a student. This provision does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (20 [United States Code section U.S.C. § 1400](#), *et seq.*).

- e. The collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information (or otherwise providing the information to others for that purpose), including arrangements to protect student privacy that are provided by the school district in the event of such collection, disclosure, or use.

- (1) “Personal information” means individually identifiable information including a student or parent’s first and last name; a home or other physical address (including street name and the name of the city or town); a telephone number; or a Social Security identification number.

- (2) This provision does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as:

- (a) college or other post-secondary education recruitment or military;
- (b) book clubs, magazines, and programs providing access to low cost literary products;
- (c) curriculum and instructional materials used by elementary and secondary schools;
- (d) tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students, or to generate other statistically useful data for the purpose of securing such tests and assessments and the subsequent analysis and

public release of the aggregate data from such tests and assessments;

(e) the sale by students of products or services to raise funds for school-related or education-related activities; and

(f) student recognition programs.

(3) The right of a parent to inspect, on request, any instrument used in the collection of information, as described in Section IV.C.1., Subparagraph e., above, before the instrument is administered or distributed to a student and procedures for granting a request by a parent for reasonable access to such an instrument within a reasonable period of time after the request is received.

2. The policies adopted under Section IV.C., Subparagraph 1., above, shall provide for reasonable notice of the adoption or continued use of such policies directly to parents of students enrolled in or served by the school district.

a. The notice will be provided at least annually, at the beginning of the school year, and within a reasonable period of time after any substantive change in a policy.

b. The notice will provide parents with an opportunity to opt out of participation in the following activities:

(1) Activities involving the collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.

(2) The administration of any third-party survey (non-Department of Education funded) containing one or more of the items contained in Section IV.B., above.

(3) Any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or other students.

“Invasive physical examination” means any medical examination that involves the exposure of private body parts, or act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.

c. The notice will advise students of the specific or approximate dates during the school year when the activities in Section IV.C.2., Subparagraph b., above, are scheduled, or expected to be scheduled.

d. The notice provisions shall not be construed to preempt applicable provisions of state law that require parental notification and do not apply

to any physical examination or screening that is permitted or required by applicable state law, including physical examinations or screenings that are permitted without parental notification.

V. NOTICE

- A. The school district must give parents and students notice of this policy at the beginning of each school year and after making substantive changes to this policy.
- B. The school district must inform parents at the beginning of the school year if the district or school has identified specific or approximate dates for administering surveys and give parents reasonable notice of planned surveys scheduled after the start of the school year. The school district must give parents direct, timely notice when their students are scheduled to participate in a student survey by United States mail, e-mail, or another direct form of communication.
- C. The school district must give parents the opportunity to review the survey and to opt their students out of participating in the survey.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 121A.065 (District Surveys to Collect Student Information; Parent Notice and Opportunity for Opting Out)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
20 U.S.C. § 1232h (Protection of Pupil Rights)
34 C.F.R. § 99 (Family Educational Rights and Privacy Act Regulations)
Gonzaga University v. Doe, 536 U.S. 273, ~~122 S.Ct. 2268, 153 L.Ed. 2d 309~~ (2002)
C.N. v. Ridgewood Bd. of Educ., 430 F.3d. 159 (3rd Cir. 2005)
Fields v. Palmdale School Dist., 427 F.3d. 1197 (9th Cir. 2005)

Cross References: MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (~~Student Sex Nondiscrimination~~Title IX Sex Nondiscrimination, Grievance Procedure and Process)

INDEPENDENT SCHOOL DISTRICT NO. _____

STUDENT DISABILITY DISCRIMINATION GRIEVANCE REPORT FORM

General Statement of Policy Prohibiting Disability Discrimination

Independent School District No. _____ maintains a firm policy prohibiting all forms of discrimination on the basis of a disability. All persons are to be treated with respect and dignity. Discrimination on the basis of a disability will not be tolerated under any circumstances.

Complainant: _____

Home Address: _____

Work Address: _____

Home Phone: _____ Work Phone: _____

I have been discriminated against based on (choose one or more):

[my disability] / [a record of my disability] / [being regarded as having a disability]

because _____

Date of alleged incident(s): _____

Name of person you believe discriminated against you or another person: _____

If the alleged discrimination was toward another person, identify that person: _____

Describe the incident(s) as clearly as possible, including such things as: any verbal statements; what, if any, physical contact was involved; etc. (attach additional pages if necessary): _____

Location of the incident(s): _____

List any witnesses that were present: _____

This complaint is filed based on my honest belief that _____ has discriminated against me or another person based on a disability. I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge and belief.

(Complainant Signature) (Date)

Received by: _____
(Date)

Adopted: _____

MSBA/MASA Model Policy 521

Orig. 1995

Revised: _____

Rev. 2013

521 STUDENT DISABILITY NONDISCRIMINATION

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

I. PURPOSE

The purpose of this policy is to protect disabled students from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973 (Section 504), need services, accommodations, or programs in order that such learners may receive a free appropriate public education.

II. GENERAL STATEMENT OF POLICY

- A. Disabled students who meet the criteria of Paragraph C. below are protected from discrimination on the basis of a disability.
- B. The responsibility of the school district is to identify and evaluate learners who, within the intent of Section 504, need services, accommodations, or programs in order that such learners may receive a free appropriate public education.
- C. For this policy, a learner who is protected under Section 504 is one who:
 - 1. has a physical or mental impairment that substantially limits one or more of such person's major life activities; or
 - 2. has a record of such an impairment; or
 - 3. is regarded as having such an impairment.
- D. Learners may be protected from disability discrimination and be eligible for services, accommodations, or programs under the provisions of Section 504 even though they are not eligible for special education pursuant to the Individuals with Disabilities Education Act.

III. COORDINATOR

Persons who have questions or comments should contact _____ (title, name, office address, and telephone number). This person is the school district's Americans with Disabilities Act/Section 504 coordinator. Persons who wish to make a complaint regarding a disability discrimination matter may use the accompanying Student Disability Discrimination Grievance Report Form. The form should be given to the ADA/Section 504 coordinator.

Legal References: Pub. L. 110-325, 122 Stat. 3553 (ADA Amendments Act of 2008, § 7)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. Part 104 (Section 504 Implementing Regulations)

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination)

Adopted: _____

MSBA/MASA Model Policy 521

Orig. 1995

Revised: _____

Rev. 2022~~13~~

521 STUDENT DISABILITY NONDISCRIMINATION

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

I. PURPOSE

The purpose of this policy is to protect ~~disabled~~ students with disabilities from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973 (Section 504), need services, accommodations, or programs in order that such learners may receive a free appropriate public education.

II. GENERAL STATEMENT OF POLICY

- A. ~~Disabled~~s Students with disabilities who meet the criteria of Paragraph C. below are protected from discrimination on the basis of a disability.
- B. The responsibility of the school district is to identify and evaluate learners who, within the intent of Section 504, need services, accommodations, or programs in order that such learners may receive a free appropriate public education.
- C. For this policy, a learner who is protected under Section 504 is one who:
1. has a physical or mental impairment that substantially limits one or more of such person's major life activities; or
 2. has a record of such an impairment; or
 3. is regarded as having such an impairment.
- D. Learners may be protected from disability discrimination and be eligible for services, accommodations, or programs under the provisions of Section 504 even though they are not eligible for special education pursuant to the Individuals with Disabilities Education Act.

III. COORDINATOR

Persons who have questions or comments should contact _____ (title, name, office address, and telephone number). This person is the school district's Americans with Disabilities Act/Section 504 coordinator. Persons who wish to make a complaint regarding a disability discrimination matter may use the accompanying Student Disability Discrimination Grievance Report Form. The form should be given to the ADA/Section 504 coordinator.

Legal References: ~~Pub. L. 110-325, 122 Stat. 3553 (ADA Amendments Act of 2008, § 7)~~
42 U.S.C. Ch. 126 (Equal Opportunity for Individuals with Disabilities)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. Part 104 (Section 504 Implementing Regulations)

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination)

INDEPENDENT SCHOOL DISTRICT NO. _____

UNLAWFUL SEX DISCRIMINATION TOWARD A STUDENT

General Statement of Policy Prohibiting Unlawful Sex Discrimination Toward a Student

Independent School District No. _____ maintains a firm policy prohibiting all forms of unlawful sex discrimination. All students are to be treated with respect and dignity. Unlawful sex discrimination by any teacher, administrator or other school personnel will not be tolerated under any circumstances.

Complainant: _____

Home Address: _____

Work Address: _____

Home Phone: _____ Work Phone: _____

Date of Alleged Incident(s): _____

Name of person you believe unlawfully discriminated toward you or a student on the basis of sex: _____

If the alleged unlawful sex discrimination was toward another person, identify that person: _____

Describe the incident(s) as clearly as possible, including such things as: what force, if any, was used; any verbal statements (i.e. threats, requests, demands, etc.); what, if any, physical contact was involved; etc. (Attach additional pages if necessary): _____

Where and when did the incident(s) occur: _____

List any witnesses that were present: _____

This complaint is filed based on my honest belief that _____ has unlawfully discriminated against me or a student on the basis of sex. I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge and belief.

(Complainant Signature)

(Date)

Received by: _____

Adopted: _____

MSBA/MASA Model Policy 522

Orig. 1995

Revised: _____

Rev. 2003

522 STUDENT SEX NONDISCRIMINATION

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

I. PURPOSE

Students are protected from discrimination on the basis of sex pursuant to Title IX of the Education Amendments of 1972 and the Minnesota Human Rights Act. The purpose of this policy is to provide equal educational opportunity for all students and to prohibit discrimination on the basis of sex.

II. GENERAL STATEMENT OF POLICY

- A. The school district provides equal educational opportunity for all students and does not unlawfully discriminate on the basis of sex. No student will be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any educational program or activity operated by the school district on the basis of sex.
- B. Every school district employee shall be responsible for complying with this policy.
- C. The school board hereby designates _____ *[name, office address and telephone number, and work e-mail address]* as its Title IX coordinator. This employee coordinates the school district's efforts to comply with and carry out its responsibilities under Title IX.
- D. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy should discuss them with the Title IX coordinator. Questions relating solely to Title IX and its regulations may be referred to the Assistant Secretary for Civil Rights of the United States Department of Education. In the absence of a specific designee, an inquiry or complaint should be referred to the superintendent or the school district human rights officer.

III. REPORTING GRIEVANCE PROCEDURES

- A. Any student who believes he or she has been the victim of unlawful sex discrimination by a teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute unlawful sex discrimination toward a student should report the alleged acts immediately to an appropriate school district official designated by this policy or may file a grievance. The school district encourages the reporting party or complainant to

use the report form available from the principal of each building or available from the school district office, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting unlawful sex discrimination toward a student directly to a school district human rights officer or to the superintendent.

- B. In Each School Building. The building principal is the person responsible for receiving oral or written reports or grievances of unlawful sex discrimination toward a student at the building level. Any adult school district personnel who receives a report of unlawful sex discrimination toward a student shall inform the building principal immediately.
- C. Upon receipt of a report or grievance, the principal must notify the school district human rights officer immediately, without screening or investigating the report. The principal may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the principal to the human rights officer. If the report was given verbally, the principal shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any report or complaint of unlawful sex discrimination toward a student as provided herein may result in disciplinary action against the principal. If the complaint involves the building principal, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. The school board hereby designates _____ *[name, office address and telephone number, and work e-mail address]* as the school district human rights officer(s) to receive reports, complaints or grievances of unlawful sex discrimination toward a student. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.

[Note: In some school districts, the Title IX coordinator and human rights officer may be the same. If so, a school district need only insert "its Title IX coordinator" in the blank without designating a name, office address and telephone number, and work e-mail address, which are provided elsewhere in the policy. If they are different, or if more than one human rights officer is designated, this information should be inserted and kept up to date. Also, in some school districts, the superintendent may be the designated human rights officer. If so, an alternative individual should be designated by the school board for complaints involving the superintendent.]

- E. The school district shall conspicuously post the names of the Title IX coordinator and human rights officer(s), including office addresses and telephone numbers and work e-mail addresses.
- F. Submission of a good faith complaint, grievance, or report of unlawful sex discrimination toward a student will not affect the complainant or reporter's future employment, grades, or work assignments.

- G. Use of formal reporting forms is not mandatory.
- H. The school district will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to conform with any discovery or disclosure obligations.

IV. INVESTIGATION

- A. By authority of the school district, the human rights officer, upon receipt of a report, complaint, or grievance alleging unlawful sex discrimination toward a student, shall promptly undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the complainant, pupils, teachers, administrators, or other school personnel pending completion of an investigation of alleged unlawful sex discrimination toward a student.
- E. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

V. SCHOOL DISTRICT ACTION

- A. Upon conclusion of the investigation and receipt of a report, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements,

Minnesota and federal law, and school district policies.

- B. The result of the school district's investigation of each complaint filed under these procedures will be reported in writing to the complainant by the school district in accordance with state and federal law regarding data or records privacy.

VI. REPRISAL

The school district will discipline or take appropriate action against any pupil, teacher, administrator, or other school personnel who retaliates against any person who reports alleged unlawful sex discrimination toward a student or any person who testifies, assists, or participates in an investigation, or who testifies, assists, or participates in a proceeding or hearing relating to such unlawful sex discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

VII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights, initiating civil action or seeking redress under state criminal statutes and/or federal law, or contacting the Office of Civil Rights for the United States Department of Education.

VIII. DISSEMINATION OF POLICY AND EVALUATION

- A. This policy shall be made available to all students, parents/guardians of students, staff members, employee unions, and organizations.
- B. The school district shall review this policy and the school district's operation for compliance with state and federal laws prohibiting discrimination on a continuous basis.

Legal References: Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
34 C.F.R. Part 106 (Implementing Regulations of Title IX)

Cross References: MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

Adopted: _____

MSBA/MASA Model Policy 522

Orig. 1995

Revised: _____

Rev. 2022

522 TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

[Note: On May 6, 2020, the U.S. Department of Education, Office for Civil Rights (OCR), released the long-awaited final rule amending Title IX regulations at 34 Code of Federal Regulations, F.R. Part 106. These regulations, which went into effect on August 14, 2020, are the first Title IX regulations applicable to sexual harassment and are applicable to complaints by both school district students and employees. The extensive regulations will require districts to revise their policies and procedures with respect to sexual harassment and ensure that administration and staff are trained on the new requirements.]

The final rule requires school districts to provide notice of its nondiscrimination policy and grievance procedures, including how to file or report sexual harassment and how the school district will respond to the following groups: applicants for admission and employment; students; parents or legal guardians; and unions or professional organizations holding agreements with the school district. 34 Code of Federal Regulations section C.F.R. 106.8(b). The provisions of this policy generally conform to the requirements of the new regulations.]

I. GENERAL STATEMENT OF POLICY

- A. The school district does not discriminate on the basis of sex in its education programs or activities, and it is required by Title IX of the Education Amendments Act of 1972, and its implementing regulations, not to discriminate in such a manner. The requirement not to discriminate in its education program or activity extends to admission and employment. The school district is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.
- B. The school district prohibits sexual harassment that occurs within its education programs and activities. When the school district has actual knowledge of sexual harassment in its education program or activity against a person in the United States, it shall promptly respond in a manner that is not deliberately indifferent.
- C. This policy applies to sexual harassment that occurs within the school district's education programs and activities and that is committed by a school district employee, student, or other members of the school community. This policy does not apply to sexual harassment that occurs off school grounds, in a private setting, and outside the scope of the school district's education programs and activities. This policy does not apply to sexual harassment that occurs outside the geographic boundaries of the United States, even if the sexual harassment occurs in the school district's education programs or activities.
- D. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy and grievance process should discuss them with the Title IX Coordinator. The school district's Title IX Coordinator(s) is/are:

[INSERT: NAME(S) TITLE(S) PHONE NUMBER(S) OFFICE ADDRESS(ES) EMAIL ADDRESS(ES)]

Questions relating solely to Title IX and its regulations may be referred to the Title IX Coordinator(s), the Assistant Secretary for Civil Rights of the United States Department of Education, or both.

- E. The effective date of this policy is August 14, 2020, and applies to alleged violations of this policy occurring on or after August 14, 2020.

II. DEFINITIONS

- A. "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to the school district's Title IX Coordinator or to any employee of the school district. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the school district with actual knowledge is the respondent.
- B. "Complainant" means a person who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. A Title IX Coordinator who signs a formal complaint is not a complainant unless the Title IX Coordinator is alleged to be the victim of the conduct described in the formal complaint.
- C. "Day" or "days" means, unless expressly stated otherwise, business days (i.e. day(s) that the school district office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).
- D. "Deliberately indifferent" means clearly unreasonable in light of the known circumstances. The school district is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.
- E. "Education program or activity" means locations, events, or circumstances for which the school district exercises substantial control over both the respondent and the context in which the sexual harassment occurs and includes school district education programs or activities that occur on or off of school district property.
- F. "Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school district investigate the allegation of sexual harassment.
 - 1. A formal complaint filed by a complainant must be a physical document or an electronic submission. The formal complaint must contain the complainant's physical or digital signature, or otherwise indicate that the complainant is the person filing the formal complaint, and must be submitted to the Title IX Coordinator in person, by mail, or by email.
 - 2. A formal complaint shall state that, at the time of filing the formal complaint, the complainant was participating in, or attempting to participate in, an education program or activity of the school district with which the formal complaint is filed.
- G. "Informal resolution" means options for resolving a formal complaint that do not involve a full investigation and adjudication. Informal resolution may encompass a broad range of conflict resolution strategies, including mediation or restorative justice.
- H. "Relevant questions" and "relevant evidence" are questions, documents, statements, or

information that are related to the allegations raised in a formal complaint. Relevant evidence includes evidence that is both inculpatory and exculpatory. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

- I. "Remedies" means actions designed to restore or preserve the complainant's equal access to education after a respondent is found responsible. Remedies may include the same individualized services that constitute supportive measures, but need not be non-punitive or non-disciplinary, nor must they avoid burdening the respondent.
- J. "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under Title IX.
- K. "Sexual harassment" means any of three types of misconduct on the basis of sex that occurs in a school district education program or activity and is committed against a person in the United States:
 - 1. *Quid pro quo* harassment by a school district employee (conditioning the provision of an aid, benefit, or service of the school district on an individual's participation in unwelcome sexual conduct);
 - 2. Unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access; or
 - 3. Any instance of sexual assault (as defined in the Clery Act, 20 [United States Code section U.S.C. 1092\(f\)\(6\)A\(v\)](#)), dating violence, domestic violence, or stalking (as defined in the Violence Against Women Act, 34 [United States Code section U.S.C. 12291](#)).
- L. "Supportive measures" means individualized services provided to the complainant or respondent without fee or charge that are reasonably available, non-punitive, non-disciplinary, not unreasonably burdensome to the other party, and designed to ensure equal educational access, protect safety, and deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, alternative educational services as defined under [Minnesota Statutes section Minn. Stat. 121A.41](#), as amended, mutual restrictions on contact between the parties, changes in work locations, leaves of absence, increased security and monitoring of certain areas of the school district buildings or property, and other similar measures.
- M. "Title IX Personnel" means any person who addresses, works on, or assists with the school district's response to a report of sexual harassment or formal complaint, and includes persons who facilitate informal resolutions. The following are considered Title IX Personnel:
 - 1. "Title IX Coordinator" means an employee of the school district that coordinates the school district's efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator is responsible for acting as the primary contact for the parties and ensuring that the parties are provided with all notices, evidence, reports, and written determinations to which they are entitled under

this policy and grievance process. The Title IX Coordinator is also responsible for effective implementation of any supportive measures or remedies. The Title IX Coordinator must be free from conflicts of interest and bias when administrating the grievance process.

2. "Investigator" means a person who investigates a formal complaint. The investigator of a formal complaint may not be the same person as the Decision-maker or the Appellate Decision-maker. The Investigator may be a school district employee, school district official, or a third party designated by the school district.
3. "Decision-maker" means a person who makes a determination regarding responsibility after the investigation has concluded. The Decision-maker cannot be the same person as the Title IX Coordinator, the Investigator, or the Appellate Decision-maker.
4. "Appellate Decision-maker" means a person who considers and decides appeals of determinations regarding responsibility and dismissals of formal complaints. The Appellate Decision-maker cannot be the same person as the Title IX Coordinator, Investigator, or Decision-maker. The Appellate Decision-maker may be a school district employee, or a third party designated by the school district.
5. The superintendent of the school district may delegate functions assigned to a specific school district employee under this policy, including but not limited to the functions assigned to the Title IX Coordinator, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes, to any suitably qualified individual and such delegation may be rescinded by the superintendent at any time. The school district may also, in its discretion, appoint suitably qualified persons who are not school district employees to fulfill any function under this policy, including, but not limited to, Investigator, Decision-maker, Appellate Decision-maker, and facilitator of informal resolution processes.

[NOTE: It is recommended that school districts designate a primary Title IX Coordinator and at least one alternate Title IX Coordinator so that the alternate can undertake Title IX Coordinator responsibilities in the event the primary Title IX Coordinator is a party to a complaint or is otherwise not qualified under this policy to serve in that role in a particular case.]

III. BASIC REQUIREMENTS FOR GRIEVANCE PROCESS

A. Equitable Treatment

1. The school district shall treat complainants and respondents equitably. However, equality or parity with respect to supportive measures provided to complainants and respondents is not required.
2. The school district will not impose any disciplinary sanctions or take any other actions against a respondent that do not constitute supportive measures until it has completed this grievance process and the respondent has been found responsible.

3. The school district will provide appropriate remedies to the complainant any time a respondent is found responsible.

B. Objective and Unbiased Evaluation of Complaints

1. Title IX Personnel, including the Title IX Coordinator, Investigator, Decision-maker, and Appellate Decision-maker, shall be free from conflicts of interest or bias for or against complainants or respondents generally or a specific complainant or respondent.
2. Throughout the grievance process, Title IX Personnel will objectively evaluate all relevant evidence, inculpatory and exculpatory, and shall avoid credibility determinations based solely on a person's status as a complainant, respondent, or witness.

- C. Title IX Personnel will presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

D. Confidentiality

The school district will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act (FERPA), 20 United States Code section U.S.C. 1232g, ~~or FERPA's regulations, 34 Code of Federal Regulations part 99, and State Minnesota law under Minnesota Statutes section Minn. Stat. 13.32, 34 C.F.R. Part 99,~~ or as required by law, or to carry out the purposes of 34 Code of Federal Regulations C.F.R. Part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder (i.e., the school district's obligation to maintain confidentiality shall not impair or otherwise affect the complainants and respondents receipt of the information to which they are entitled with respect to the investigative record and determination of responsibility).

E. Right to an Advisor; Right to a Support Person

Complainants and respondents have the right, at their own expense, to be assisted by an advisor of their choice during all stages of any grievance proceeding, including all meetings and investigative interviews. The advisor may be, but is not required to be, an attorney. In general, an advisor is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

A complainant or respondent with a disability may be assisted by a support person throughout the grievance process, including all meetings and investigative interviews, if such accommodation is necessary. A support person may be a friend, family member, or any individual who is not otherwise a potential witness. The support person is not permitted to speak for or on behalf of a complainant or respondent, appear in lieu of complainant or respondent, participate as a witness, or participate directly in any other manner during any phase of the grievance process.

F. Notice

The school district will send written notice of any investigative interviews or meetings to any party whose participation is invited or expected. The written notice will include the date, time, location, participants, and purpose of the meeting or interview, and will be provided to allow sufficient time for the party to prepare to participate.

G. Consolidation

The school district may, in its discretion, consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

H. Evidence

1. During the grievance process, the school district will not require, allow, rely upon, or otherwise use questions or evidence that constitute or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.
2. The school district shall not access, consider, disclose, or otherwise use a party's medical, psychological, and similar treatment records unless the school district obtains the party's voluntary, written consent.

I. Burden of Proof

1. The burden of gathering evidence and the burden of proof shall remain upon the school district and not upon the parties.
2. The grievance process shall use a preponderance of the evidence standard (i.e. whether it is more likely than not that the respondent engaged in sexual harassment) for all formal complaints of sexual harassment, including when school district employees are respondents.

J. Timelines

[NOTE: The Title IX regulations require reasonably prompt timeframes for conclusion of the grievance process, but do not specify any particular timeframes. The time periods below are suggested. School districts may establish their own district-specific timeline, although it is recommended that legal counsel be consulted before adjusting time periods.]

1. Any informal resolution process must be completed within thirty (30) calendar days following the parties' agreement to participate in such informal process.
2. An appeal of a determination of responsibility or of a decision dismissing a formal complaint must be received by the school district within five (5) days of the date the determination of responsibility or dismissal was provided to the parties.
3. Any appeal of a determination of responsibility or of a dismissal will be decided within thirty (30) calendar days of the day the appeal was received by the School District.

4. The school district will seek to conclude the grievance process, including any appeal, within 120 calendar days of the date the formal complaint was received by the School District.
5. Although the school district strives to adhere to the timelines described above, in each case, the school district may extend the time frames for good cause. Good cause may include, without limitation: the complexity of the allegations; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening school district holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances.

K. Potential Remedies and Disciplinary Sanctions

1. The following is the range of possible remedies that the school district may provide a complainant and disciplinary sanctions that the school district might impose upon a respondent, following determination of responsibility: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, changes in work locations, leaves of absence, monitoring of certain areas of the school district buildings or property, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge.
2. If the Decision-maker determines a student-respondent is responsible for violating this policy, the Decision-maker will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the superintendent of the recommended remedies, such that an authorized administrator can consider the recommendation(s) and implement appropriate remedies in compliance with MSBA Model Policy 506 – Student Discipline. The discipline of a student-respondent must comply with the applicable provisions of Minnesota Pupil Fair Dismissal Act, the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.

IV. REPORTING PROHIBITED CONDUCT

- A. Any student who believes they have been the victim of unlawful sex discrimination or sexual harassment, or any person (including the parent of a student) with actual knowledge of conduct which may constitute unlawful sex discrimination or sexual harassment toward a student should report the alleged acts as soon as possible to the Title IX Coordinator.
- B. Any employee of the school district who has experienced, has actual knowledge of, or has witnessed unlawful sex discrimination, including sexual harassment, or who otherwise becomes aware of unlawful sex discrimination, including sexual harassment, must promptly report the allegations to the Title IX Coordinator without screening or investigating the report or allegations.
- C. A report of unlawful sex discrimination or sexual harassment may be made at any time, including during non-business hours, and may be made in person, by mail, by telephone,

or by e-mail using the Title IX Coordinator's contact information. A report may also be made by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

- D. Sexual harassment may constitute both a violation of this policy and criminal law. To the extent the alleged conduct may constitute a crime, the School District may report the alleged conduct to law enforcement authorities. The school district encourages complainants to report criminal behavior to the police immediately.

V. INITIAL RESPONSE AND ASSESSMENT BY THE TITLE IX COORDINATOR

- A. When the Title IX Coordinator receives a report, the Title IX Coordinator shall promptly contact the complainant confidentially to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.
- B. The school district will offer supportive measures to the complainant whether or not the complainant decides to make a formal complaint. The school district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the school district's ability to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.
- C. If the complainant does not wish to file a formal complaint, the allegations will not be investigated by the school district unless the Title IX Coordinator determines that signing a formal complaint to initiate an investigation over the complainant's wishes is not clearly unreasonable in light of the known circumstances.
- D. Upon receipt of a formal complaint, the school district must provide written notice of the formal complaint to the known parties with sufficient time to prepare a response before any initial interview. This written notice must contain:
 - 1. The allegations of sexual harassment, including sufficient details known at the time, the identities of the parties involved in the incident (if known), the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known;
 - 2. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility will be made at the conclusion of the grievance process;
 - 3. A statement explaining that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney;
 - 4. A statement that the parties may inspect and review evidence gathered pursuant to this policy;
 - 5. A statement informing the parties of any code of conduct provision that prohibits knowingly making false statements or knowingly submitting false information; and
 - 6. A copy of this policy.

VI. STATUS OF RESPONDENT DURING PENDENCY OF FORMAL COMPLAINT

A. Emergency Removal of a Student

1. The school district may remove a student-respondent from an education program or activity of the school district on an emergency basis before a determination regarding responsibility is made if:
 - a. The school district undertakes an individualized safety and risk analysis;
 - b. The school district determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal of the student-respondent; and
 - c. The school district determines the student-respondent poses such a threat, it will so notify the student-respondent and the student-respondent will have an opportunity to challenge the decision immediately following the removal. In determining whether to impose emergency removal measures, the Title IX Coordinator shall consult related school district policies, including MSBA Model Policy 506 – Student Discipline. The school district must take into consideration applicable requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973, prior to removing a special education student or Section 504 student on an emergency basis.

[NOTE: The interrelationship between the Title IX regulations authorizing the emergency removal of student and the Minnesota Pupil Fair Dismissal Act (MPFDA) is unclear at this time. School districts should consult with legal counsel regarding the emergency removal of a student. At a minimum, it is recommended that school districts provide alternative educational services, as defined in the MPFDA, to any student so removed under the Title IX regulations.]

B. Employee Administrative Leave

The school district may place a non-student employee on administrative leave during the pendency of the grievance process of a formal complaint. Such leave will typically be paid leave unless circumstances justify unpaid leave in compliance with legal requirements. The school district must take into consideration applicable requirements of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act prior to removing an individual with a qualifying disability.

VII. INFORMAL RESOLUTION OF A FORMAL COMPLAINT

- A. At any time prior to reaching a determination of responsibility, informal resolution may be offered and facilitated by the school district at the school district's discretion, but only after a formal complaint has been received by the school district.
- B. The school district may not require as a condition of enrollment or continued enrollment, or of employment or continued employment, or enjoyment of any other right, waiver of the right to a formal investigation and adjudication of formal complaints of sexual harassment.
- C. The informal resolution process may not be used to resolve allegations that a school

district employee sexually harassed a student.

- D. The school district will not facilitate an informal resolution process without both parties' agreement, and will obtain their voluntary, written consent. The school district will provide to the parties a written notice disclosing the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, the parties' right to withdraw from the informal resolution process, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
- E. At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

VIII. DISMISSAL OF A FORMAL COMPLAINT

- A. Under federal law, the school district must dismiss a Title IX complaint, or a portion thereof, if the conduct alleged in a formal complaint or a portion thereof:
 - 1. Would not meet the definition of sexual harassment, even if proven;
 - 2. Did not occur in the school district's education program or activity; or
 - 3. Did not occur against a person in the United States.
- B. The school district may, in its discretion, dismiss a formal complaint or allegations therein if:
 - 1. The complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein;
 - 2. The respondent is no longer enrolled or employed by the school district; or
 - 3. Specific circumstances prevent the school district from gathering sufficient evidence to reach a determination.
- C. The school district shall provide written notice to both parties of a dismissal. The notice must include the reasons for the dismissal.
- D. Dismissal of a formal complaint or a portion thereof does not preclude the school district from addressing the underlying conduct in any manner that the school district deems appropriate.

[NOTE: For example, school districts are reminded of the obligation under Minnesota Statutes section Minn.-Stat. 122A.20, subdivisions 2, to make a mandatory report to the Minnesota Professional Educator Licensing and Standards Board concerning any teacher who resigns during the course of an investigation of misconduct.]

IX. INVESTIGATION OF A FORMAL COMPLAINT

- A. If a formal complaint is received by the School District, the school district will assign or designate an Investigator to investigate the allegations set forth in the formal complaint.

- B. If during the course of the investigation the school district decides to investigate any allegations about the complainant or respondent that were not included in the written notice of a formal complaint provided to the parties, the school district must provide notice of the additional allegations to the known parties.
- C. When a party's participation is invited or expected in an investigative interview, the Investigator will coordinate with the Title IX Coordinator to provide written notice to the party of the date, time, location, participants, and purposes of the investigative interview with sufficient time for the party to prepare.
- D. During the investigation, the Investigator must provide the parties with an equal opportunity to present witnesses for interviews, including fact witnesses and expert witnesses, and other inculpatory and exculpatory evidence.
- E. Prior to the completion of the investigative report, the Investigator, through the Title IX Coordinator, will provide the parties and their advisors (if any) with an equal opportunity to inspect and review any evidence directly related to the allegations. The evidence shall be provided in electronic format or hard copy and shall include all relevant evidence, evidence upon which the school district does not intend to rely in reaching a determination regarding responsibility, and any inculpatory or exculpatory evidence whether obtained from a party or another source. The parties will have ten (10) days to submit a written response, which the Investigator will consider prior to completion of the investigative report.
- F. The Investigator will prepare a written investigative report that fairly summarizes the relevant evidence. The investigative report may include credibility determinations that are not based on a person's status as a complainant, respondent or witness. The school district will send the parties and their advisors (if any) a copy of the report in electronic format or hard copy, for their review and written response at least ten (10) days prior to a determination of responsibility.

X. DETERMINATION REGARDING RESPONSIBILITY

[NOTE: The Title IX regulations do not require school districts to conduct live hearings as part of the decision-making phase of the grievance process. Accordingly, this Policy does not include procedures for a live hearing. If a school district desires to create such procedures, legal counsel should be consulted.]

- A. After the school district has sent the investigative report to both parties and before the school district has reached a determination regarding responsibility, the Decision-maker must afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness.
- B. The Decision-maker must provide the relevant questions submitted by the parties to the other parties or witnesses to whom the questions are offered, and then provide each party with the answers, and allow for additional, limited follow-up questions from each party.
- C. The Decision-maker must explain to the party proposing the questions any decision to exclude a question as not relevant.
- D. When the exchange of questions and answers has concluded, the Decision-maker must

issue a written determination regarding responsibility that applies the preponderance of the evidence standard to the facts and circumstances of the formal complaint. The written determination of responsibility must include the following:

1. Identification of the allegations potentially constituting sexual harassment;
 2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
 3. Findings of fact supporting the determination;
 4. Conclusions regarding the application of the school district's code of conduct to the facts;
 5. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the school district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the school district to the complainant; and
 6. The school district's procedures and permissible bases for the complainant and respondent to appeal and the date by which an appeal must be made.
- E. In determining appropriate disciplinary sanctions, the Decision-maker should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incident occurred.
- F. The written determination of responsibility must be provided to the parties simultaneously.
- G. The Title IX Coordinator is responsible for the effective implementation of any remedies.
- H. The determination regarding responsibility becomes final either on the date that the school district provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

XI. APPEALS

- A. The school district shall offer the parties an opportunity to appeal a determination regarding responsibility or the school district's dismissal of a formal complaint or any allegations therein, on the following bases:
1. A procedural irregularity that affected the outcome of the matter (e.g., a material deviation from established procedures);
 2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
 3. The Title IX Coordinator, Investigator, or Decision-maker had a conflict of

interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

- B. If notice of an appeal is timely received by the school district, the school district will notify the parties in writing of the receipt of the appeal, assign or designate the Appellate Decision-maker, and give the parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.
- C. After reviewing the parties' written statements, the Appellate Decision-maker must issue a written decision describing the result of the appeal and the rationale for the result.
- D. The written decision describing the result of the appeal must be provided simultaneously to the parties.
- E. The decision of the Appellate Decision-maker is final. No further review beyond the appeal is permitted.

XII. RETALIATION PROHIBITED

- A. Neither the school district nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, or because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, its implementing regulations, or this policy, constitutes retaliation. Retaliation against a person for making a report of sexual harassment, filing a formal complaint, or participating in an investigation, constitutes a violation of this policy that can result in the imposition of disciplinary sanctions/consequences and/or other appropriate remedies.
- B. Any person may submit a report or formal complaint alleging retaliation in the manner described in this policy and it will be addressed in the same manner as other complaints of sexual harassment or sex discrimination.
- C. Charging an individual with violation of school district policies for making a materially false statement in bad faith in the course of a grievance proceeding under this policy shall not constitute retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

XIII. TRAINING

- A. The school district shall ensure that Title IX Personnel receive appropriate training. The training shall include instruction on:
 - 1. The Title IX definition of sexual harassment;
 - 2. The scope of the school district's education program or activity;
 - 3. How to conduct an investigation and grievance process, appeals, and informal

resolution processes, as applicable;

4. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
 5. For Decision-makers, training on issues of relevance of questions and evidence, including when questions and evidence about the complainant's prior sexual behavior are not relevant; and
 6. For Investigators, training on issues of relevance, including the creation of an investigative report that fairly summarizes relevant evidence.
- B. The training materials will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints.
- C. Materials used to train Title IX Personnel must be posted on the school district's website. If the school district does not have a website, it must make the training materials available for public inspection upon request.

XIV. DISSEMINATION OF POLICY

- A. This policy shall be made available to all students, parents/guardians of students, school district employee, and employee unions.
- B. The school district shall conspicuously post the name of the Title IX Coordinator, including office address, telephone number, and work e-mail address on its website and in each handbook that it makes available to parents, employees, students, unions, or applicants.
- C. The school district must provide applicants for admission and employment, students, parents or legal guardians of secondary school students, employees, and all unions holding collective bargaining agreements with the school district, with the following:
1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator;
 2. Notice that the school district does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX not to discriminate in such a manner;
 3. A statement that the requirement not to discriminate in the education program or activity extends to admission and employment, and that inquiries about the application of Title IX may be referred to the Title IX Coordinator, to the Assistant Secretary for Civil Rights of the United States Department of Education, or both; and
 4. Notice of the school district's grievance procedures and grievance process contained in this policy, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the school district will respond.

XV. RECORDKEEPING

[NOTE: School districts should consider amending their respective retention schedules to reflect the recordkeeping requirements discussed below].

- A. The school district must create, and maintain for a period of seven calendar years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the school district must document:
 1. The basis for the school district’s conclusion that its response to the report or formal complaint was not deliberately indifferent;
 2. The measures the school district has taken that are designed to restore or preserve equal access to the school district’s education program or activity; and
 3. If the school district does not provide a complainant with supportive measures, then it must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. Such a record must be maintained for a period of seven years.
 4. The documentation of certain bases or measures does not limit the recipient in the future from providing additional explanations or detailing additional measures taken.

- B. The school district must also maintain for a period of seven calendar years records of:
 1. Each sexual harassment investigation including any determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the recipient’s education program or activity;
 2. Any appeal and the result therefrom;
 3. Any informal resolution and the result therefrom; and
 4. All materials used to train Title IX Personnel.

Legal References:

Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)
 Minn. Stat. § 121A.40 – 121A.575 (Minnesota Pupil Fair Dismissal Act)
 Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
 20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments ~~of 1972~~)
 34 C.F.R. Part 106 (Implementing Regulations of Title IX)
 20 U.S.C § 1400, *et seq.* (Individuals with Disabilities Education ~~Improvement Act of 2004~~)
 29 U.S.C. § 794 (Section 504 of the Rehabilitation Act ~~of 1973~~)
 42 U.S.C. § 12101, *et seq.* (Americans with Disabilities Act ~~of 1990, as amended~~)
 20 U.S.C. § 1232g (Family Educational Rights and Privacy Act of 1974)
 20 U.S.C. § 1092 *et seq.* (Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (“Clery Act”))

Cross References:

MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
 MSBA/MASA Model Policy 413 (Harassment and Violence)
 MSBA/MASA Model Policy 506 (Student Discipline)
 MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

INTERNET USE AGREEMENT - STUDENT

STUDENT

I have read and do understand the school district policies relating to safety and acceptable use of the school district computer system and the Internet and agree to abide by them. I further understand that should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken, and/or appropriate legal action may be taken.

User’s Full Name (please print): _____

User Signature: _____

Date: _____

PARENT OR GUARDIAN

As the parent or guardian of this student, I have read the school district policies relating to safety and acceptable use of the school district computer system and the Internet. I understand that this access is designed for educational purposes. The school district has taken precautions to eliminate controversial material. However, I also recognize it is impossible for the school district to restrict access to all controversial materials and I will not hold the school district or its employees or agents responsible for materials acquired on the Internet. Further, I accept full responsibility for supervision if and when my child’s use is not in a school setting. I hereby give permission to issue an account for my child and certify that the information contained on this form is correct.

Parent or Guardian’s Name (please print): _____

Parent or Guardian’s Signature: _____

SUPERVISING TEACHER

(Must be signed if applicant is a student)

I have read the school district policies relating to safety and acceptable use of the school district computer system and the Internet and agree to promote these policies with the student. Because the student may use the Internet on the school district computer system for individual work or in the context of another class, I cannot be held responsible for the student’s use of the Internet on network. As the supervising teacher I do agree to instruct the student on acceptable use of the Internet and network and proper network etiquette.

Teacher’s Name (please print): _____

Teacher’s Signature: _____

INTERNET USE AGREEMENT - EMPLOYEE

SCHOOL DISTRICT EMPLOYEE

I have read and do understand the school district policies relating to safety and acceptable use of the school district computer system and the Internet and agree to abide by them. I further understand that should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken, and/or appropriate legal action may be taken.

User's Full Name (please print): _____

User Signature: _____

Date: _____

INTERNET USE AGREEMENT - STUDENT

STUDENT

I have read and do understand the school district policies relating to safety and acceptable use of the school district computer system and the Internet and agree to abide by them. I further understand that should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken, and/or appropriate legal action may be taken.

User's Full Name (please print): _____

User Signature: _____

Date: _____

PARENT OR GUARDIAN

As the parent or guardian of this student, I have read the school district policies relating to safety and acceptable use of the school district computer system and the Internet. I understand that this access is designed for educational purposes. The school district has taken precautions to eliminate controversial material. However, I also recognize it is impossible for the school district to restrict access to all controversial materials and I will not hold the school district or its employees or agents responsible for materials acquired on the Internet. Further, I accept full responsibility for supervision if and when my child's use is not in a school setting. I hereby give permission to issue an account for my child and certify that the information contained on this form is correct.

Parent or Guardian's Name (please print): _____

Parent or Guardian's Signature: _____

SUPERVISING TEACHER

(Must be signed if applicant is a student)

I have read the school district policies relating to safety and acceptable use of the school district computer system and the Internet and agree to promote these policies with the student. Because the student may use the Internet on the school district computer system for individual work or in the context of another class, I cannot be held responsible for the student's use of the Internet on network. As the supervising teacher I do agree to instruct the student on acceptable use of the Internet and network and proper network etiquette.

Teacher's Name (please print): _____

Teacher's Signature: _____

INTERNET USE AGREEMENT - EMPLOYEE

SCHOOL DISTRICT EMPLOYEE

I have read and do understand the school district policies relating to safety and acceptable use of the school district computer system and the Internet and agree to abide by them. I further understand that should I commit any violation, my access privileges may be revoked, school disciplinary action may be taken, and/or appropriate legal action may be taken.

User's Full Name (please print): _____

User Signature: _____

Date: _____

Adopted: _____

MSBA/MASA Model Policy 524

Orig. 1996

Revised: _____

Rev. 2019

524 INTERNET ACCEPTABLE USE AND SAFETY POLICY

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

I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for access to the school district computer system and acceptable and safe use of the Internet, including electronic communications.

II. GENERAL STATEMENT OF POLICY

In making decisions regarding student and employee access to the school district computer system and the Internet, including electronic communications, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of the school district computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

III. LIMITED EDUCATIONAL PURPOSE

The school district is providing students and employees with access to the school district computer system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

IV. USE OF SYSTEM IS A PRIVILEGE

The use of the school district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of

employment; or civil or criminal liability under other applicable laws.

V. UNACCEPTABLE USES

- A. The following uses of the school district system and Internet resources or accounts are considered unacceptable:
1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit, or distribute:
 - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
 - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
 - d. information or materials that could cause damage or danger of disruption to the educational process;
 - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
 2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
 3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.
 4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
 5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.
 6. Users will not use the school district system to post private information

about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message. *[Note: School districts should consider the impact of this paragraph on present practices and procedures, including, but not limited to, practices pertaining to employee communications, school or classroom websites, and student/employee use of social networking websites. Depending upon school district policies and practices, school districts may wish to add one or more of the following clarifying paragraphs.]*

- a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).
- b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
 - (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
 - (2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

In addition, prior to posting any personal contact or personally identifiable information on a school-related webpage, employees shall obtain written approval of the content of the postings from the building administrator.

- c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or

another individual on social networks, including, but not limited to, social networks such as “Facebook,” “Twitter,” “Instagram,” “Snapchat,” and “Reddit,” and similar websites or applications.

7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person’s account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.
 8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person’s property without the person’s prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
 9. Users will not use the school district system for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.
 10. Users will not use the school district system to engage in bullying or cyberbullying in violation of the school district’s Bullying Prohibition Policy (MSBA/MASA Model Policy 514). This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.
- B. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations include, but are not limited to, situations where the school district system is compromised or if a school district employee or student is negatively impacted. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.

- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

VI. FILTER

[Note: Pursuant to state law, school districts are required to restrict access to inappropriate materials on school computers with Internet access. School districts which seek technology revenue pursuant to Minn. Stat. § 125B.26 or certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children's Internet Protection Act, effective in 2001. Those districts are required to comply with additional standards in restricting possible access to inappropriate materials. Therefore, school districts should select one of the following alternative sections depending upon whether the school district is seeking such funding and the type of funding sought.]

ALTERNATIVE NO. 1

For a school district which does not seek either state or federal funding in connection with its computer system, the following language should be adopted. It reflects a mandatory requirement under state law, Minn. Stat. § 125B.15.

All computers equipped with Internet access and available for student use at each school site will be equipped to restrict, by use of available software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

[Note: The purchase of filtering technology is not required by state law if the school site would incur more than incidental expense in making the purchase. In the absence of filtering technology, school sites still are required to use "other effective methods" to restrict student access to such materials.]

ALTERNATIVE NO. 2

Technology revenue is available to school districts that meet the additional condition of also restricting adult access to inappropriate materials. School districts that seek such state technology revenue may adopt or retain the following language. However, the school district is not required to do so.

- A. All school district computers with Internet access and available for student use

will be equipped to restrict, by use of available software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law.

- B. All school district computers with Internet access, not just those accessible and available to students, will be equipped to restrict, by use of available software filtering technology or other effective methods, adult access to materials that are reasonably believed to be obscene or child pornography under state or federal law.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

ALTERNATIVE NO. 3

School districts which receive certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children’s Internet Protection Act, effective in 2001. This law requires school districts to adopt an Internet safety policy which contains the provisions set forth below. Also, the Act requires such school districts to provide reasonable notice and hold at least one public hearing or meeting to address the proposed Internet safety policy prior to its implementation. School districts that do not seek such federal financial assistance need not adopt the alternative language set forth below nor meet the requirements with respect to a public meeting to review the policy. The following alternative language for school districts that seek such federal financial assistance satisfies both state and federal law requirements.

- A. With respect to any of its computers with Internet access, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:
 - 1. Obscene;
 - 2. Child pornography; or
 - 3. Harmful to minors.
- B. The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:
 - 1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
 - 2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual

contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and

3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
- D. An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.
- E. The school district will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

[Note: Although school districts are not required to adopt the more restrictive provisions contained in either Alternative No. 2 or No. 3 if they do not seek state or federal funding, they may choose to adopt the more restrictive provisions as a matter of school policy.]

VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

Use of the school district computer system and use of the Internet shall be consistent with school district policies and the mission of the school district.

VIII. LIMITED EXPECTATION OF PRIVACY

- A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. Parents have the right at any time to investigate or review the contents of their child's files and e-mail files. Parents have the right to request the termination of their child's individual account at any time.
- E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, school district employees should be aware that data and other materials

in files maintained on the school district system may be subject to review, disclosure or discovery under Minn. Stat. Ch. 13 (the Minnesota Government Data Practices Act).

- F. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

IX. INTERNET USE AGREEMENT

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents, and employees of the school district.
- B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.
- C. The Internet Use Agreement form for students must be read and signed by the user, the parent or guardian, and the supervising teacher. The Internet Use Agreement form for employees must be signed by the employee. The form must then be filed at the school office. As supervising teachers change, the agreement signed by the new teacher shall be attached to the original agreement.

X. LIMITATION ON SCHOOL DISTRICT LIABILITY

Use of the school district system is at the user's own risk. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage, or unavailability of data stored on school district diskettes, tapes, hard drives, or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system. The school district will not be responsible for financial obligations arising through unauthorized use of the school district system or the Internet.

XI. USER NOTIFICATION

- A. All users shall be notified of the school district policies relating to Internet use.
- B. This notification shall include the following:
 - 1. Notification that Internet use is subject to compliance with school district policies.
 - 2. Disclaimers limiting the school district's liability relative to:

- a. Information stored on school district diskettes, hard drives, or servers.
 - b. Information retrieved through school district computers, networks, or online resources.
 - c. Personal property used to access school district computers, networks, or online resources.
 - d. Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
- 3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
 - 4. Notification that, even though the school district may use technical means to limit student Internet access, these limits do not provide a foolproof means for enforcing the provisions of this acceptable use policy.
 - 5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents.
 - 6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by Policy 406, Public and Private Personnel Data, and Policy 515, Protection and Privacy of Pupil Records.
 - 7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
 - 8. Notification that all provisions of the acceptable use policy are subordinate to local, state, and federal laws.

XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies, and other possibly offensive media. Parents are responsible for monitoring their student's use of the school district system and of the Internet if the student is accessing the school district system from home or a remote location.
- B. Parents will be notified that their students will be using school district resources/accounts to access the Internet and that the school district will provide

parents the option to request alternative activities not requiring Internet access. This notification should include:

1. A copy of the user notification form provided to the student user.
2. A description of parent/guardian responsibilities.
3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.
4. A statement that the Internet Use Agreement must be signed by the user, the parent or guardian, and the supervising teacher prior to use by the student.
5. A statement that the school district's acceptable use policy is available for parental review.

XIII. IMPLEMENTATION; POLICY REVIEW

- A. The school district administration may develop appropriate user notification forms, guidelines, and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms, and procedures shall be an addendum to this policy.
- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The school district Internet policies and procedures are available for review by all parents, guardians, staff, and members of the community.
- D. Because of the rapid changes in the development of the Internet, the school board shall conduct an annual review of this policy.

Legal References: 15 U.S.C. § 6501 *et seq.* (Children's Online Privacy Protection Act)
17 U.S.C. § 101 *et seq.* (Copyrights)
47 U.S.C. § 254 (Children's Internet Protection Act of 2000 (CIPA))
47 C.F.R. § 54.520 (FCC rules implementing CIPA)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 125B.15 (Internet Access for Students)
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503, 89 S.Ct. 733, 21 L.Ed.2d 731 (1969)
United States v. Amer. Library Assoc., 539 U.S. 194, 123 S.Ct. 2297, 56 L.Ed.2d 221 (2003)
Doninger v. Niehoff, 527 F.3d 41 (2nd Cir. 2008)

R.S. v. Minnewaska Area Sch. Dist. No. 2149, No. 12-588, 2012 WL 3870868 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), aff'd on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee's Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
Kowalski v. Berkeley County Sch., 652 F.3d 565 (4th Cir. 2011)
Layshock v. Hermitage Sch. Dist., 650 F.3d 205 (3rd Cir. 2011)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Student Sex Nondiscrimination)
MSBA/MASA Model Policy 603 (Curriculum Development)
MSBA/MASA Model Policy 604 (Instructional Curriculum)
MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)
MSBA/MASA Model Policy 806 (Crisis Management Policy)
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)

Adopted: _____

MSBA/MASA Model Policy 524

Orig. 1996

Revised: _____

Rev. 2023

524 INTERNET ACCEPTABLE USE AND SAFETY POLICY

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

I. PURPOSE

The purpose of this policy is to set forth policies and guidelines for access to the school district computer system and acceptable and safe use of the Internet, including electronic communications.

II. GENERAL STATEMENT OF POLICY

In making decisions regarding student and employee access to the school district computer system and the Internet, including electronic communications, the school district considers its own stated educational mission, goals, and objectives. Electronic information research skills are now fundamental to preparation of citizens and future employees. Access to the school district computer system and to the Internet enables students and employees to explore thousands of libraries, databases, bulletin boards, and other resources while exchanging messages with people around the world. The school district expects that faculty will blend thoughtful use of the school district computer system and the Internet throughout the curriculum and will provide guidance and instruction to students in their use.

III. LIMITED EDUCATIONAL PURPOSE

The school district is providing students and employees with access to the school district computer system, which includes Internet access. The purpose of the system is more specific than providing students and employees with general access to the Internet. The school district system has a limited educational purpose, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational and personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network.

IV. USE OF SYSTEM IS A PRIVILEGE

The use of the school district system and access to use of the Internet is a privilege, not a right. Depending on the nature and degree of the violation and the number of previous violations, unacceptable use of the school district system or the Internet may result in one or more of the following consequences: suspension or cancellation of use or access privileges; payments for damages and repairs; discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment; or civil or criminal liability under other applicable laws.

V. UNACCEPTABLE USES

A. While not an exhaustive list, the following uses of the school district system and Internet resources or accounts are considered unacceptable:

1. Users will not use the school district system to access, review, upload, download, store, print, post, receive, transmit, or distribute:
 - a. pornographic, obscene, or sexually explicit material or other visual depictions that are harmful to minors;
 - b. obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
 - c. materials that use language or images that are inappropriate in the education setting or disruptive to the educational process;
 - d. information or materials that could cause damage or danger of disruption to the educational process;
 - e. materials that use language or images that advocate violence or discrimination toward other people (hate literature) or that may constitute harassment or discrimination.
2. Users will not use the school district system to knowingly or recklessly post, transmit, or distribute false or defamatory information about a person or organization, or to harass another person, or to engage in personal attacks, including prejudicial or discriminatory attacks.
3. Users will not use the school district system to engage in any illegal act or violate any local, state, or federal statute or law.
4. Users will not use the school district system to vandalize, damage, or disable the property of another person or organization, will not make deliberate attempts to degrade or disrupt equipment, software, or system performance by spreading computer viruses or by any other means, will not tamper with, modify, or change the school district system software, hardware, or wiring or take any action to violate the school district's security system, and will not use the school district system in such a way as to disrupt the use of the system by other users.
5. Users will not use the school district system to gain unauthorized access to information resources or to access another person's materials, information, or files without the implied or direct permission of that person.
6. Users will not use the school district system to post private information about another person, personal contact information about themselves or other persons, or other personally identifiable information, including, but not limited to, addresses, telephone numbers, school addresses, work addresses, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual's identity easily traceable, and will not repost a message that was sent to the user privately without permission of the person who sent the message.

[Note: School districts should consider the impact of this paragraph on present practices and procedures, including, but not limited to, practices pertaining to employee communications, school or classroom websites, and student/employee use of social networking websites. Depending upon school district policies and practices, school districts may wish to add one or more of the following clarifying paragraphs.]

- a. This paragraph does not prohibit the posting of employee contact information on school district webpages or communications between

employees and other individuals when such communications are made for education-related purposes (i.e., communications with parents or other staff members related to students).

- b. Employees creating or posting school-related webpages may include personal contact information about themselves on a webpage. However, employees may not post personal contact information or other personally identifiable information about students unless:
 - (1) such information is classified by the school district as directory information and verification is made that the school district has not received notice from a parent/guardian or eligible student that such information is not to be designated as directory information in accordance with Policy 515; or
 - (2) such information is not classified by the school district as directory information but written consent for release of the information to be posted has been obtained from a parent/guardian or eligible student in accordance with Policy 515.

In addition, prior to posting any personal contact or personally identifiable information on a school-related webpage, employees shall obtain written approval of the content of the postings from the building administrator.

- c. These prohibitions specifically prohibit a user from utilizing the school district system to post personal information about a user or another individual on social networks, including, but not limited to, social networks such as "Facebook," "Twitter," "Instagram," "Snapchat," "TikTok," "Reddit," and similar websites or applications.
- 7. Users must keep all account information and passwords on file with the designated school district official. Users will not attempt to gain unauthorized access to the school district system or any other system through the school district system, attempt to log in through another person's account, or use computer accounts, access codes, or network identification other than those assigned to the user. Messages and records on the school district system may not be encrypted without the permission of appropriate school authorities.
 - 8. Users will not use the school district system to violate copyright laws or usage licensing agreements, or otherwise to use another person's property without the person's prior approval or proper citation, including the downloading or exchanging of pirated software or copying software to or from any school computer, and will not plagiarize works they find on the Internet.
 - 9. Users will not use the school district system for conducting business, for unauthorized commercial purposes, or for financial gain unrelated to the mission of the school district. Users will not use the school district system to offer or provide goods or services or for product advertisement. Users will not use the school district system to purchase goods or services for personal use without authorization from the appropriate school district official.
 - 10. Users will not use the school district system to engage in bullying or cyberbullying in violation of the school district's Bullying Prohibition Policy. This prohibition includes using any technology or other electronic communication off school premises to the extent that student learning or the school environment is substantially and materially disrupted.

- B. The school district has a special interest in regulating off-campus speech that materially disrupts classwork or involves substantial disorder or invasion of the rights of others. A student or employee engaging in the foregoing unacceptable uses of the Internet when off school district premises also may be in violation of this policy as well as other school district policies. Examples of such violations may include, but are not limited to, serious or severe bullying or harassment targeting particular individuals, threats aimed at teachers or other students, failure to follow rules concerning lessons, the writing of papers, the use of computers, or participation in other online school activities, and breaches of school security devices. If the school district receives a report of an unacceptable use originating from a non-school computer or resource, the school district may investigate such reports to the best of its ability. Students or employees may be subject to disciplinary action for such conduct, including, but not limited to, suspension or cancellation of the use or access to the school district computer system and the Internet and discipline under other appropriate school district policies, including suspension, expulsion, exclusion, or termination of employment.
- C. If a user inadvertently accesses unacceptable materials or an unacceptable Internet site, the user shall immediately disclose the inadvertent access to an appropriate school district official. In the case of a school district employee, the immediate disclosure shall be to the employee's immediate supervisor and/or the building administrator. This disclosure may serve as a defense against an allegation that the user has intentionally violated this policy. In certain rare instances, a user also may access otherwise unacceptable materials if necessary to complete an assignment and if done with the prior approval of and with appropriate guidance from the appropriate teacher or, in the case of a school district employee, the building administrator.

VI. FILTER

[Note: Pursuant to state law, school districts are required to restrict access to inappropriate materials on school computers with Internet access. School districts seeking technology revenue pursuant to Minnesota Statutes section 125B.26 or certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children's Internet Protection Act, effective in 2001. Those districts are required to comply with additional standards in restricting possible access to inappropriate materials. Therefore, school districts should select one of the following alternative sections depending upon whether the school district is seeking such funding and the type of funding sought.]

ALTERNATIVE NO. 1

[Note: For a school district that does not seek either state or federal funding in connection with its computer system, the following language should be adopted. It reflects a mandatory requirement under Minnesota Statutes section 125B.15.]

All computers equipped with Internet access and available for student use at each school site will be equipped to restrict, by use of available software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

[Note: The purchase of filtering technology is not required by state law if the school site would incur more than incidental expense in making the purchase. In the absence of filtering technology, school sites still are required to use "other effective methods" to restrict student access to such materials.]

ALTERNATIVE NO. 2

[Note: Technology revenue is available to school districts that meet the additional condition of also restricting adult access to inappropriate materials. School districts that seek such state technology revenue may adopt or retain the following language. However, the school district is not required to do so.]

- A. All school district computers with Internet access and available for student use will be equipped to restrict, by use of available software filtering technology or other effective methods, all student access to materials that are reasonably believed to be obscene, child pornography or harmful to minors under state or federal law.
- B. All school district computers with Internet access, not just those accessible and available to students, will be equipped to restrict, by use of available software filtering technology or other effective methods, adult access to materials that are reasonably believed to be obscene or child pornography under state or federal law.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.

ALTERNATIVE NO. 3

[Note: School districts that receive certain federal funding, such as e-rate discounts, for purposes of Internet access and connection services and/or receive funds to purchase Internet accessible computers are subject to the federal Children's Internet Protection Act, effective in 2001. This law requires school districts to adopt an Internet safety policy that contains the provisions set forth below. Also, the Act requires such school districts to provide reasonable notice and hold at least one public hearing or meeting to address the proposed Internet safety policy prior to its implementation. School districts that do not seek such federal financial assistance need not adopt the alternative language set forth below nor meet the requirements with respect to a public meeting to review the policy. The following alternative language for school districts that seek such federal financial assistance satisfies both state and federal law requirements.]

- A. With respect to any of its computers with Internet access, the school district will monitor the online activities of both minors and adults and employ technology protection measures during any use of such computers by minors and adults. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:
 - 1. Obscene;
 - 2. Child pornography; or
 - 3. Harmful to minors.
- B. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:
 - 1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
 - 2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal ~~343~~perverted sexual acts, or a lewd exhibition of the

genitals; and

3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
- C. Software filtering technology shall be narrowly tailored and shall not discriminate based on viewpoint.
 - D. An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.
 - E. The school district will educate students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

[Note: Although school districts are not required to adopt the more restrictive provisions contained in either Alternative No. 2 or No. 3 if they do not seek state or federal funding, they may choose to adopt the more restrictive provisions as a matter of school policy.]

VII. CONSISTENCY WITH OTHER SCHOOL POLICIES

Use of the school district computer system and use of the Internet shall be consistent with school district policies and the mission of the school district.

VIII. LIMITED EXPECTATION OF PRIVACY

- A. By authorizing use of the school district system, the school district does not relinquish control over materials on the system or contained in files on the system. Users should expect only limited privacy in the contents of personal files on the school district system.
- B. Routine maintenance and monitoring of the school district system may lead to a discovery that a user has violated this policy, another school district policy, or the law.
- C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of law or school district policy.
- D. Parents may have the right at any time to investigate or review the contents of their child's files and e-mail files in accordance with the school district's Protection and Privacy of Pupil Records Policy. Parents have the right to request the termination of their child's individual account at any time.
- E. School district employees should be aware that the school district retains the right at any time to investigate or review the contents of their files and e-mail files. In addition, school district employees should be aware that data and other materials in files maintained on the school district system may be subject to review, disclosure, or discovery under Minnesota Statutes chapter 13 (Minnesota Government Data Practices Act).
- F. The school district will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities or activities not in compliance with school district policies conducted through the school district system.

IX. INTERNET USE AGREEMENT

- A. The proper use of the Internet, and the educational value to be gained from proper Internet use, is the joint responsibility of students, parents, and employees of the school district.
- B. This policy requires the permission of and supervision by the school's designated professional staff before a student may use a school account or resource to access the Internet.
- C. The Internet Use Agreement form for students must be read and signed by the user, the parent or guardian, and the supervising teacher. The Internet Use Agreement form for employees must be signed by the employee. The form must then be filed at the school office. As supervising teachers change, the agreement signed by the new teacher shall be attached to the original agreement.

X. LIMITATION ON SCHOOL DISTRICT LIABILITY

Use of the school district system is at the user's own risk. The system is provided on an "as is, as available" basis. The school district will not be responsible for any damage users may suffer, including, but not limited to, loss, damage, or unavailability of data stored on school district diskettes, tapes, hard drives, or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The school district is not responsible for the accuracy or quality of any advice or information obtained through or stored on the school district system. The school district will not be responsible for financial obligations arising through unauthorized use of the school district system or the Internet.

XI. USER NOTIFICATION

- A. All users shall be notified of the school district policies relating to Internet use.
- B. This notification shall include the following:
 - 1. Notification that Internet use is subject to compliance with school district policies.
 - 2. Disclaimers limiting the school district's liability relative to:
 - a. Information stored on school district diskettes, hard drives, or servers.
 - b. Information retrieved through school district computers, networks, or online resources.
 - c. Personal property used to access school district computers, networks, or online resources.
 - d. Unauthorized financial obligations resulting from use of school district resources/accounts to access the Internet.
 - 3. A description of the privacy rights and limitations of school sponsored/managed Internet accounts.
 - 4. Notification that, even though the school district may use technical means to limit student Internet access, these limits do not provide a foolproof means for

enforcing the provisions of this acceptable use policy.

5. Notification that goods and services can be purchased over the Internet that could potentially result in unwanted financial obligations and that any financial obligation incurred by a student through the Internet is the sole responsibility of the student and/or the student's parents.
6. Notification that the collection, creation, reception, maintenance, and dissemination of data via the Internet, including electronic communications, is governed by Public and Private Personnel Data Policy, and Protection and Privacy of Pupil Records Policy.
7. Notification that, should the user violate the school district's acceptable use policy, the user's access privileges may be revoked, school disciplinary action may be taken and/or appropriate legal action may be taken.
8. Notification that all provisions of the acceptable use policy are subordinate to local, state, and federal laws.

XII. PARENTS' RESPONSIBILITY; NOTIFICATION OF STUDENT INTERNET USE

- A. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as television, telephones, radio, movies, and other possibly offensive media. Parents are responsible for monitoring their student's use of the school district system and of the Internet if the student is accessing the school district system from home or a remote location.
- B. Parents will be notified that their students will be using school district resources/accounts to access the Internet and that the school district will provide parents the option to request alternative activities not requiring Internet access. This notification should include:
 1. A copy of the user notification form provided to the student user.
 2. A description of parent/guardian responsibilities.
 3. A notification that the parents have the option to request alternative educational activities not requiring Internet access and the material to exercise this option.
 4. A statement that the Internet Use Agreement must be signed by the user, the parent or guardian, and the supervising teacher prior to use by the student.
 5. A statement that the school district's acceptable use policy is available for parental review.

XIII. NOTIFICATION REGARDING TECHNOLOGY PROVIDERS

- A. "Technology provider" means a person who:
 1. contracts with the school district, as part of a one-to-one program or otherwise, to provide a school-issued device for student use; and
 2. creates, receives, or maintains educational data pursuant or incidental to a contract with the school district.

- B. "Parent" means a parent of a student and includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.
- C. Within 30 days of the start of each school year, the school district must give parents and students direct and timely notice, by United States mail, e-mail, or other direct form of communication, of any curriculum, testing, or assessment technology provider contract affecting a student's educational data. The notice must:
 - 1. identify each curriculum, testing, or assessment technology provider with access to educational data;
 - 2. identify the educational data affected by the curriculum, testing, or assessment technology provider contract; and
 - 3. include information about the contract inspection and provide contact information for a school department to which a parent or student may direct questions or concerns regarding any program or activity that allows a curriculum, testing, or assessment technology provider to access a student's educational data.
- D. The school district must provide parents and students an opportunity to inspect a complete copy of any contract with a technology provider.
- E. A contract between a technology provider and the school district must include requirements to ensure appropriate security safeguards for educational data. The contract must require that:
 - 1. the technology provider's employees or contractors have access to educational data only if authorized; and
 - 2. the technology provider's employees or contractors may be authorized to access educational data only if access is necessary to fulfill the official duties of the employee or contractor.
- F. All educational data created, received, maintained, or disseminated by a technology provider pursuant or incidental to a contract with a public educational agency or institution are not the technology provider's property.

XIV. SCHOOL-ISSUED DEVICES

- A. "School-issued device" means hardware or software that the school district, acting independently or with a technology provider, provides to an individual student for that student's dedicated personal use. A school-issued device includes a device issued through a one-to-one program.
- B. Except as provided in paragraph C, the school district or a technology provider must not electronically access or monitor:
 - 1. any location-tracking feature of a school-issued device;
 - 2. any audio or visual receiving, transmitting, or recording feature of a school-issued device; or
 - 3. student interactions with a school-issued device, including but not limited to keystrokes and web-browsing activity.

- C. The school district or a technology provider may only engage in activities prohibited by paragraph B if:
1. the activity is limited to a noncommercial educational purpose for instruction, technical support, or exam-proctoring by school district employees, student teachers, staff contracted by the school district, a vendor, or the Minnesota Department of Education, and notice is provided in advance;
 2. the activity is permitted under a judicial warrant;
 3. the school district is notified or becomes aware that the device is missing or stolen;
 4. the activity is necessary to respond to an imminent threat to life or safety and the access is limited to that purpose;
 5. the activity is necessary to comply with federal or state law, including but not limited to Minnesota Statutes section 121A.031; or
 6. the activity is necessary to participate in federal or state funding programs, including but not limited to the E-Rate program.
- D. If the school district or a technology provider interacts with a school-issued device as provided in paragraph C, clause 4, it must, within 72 hours of the access, notify the student to whom the school-issued device was issued or that student's parent and provide a written description of the interaction, including which features of the device were accessed and a description of the threat. This notice is not required at any time when the notice itself would pose an imminent threat to life or safety, but must instead be given within 72 hours after that imminent threat has ceased.

XV. CELL PHONE USE

1. Students are prohibited from using cell phones and other electronic communication devices during the instructional day. Students also are prohibited from using a cell phone or other electronic communication device to engage in conduct prohibited by school district policies including, but not limited to, cheating, bullying, harassment, and malicious and sadistic conduct.
2. If the school district has a reasonable suspicion that a student has violated a school policy, rule, or law by use of a cell phone or other electronic communication device, the school district may search the device. The search of the device will be reasonably related in scope to the circumstances justifying the search.
3. Students who use an electronic communication device during the school day and/or in violation of school district policies may be subject to disciplinary action pursuant to the school district's discipline policy. In addition, a student's cell phone or electronic communication device may be confiscated by the school district and, if applicable, provided to law enforcement. Cell phones or other electronic communication devices that are confiscated and retained by the school district will be returned in accordance with school building procedures.

[Note: This language aligns with the provisions found in the MSBA Model Student Handbook. As an alternative to stating specific cell phone rules in a school district policy, a school board could choose to direct school administration to establish cell

phone rules. This approach enables administrators to craft flexible and specific rules that are specific to grade levels and buildings.]

XVI. LIMIT ON SCREEN TIME FOR CHILDREN IN PRESCHOOL AND KINDERGARTEN

A child in a publicly funded preschool or kindergarten program may not use an individual-use screen, such as a tablet, smartphone, or other digital media, without engagement from a teacher or other students. This section does not apply to a child for whom the school has an individualized family service plan, an individualized education program, or a 504 plan in effect.

XVII. IMPLEMENTATION; POLICY REVIEW

- A. The school district administration may develop appropriate user notification forms, guidelines, and procedures necessary to implement this policy for submission to the school board for approval. Upon approval by the school board, such guidelines, forms, and procedures shall be an addendum to this policy.
- B. The administration shall revise the user notifications, including student and parent notifications, if necessary, to reflect the adoption of these guidelines and procedures.
- C. The school district Internet policies and procedures are available for review by all parents, guardians, staff, and members of the community.
- D. Because of the rapid changes in the development of the Internet, the school board shall conduct an annual review of this policy.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 124D.166 (Limit on Screen Time for Children in Preschool and Kindergarten)
Minn. Stat. § 125B.15 (Internet Access for Students)
Minn. Stat. § 125B.26 (Telecommunications/Internet Access Equity Act)
15 U.S.C. § 6501 *et seq.* (Children’s Online Privacy Protection Act)
17 U.S.C. § 101 *et seq.* (Copyrights)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
47 U.S.C. § 254 (Children’s Internet Protection Act of 2000 (CIPA))
47 C.F.R. § 54.520 (FCC rules implementing CIPA)
Mahanoy Area Sch. Dist. v. B.L., 594 U.S. ___, 141 S. Ct. 2038 (2021)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969)
United States v. Amer. Library Assoc., 539 U.S. 194 (2003)
Sagehorn v. Indep. Sch. Dist. No. 728, 122 F.Supp.2d 842 (D. Minn. 2015)
R.S. v. Minnewaska Area Sch. Dist. No. 2149, 894 F.Supp.2d 1128 (D. Minn. 2012)
Tatro v. Univ. of Minnesota, 800 N.W.2d 811 (Minn. App. 2011), *aff’d* on other grounds 816 N.W.2d 509 (Minn. 2012)
S.J.W. v. Lee’s Summit R-7 Sch. Dist., 696 F.3d 771 (8th Cir. 2012)
Parents, Families and Friends of Lesbians and Gays, Inc. v. Camdenton R-III Sch. Dist., 853 F.Supp.2d 888 (W.D. Mo. 2012)
M.T. v. Cent. York Sch. Dist., 937 A.2d 538 (Pa. Commw. Ct. 2007)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials)

on School Premises by Students and Employees)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Grievance
Procedures and Process)
MSBA/MASA Model Policy 603 (Curriculum Development)
MSBA/MASA Model Policy 604 (Instructional Curriculum)
MSBA/MASA Model Policy 606 (Textbooks and Instructional Materials)
MSBA/MASA Model Policy 806 (Crisis Management Policy)
MSBA/MASA Model Policy 904 (Distribution of Materials on School District
Property by Nonschool Persons)

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526 HAZING PROHIBITION

[Note: School districts are required by statute to have a policy addressing these issues. The Minnesota Department of Education (MDE) will maintain and make available a model policy on student and staff hazing in accordance with Minn. Stat. § 121A.69. The MDE model policy differs from the MSBA/MASA model policy as it incorporates state and federal requirements related to harassment and discrimination which extends beyond the mandate of Minn. Stat. § 121A.69. Topics of harassment and discrimination are addressed in other MSBA/MASA policies. While school districts are required to adopt a policy governing student and staff hazing, school districts are not required to adopt any particular policy. MSBA recommends this policy.]

I. PURPOSE

The purpose of this policy is to maintain a safe learning environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times.

II. GENERAL STATEMENT OF POLICY

- A. No student, teacher, administrator, volunteer, contractor, or other employee of the school district shall plan, direct, encourage, aid, or engage in hazing.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate hazing.
- C. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.
- E. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited.
- F. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, or tolerates hazing shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, tolerate, or are a party to prohibited acts of hazing may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

Consequences for employees who permit, condone, or tolerate hazing or engage in an act of reprisal or intentional false reporting of hazing may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of hazing may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts.

- G. This policy applies to hazing that occurs during and after school hours, on or off school premises or property, at school functions or activities, or on school transportation.
- H. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.
- I. The school district will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

III. DEFINITIONS

- A. “Hazing” means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other school-related purpose. The term hazing includes, but is not limited to:
 - 1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, or placing a harmful substance on the body.
 - 2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 - 3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
 - 4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
 - 5. Any activity that causes or requires the student to perform a task that

involves violation of state or federal law or of school district policies or regulations.

- B. “Immediately” means as soon as possible but in no event longer than 24 hours.
- C. “On school premises or school district property, or at school functions or activities, or on school transportation” means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student’s walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting hazing at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
- D. “Remedial response” means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.
- E. “Student” means a student enrolled in a public school or a charter school.
- F. “Student organization” means a group, club, or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities, or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report hazing anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.

The building principal, the principal’s designee, or the building supervisor (hereinafter the “building report taker”) is the person responsible for receiving reports of hazing at the building level. Any adult school district personnel who receives a report of hazing prohibited by this policy shall inform the building report taker immediately. Any person may report hazing directly to a school district human rights officer or to the superintendent. If the complaint involves

the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.

- C. A teacher, administrator, volunteer, contractor, and other school employees shall be particularly alert to possible situations, circumstances, or events which might include hazing. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct which may constitute hazing shall make reasonable efforts to address and resolve the hazing and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute hazing or who fail to make reasonable efforts to address and resolve the hazing in a timely manner may be subject to disciplinary action.
- D. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- E. Reports of hazing are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of hazing and the record of any resulting investigation.
- F. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

V. SCHOOL DISTRICT ACTION

- A. Within three (3) days of the receipt of a complaint or report of hazing, the school district shall undertake or authorize an investigation by school district officials or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students or others pending completion of an investigation of alleged hazing prohibited by this policy.
- C. The alleged perpetrator of the hazing shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

- D. Upon completion of an investigation that determines hazing has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; and applicable school district policies and regulations.
- E. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets or victims of hazing and the parent(s) or guardian(s) of alleged perpetrators of hazing who have been involved in a reported and confirmed hazing incident of the remedial or disciplinary action taken, to the extent permitted by law.
- F. In order to prevent or to respond to hazing committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in hazing.

VI. RETALIATION OR REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged hazing, who provides information about hazing, who testifies, assists, or participates in an investigation of alleged hazing, or who testifies, assists, or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct.

VII. DISSEMINATION OF POLICY

[Note: Proper reference should be made to the appropriate handbooks in each school district.]

- A. This policy shall appear in each school's student handbook and in each school's building and staff handbooks.
- B. The school district will develop a method of discussing this policy with students

and employees.

Legal References: Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents Under the Safe and Supportive Minnesota Schools Act)
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 525 (Violence Prevention [Applicable to Students and Staff])

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526 HAZING PROHIBITION

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I. PURPOSE

The purpose of this policy is to maintain a safe learning environment for students and staff that is free from hazing. Hazing activities of any type are inconsistent with the educational goals of the school district and are prohibited at all times.

II. GENERAL STATEMENT OF POLICY

- A. No student, teacher, administrator, volunteer, contractor, or other employee of the school district shall plan, direct, encourage, aid, or engage in hazing.
- B. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate hazing.
- C. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.
- D. Retaliation against a victim, good faith reporter, or a witness of hazing is prohibited.
- E. False accusations or reports of hazing against a student, teacher, administrator, volunteer, contractor, or other employee are prohibited.
- F. A person who engages in an act of hazing, reprisal, retaliation, or false reporting of hazing or permits, condones, or tolerates hazing shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, tolerate, or are a party to prohibited acts of hazing may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

Consequences for employees who permit, condone, or tolerate hazing or engage in an act of reprisal or intentional false reporting of hazing may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of hazing may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts.

D G. This policy applies to behavior hazing that occurs during and after school hours, on or off school premises or property, at school functions or activities, or on school transportation and during and after school hours.

E H. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for that act.

F I. The school district will act to investigate all complaints of hazing and will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated this policy.

III. DEFINITIONS

A. "Hazing" means committing an act against a student, or coercing a student into committing an act, that creates a substantial risk of harm to a person, in order for the student to be initiated into or affiliated with a student organization, or for any other school-related purpose. The term hazing includes, but is not limited to:

1. Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, or placing a harmful substance on the body.
2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics, or other activity that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
3. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
4. Any activity that intimidates or threatens the student with ostracism, that subjects a student to extreme mental stress, embarrassment, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
5. Any activity that causes or requires the student to perform a task that

involves violation of state or federal law or of school district policies or regulations.

- B. "Immediately" means as soon as possible but in no event longer than 24 hours.
- C. "On school premises or school district property, or at school functions or activities, or on school transportation" means all school district buildings, school grounds, and school property or property immediately adjacent to school grounds, school bus stops, school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes, the area of entrance or departure from school grounds, premises, or events, and all school-related functions, school-sponsored activities, events, or trips. School district property also may mean a student's walking route to or from school for purposes of attending school or school-related functions, activities, or events. While prohibiting hazing at these locations and events, the school district does not represent that it will provide supervision or assume liability at these locations and events.
- D. "Remedial response" means a measure to stop and correct hazing, prevent hazing from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of hazing.
- E. "Student" means a student enrolled in a public school or a charter school.
- B E. "Student organization" means a group, club, or organization having students as its primary members or participants. It includes grade levels, classes, teams, activities, or particular school events. A student organization does not have to be an official school organization to come within the terms of this definition.

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the **target or** victim of hazing or any person with knowledge or belief of conduct which may constitute hazing shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report hazing anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.

The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of hazing at the building level. Any adult school district personnel who receives a report of hazing prohibited by this policy shall inform the building report taker immediately. Any person may report hazing directly to a school district human rights officer or to the superintendent. If the complaint involves

the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.

- C. ~~Teachers, administrators, volunteers, contractors, and other employees of the school district~~ A teacher, administrator, volunteer, contractor, and other school employees shall be particularly alert to possible situations, circumstances, or events which might include hazing. Any such person who ~~witnesses, observes,~~ receives a report of, ~~observes,~~ or has other knowledge or belief of conduct which may constitute hazing shall make reasonable efforts to address and resolve the hazing and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute hazing or who fail to make reasonable efforts to address and resolve the hazing in a timely manner may be subject to disciplinary action.
- D. Submission of a good faith complaint or report of hazing will not affect the complainant or reporter's future employment, grades, ~~or~~ work assignments, or educational or work environment.
- E. Reports of hazing are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of hazing and the record of any resulting investigation.
- F. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

V. SCHOOL DISTRICT ACTION

- A. ~~Upon~~ Within three (3) days of the receipt of a complaint or report of hazing, the school district shall undertake or authorize an investigation by school district officials or a third party designated by the school district.
- B. The building report taker or other appropriate school district officials may take immediate steps, at ~~its~~their discretion, to protect the target or victim of the hazing, the complainant, the reporter, and students, or others pending completion of an investigation of alleged hazing prohibited by this policy.
- C. The alleged perpetrator of the hazing shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

~~C D.~~ Upon completion of ~~the an~~ investigation ~~that determines hazing has occurred~~, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to ~~try to~~ deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements~~;~~ applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act~~;~~ ~~and applicable~~ school district policies~~,~~ and regulations.

~~D E.~~ The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students ~~involved in a hazing incident and who are targets or victims of hazing and the parent(s) or guardian(s) of alleged perpetrators of hazing who have been involved in a reported and confirmed hazing incident of~~ the remedial ~~or disciplinary~~ action taken, to the extent permitted by law~~, based on a confirmed report.~~

~~F.~~ ~~In order to prevent or to respond to hazing committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) team or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in hazing.~~

VI. RETALIATION OR REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, volunteer, contractor, or other employee of the school district who ~~commits an act of reprisal or who~~ retaliates against any person who ~~asserts, alleges, or~~ makes a good faith report of alleged hazing~~, or against any person who provides information about hazing,~~ who testifies, assists, or participates in an investigation ~~of alleged hazing,~~ or ~~against any person~~ who testifies, assists, or participates in a proceeding or hearing relating to such hazing. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. ~~Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the prohibited conduct. Remedial responses to the prohibited conduct shall be tailored to the particular incident and nature of the conduct.~~

VII. DISSEMINATION OF POLICY

[Note: Proper reference should be made to the appropriate handbooks in each school district.]

A. This policy shall appear in each school's student handbook and in each school's

building and staff handbooks.

- B. The school district will develop a method of discussing this policy with students and employees.

Legal References: Minn. Stat. § ~~121A.0695~~ 121A.031 (School Student Bullying Policy Board Policy; Prohibiting Intimidation and Bullying)
Minn. Stat. § 121A.0311 (Notice of the Rights and Responsibilities of Students and Parents Under the Safe and Supportive Minnesota Schools Act)
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.69 (Hazing Policy)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 525 (Violence Prevention [Applicable to Students and Staff])

Adopted: _____

MSBA/MASA Model Policy 531

Orig. 2003

Revised: _____

Rev. 2003

531 THE PLEDGE OF ALLEGIANCE

[Note: Recitation of the Pledge of Allegiance by students and instruction of students as provided in this policy are required by statute. Also, the statement in Part III., below, must be included in the student handbook or a policy guide. A local school board or a charter school board of directors may waive these statutory requirements by a majority vote taken annually. If the local school board or charter school board of directors waives the requirement to recite the Pledge of Allegiance, it may adopt a district or school policy regarding the reciting of the Pledge of Allegiance.]

I. PURPOSE

The school board recognizes the need to display an appropriate United States flag and to provide instruction to students in the proper etiquette, display, and respect of the flag. The purpose of this policy is to provide for recitation of the Pledge of Allegiance and instruction in school to help further that end.

II. GENERAL STATEMENT OF POLICY

Students in this school district shall recite the Pledge of Allegiance to the flag of the United States of America one or more times each week. The recitation shall be conducted:

- A. By each individual classroom teacher or the teacher's surrogate; or
- B. Over a school intercom system by a person designated by the school principal or other person having administrative control over the school.

III. EXCEPTIONS

Anyone who does not wish to participate in reciting the Pledge of Allegiance for any personal reasons may elect not to do so. Students and school personnel must respect another person's right to make that choice.

IV. INSTRUCTION

Students will be instructed in the proper etiquette toward, correct display of, and respect for the flag, and in patriotic exercises.

Legal References: Minn. Stat. § 121A.11, Subd. 3 (Pledge of Allegiance)
Minn. Stat. § 121A.11, Subd. 4 (Instruction)

Cross References:

Adopted: _____

MSBA/MASA Model Policy 531

Orig. 2003

Revised: _____

Rev. 2003

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Legal References: Minn. Stat. § 121A.11, Subd. 3 and Subd. 4 (United States Flag)

Cross References: None

Adopted: _____

MSBA/MASA Model Policy 532

Orig. 2003

Revised: _____

Rev. 2019

532 USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS WITH IEPs FROM SCHOOL GROUNDS

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

[Note: Minnesota Laws 2009, Chapter 96, made a number of changes to the laws and rules governing the use of “conditional procedures” with respect to special education students. Specifically, Chapter 96 repealed, EFFECTIVE AUGUST 1, 2011, Minn. Stat. §§ 121A.66, 121A.67, Subd. 1, as well as Minn. Rules 3525.0210, Subparts 5, 6, 9, 13, 17, 29, 30, 46, 47, and 3525.2900, Subp. 5. These laws and rules were replaced, effective August 1, 2011, with a restrictive procedures law which generally addresses the restraint of special education students. Also note that the restrictive procedures law contains a significant staff training component, found at Minn. Stat. § 125A.0942, Subds. 1, 2, and 5. Staff who intend to use restrictive procedures must be trained in the areas specified in Subd. 5 to use these procedures.]

I. PURPOSE

The purpose of this policy is to describe the appropriate use of peace officers and crisis teams to remove, if necessary, a student with an individualized education program (IEP) from school grounds.

II. GENERAL STATEMENT OF POLICY

The school district is committed to promoting learning environments that are safe for all members of the school community. It further believes that students are the first priority and that they should be reasonably protected from physical or emotional harm at all school locations and during all school activities.

In general, all students, including those with IEPs, are subject to the terms of the school district’s discipline policy. Building level administrators have the leadership responsibility to maintain a safe, secure, and orderly educational environment within which learning can occur. Corrective action to discipline a student and/or modify a student’s behavior will be taken by staff when a student’s behavior violates the school district’s discipline policy.

If a student with an IEP engages in conduct which, in the judgment of school personnel, endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, that student may be removed from school grounds in accordance with this policy.

III. DEFINITIONS

For purposes of this policy, the following terms have the meaning given them in this section:

- A. “Student with an IEP” or “the student” means a student who is eligible to receive special education and related services pursuant to the terms of an IEP or an individual interagency intervention plan (IIIP).
- B. “Peace officer” means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the Board of Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest. The term “peace officer” includes a person who serves as a sheriff, a deputy sheriff, a police officer, or a state patrol trooper.
- C. “Police liaison officer” is a peace officer who, pursuant to an agreement between the school district and a political subdivision or law enforcement agency, is assigned to a school building for all or a portion of the school day to provide law enforcement assistance and support to the building administration and to promote school safety, security, and positive relationships with students.
- D. “Crisis team” means a group of persons, which may include teachers and non-teaching school personnel, selected by the building administrator in each school building who have received crisis intervention training and are responsible for becoming actively involved with resolving crises. The building administrator or designee shall serve as the leader of the crisis team.
- E. The phrase “remove the student from school grounds” is the act of securing the person of a student with an IEP and escorting that student from the school building or school activity at which the student with an IEP is located.
- F. “Emergency” means a situation where immediate intervention is needed to protect a child or other individual from physical injury.
- G. All other terms and phrases used in this policy shall be defined in accordance with applicable state and federal law or ordinary and customary usage.

IV. REMOVAL OF STUDENTS WITH IEPs FROM SCHOOL GROUNDS

A. Removal By Crisis Team

If the behavior of a student with an IEP escalates to the point where the student’s behavior endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building’s crisis team may be summoned. The crisis team may attempt to de-escalate the student’s behavior by means including, but not limited to, those described in the student’s IEP and/or behavior intervention plan. When such measures fail, or when the

crisis team determines that the student's behavior continues to endanger or may endanger the health, safety, or property of the student, other students, staff members, or school property, the crisis team may remove the student from school grounds.

If the student's behavior cannot be safely managed, school personnel may immediately request assistance from the police liaison officer or a peace officer.

B. Removal By Police Liaison Officer or Peace Officer

If a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building's crisis team, building administrator, or the building administrator's designee, may request that the police liaison officer or a peace officer remove the student from school grounds.

If a student with an IEP is restrained or removed from a classroom, school building, or school grounds by a peace officer at the request of a school administrator or school staff person during the school day twice in a 30-day period, the student's IEP team must meet to determine if the student's IEP is adequate or if additional evaluation is needed.

Whether or not a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, school district personnel may report a crime committed by a student with an IEP to appropriate authorities. If the school district reports a crime committed by a student with an IEP, school personnel shall transmit copies of the special education and disciplinary records of the student for consideration by appropriate authorities to whom it reports the crime, to the extent that the transmission is permitted by the Family Education Rights and Privacy Act (FERPA), the Minnesota Government Data Practices Act, and school district's policy, Protection and Privacy of Pupil Records.

[Note: If the school district uses a different reference name for its student records policy, insert that name in place of the reference to Protection and Privacy of Pupil Records, which is the title of MSBA/MASA Model Policy 515.]

The fact that a student with an IEP is covered by special education law does not prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a student with an IEP.

C. Reasonable Force Permitted

In removing a student with an IEP from school grounds, a building administrator, other crisis team members, or the police liaison officer or other agents of the school district, whether or not members of a crisis team, may use reasonable force

when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

In removing a student with an IEP from school grounds, police liaison officers and school district personnel are further prohibited from engaging in the following conduct:

1. Corporal punishment prohibited by Minn. Stat. § 121A.58;
2. Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;
3. Totally or partially restricting a child's senses as punishment;
4. Denying or restricting a child's access to equipment and devices such as walkers, wheel chairs, hearing aids, and communication boards that facilitate the child's functioning except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;
5. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under Minn. Stat. § 626.556;
6. Physical holding (as defined in Minn. Stat. § 125A.0941) that restricts or impairs a child's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso;
7. Withholding regularly scheduled meals or water; and/or
8. Denying a child access to toilet facilities.

D. Parental Notification

The building administrator or designee shall make reasonable efforts to notify the student's parent or guardian of the student's removal from school grounds as soon as possible following the removal.

E. Continued Removals; Review of IEP

Continued and repeated use of the removal process described herein must be reviewed in the development of the individual student's IEP or IIIP.

F. Effect of Policy in an Emergency; Use of Restrictive Procedures

A student with an IEP may be removed in accordance with this policy regardless of whether the student's conduct would create an emergency.

If the school district seeks to remove a student with an IEP from school grounds under this policy due to behaviors that constitute an emergency and the student's IEP, IIIP, or behavior intervention plan authorizes the use of one or more restrictive procedures, the crisis team may employ those restrictive procedures, in addition to any reasonable force that may be necessary, to facilitate the student's removal from school grounds, as long as the crisis team members who are implementing the restrictive procedures have received the training required by Minn. Stat § 125A.0942, Subd. 5, and otherwise comply with the requirements of § 125A.0942.

G. Reporting to the Minnesota Department of Education (MDE)

Annually, stakeholders may recommend, as necessary, to the Commissioner of MDE (Commissioner) specific and measurable implementation and outcome goals for reducing the use of restrictive procedures. The Commissioner must submit to the Legislature a report on districts' progress in reducing the use of restrictive procedures that recommends how to further reduce these procedures and eliminate the use of seclusion. By January 15, April 15, July 15, and October 15 of each year, districts must report, in a form and manner determined by the Commissioner, about individual students who have been secluded. By July 15 each year, districts must report summary data. The summary data must include information on the use of restrictive procedures for the prior school year, July 1 through June 30, including the use of reasonable force by school personnel that is consistent with the definition of physical holding or seclusion of a child with a disability.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
 Minn. Stat. §§ 121A.40-121A.56 (Minnesota Pupil Fair Dismissal Act)
 Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
 Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
 Minn. Stat. § 121A.67, Subd. 2 (Aversive and Deprivation Procedures)
 Minn. Stat. §§ 125A.094-125A.0942 (Restrictive Procedures for Children with Disabilities)
 Minn. Stat. § 609.06 (Authorized Use of Force)
 Minn. Stat. § 609.379 (Permitted Actions)
 20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy (FERPA))
 20 U.S.C. § 1415(k)(6) (Individuals with Disabilities Education Improvement Act of 2004 (IDEA))
 34 C.F.R. § 300.535 (IDEA Regulation Regarding Involvement of Law Enforcement)

Cross References: MSBA/MASA Model Policy 506 (Student Discipline)

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MSBA/MASA Model Policy 507 (Corporal Punishment)

MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil
Records)

MSBA/MASA Model Policy 525 (Violence Prevention)

MSBA/MASA Model Policy 806 (Crisis Management Policy)

Adopted: _____

MSBA/MASA Model Policy 532

Orig. 2003

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Rev. 2023

532 USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS WITH IEPs FROM SCHOOL GROUNDS

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

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In general, all students, including those with IEPs, are subject to the terms of the school district's discipline policy. Building level administrators have the leadership responsibility to maintain a safe, secure, and orderly educational environment within which learning can occur. Corrective action to discipline a student and/or modify a student's behavior will be taken by staff when a student's behavior violates the school district's discipline policy.

If a student with an IEP engages in conduct which, in the judgment of school personnel, endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, that student may be removed from school grounds in accordance with this policy.

III. DEFINITIONS

For purposes of this policy, the following terms have the meaning given them in this section:

- A. "Crisis team" means a group of persons, which may include teachers and non-teaching school personnel, selected by the building administrator in each school building who have received crisis intervention training and are responsible for becoming actively involved with resolving crises. The building administrator or designee shall serve as the leader of the crisis team.
- B. "Emergency" means a situation where immediate intervention is needed to protect a child or other individual from physical injury.

- C. "Peace officer" means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the Board of Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest. The term "peace officer" includes a person who serves as a sheriff, a deputy sheriff, a police officer, or a state patrol trooper.
- D. "Police liaison officer" is a peace officer who, pursuant to an agreement between the school district and a political subdivision or law enforcement agency, is assigned to a school building for all or a portion of the school day to provide law enforcement assistance and support to the building administration and to promote school safety, security, and positive relationships with students.
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- F. "Student with an IEP" or "the student" means a student who is eligible to receive special education and related services pursuant to the terms of an IEP or an individual interagency intervention plan (IIIP).
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If a student with an IEP is restrained or removed from a classroom, school building, or school grounds by a peace officer at the request of a school administrator or school staff person during the school day twice in a 30-day period, the student's IEP team must meet to determine if the student's IEP is adequate or if additional evaluation is needed.

Whether or not a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, school district personnel may report a crime committed by a student with an IEP to appropriate authorities. If the school district reports a crime committed by a student with an IEP, school personnel shall transmit copies of the special education and disciplinary records of the student for consideration by appropriate authorities to whom it reports the crime, to the extent that the transmission is permitted by the Family

Education Rights and Privacy Act (FERPA), the Minnesota Government Data Practices Act, and school district's policy, Protection and Privacy of Pupil Records.

[Note: If the school district uses a different reference name for its student records policy, insert that name in place of the reference to Protection and Privacy of Pupil Records, which is the title of MSBA/MASA Model Policy 515.]

The fact that a student with an IEP is covered by special education law does not prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a student with an IEP.

C. Reasonable Force Permitted

1. In removing a student with an IEP from school grounds, a building administrator, other crisis team members, or the police liaison officer or other agents of the school district, whether or not members of a crisis team, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another
2. In removing a student with an IEP from school grounds, police liaison officers and school district personnel are further prohibited from engaging in the following conduct:
 - a. Corporal punishment prohibited by Minnesota Statutes, section 121A.58;
 - b. Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;
 - c. Totally or partially restricting a child's senses as punishment;
 - d. Denying or restricting a child's access to equipment and devices such as walkers, wheelchairs, hearing aids, and communication boards that facilitate the child's functioning except when temporarily removing the equipment or device is needed to prevent injury to the child or others or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;
 - e. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under Minnesota Statutes, Chapter 260E;
 - f. Physical holding (as defined in Minnesota Statutes, section 125A.0941) that restricts or impairs a child's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso;
 - g. Withholding regularly scheduled meals or water; and/or
 - h. Denying a child access to toilet facilities.
3. Any reasonable force used under Minnesota Statutes, sections 121A.582; 609.06, subdivision 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred shall be reported to the Minnesota Department of Education as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person.

D. Parental Notification

The building administrator or designee shall make reasonable efforts to notify the student's parent or guardian of the student's removal from school grounds as soon as possible following the removal.

E. Continued Removals; Review of IEP

Continued and repeated use of the removal process described herein must be reviewed in the development of the individual student's IEP or IIIP.

F. Effect of Policy in an Emergency; Use of Restrictive Procedures

A student with an IEP may be removed in accordance with this policy regardless of whether the student's conduct would create an emergency.

If the school district seeks to remove a student with an IEP from school grounds under this policy due to behaviors that constitute an emergency and the student's IEP, IIIP, or behavior intervention plan authorizes the use of one or more restrictive procedures, the crisis team may employ those restrictive procedures, in addition to any reasonable force that may be necessary, to facilitate the student's removal from school grounds, as long as the crisis team members who are implementing the restrictive procedures have received the training required by Minnesota Statutes, section 125A.0942, subdivision ~~Subd.~~ 5, and otherwise comply with the requirements of section § 125A.0942.

G. Reporting to the Minnesota Department of Education (MDE)

Annually, stakeholders may recommend, as necessary, to the Commissioner of MDE (Commissioner) specific and measurable implementation and outcome goals for reducing the use of restrictive procedures. The Commissioner must submit to the Legislature a report on districts' progress in reducing the use of restrictive procedures that recommends how to further reduce these procedures and eliminate the use of seclusion. By January 15, April 15, July 15, and October 15 of each year, districts must report, in a form and manner determined by the Commissioner, about individual students who have been secluded. By July 15 each year, districts must report summary data. The summary data must include information on the use of restrictive procedures for the prior school year, July 1 through June 30, including the use of reasonable force by school personnel that is consistent with the definition of physical holding or seclusion of a child with a disability.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. §§ 121A.40-121A.56 (Minnesota Pupil Fair Dismissal Act)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
Minn. Stat. § 121A.67 (Removal by Police Officer)
Minn. Stat. §§ 125A.094-125A.0942 (Restrictive Procedures for Children with Disabilities)
Minn. Stat. § 609.06 (Authorized Use of Force)
Minn. Stat. § 609.379 (Permitted Actions)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy (FERPA))
20 U.S.C. § 1415(k)(6) (Individuals with Disabilities Education Act)
34 C.F.R. § 300.535 (Referral to and Action by Law Enforcement and Judicial Authorities)

Cross References: MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 507 (Corporal Punishment)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 895 (Crisis Management Policy)

Wellness Policy

Originated: 2005

Revised: 2013, 2016, 2020

I. Purpose

The purpose of this policy is to assure a school environment that enhances student attendance and academic performance by supporting healthy eating and physical activity. The policy promotes and encourages students to adopt lifelong healthy behaviors that can promote and protect students' health and wellbeing, as well as reduce the risk of chronic disease.

II. Nutrition Education and Wellness Promotion is:

- A. Recognized as an essential component of the education process and formation of lifelong healthy behaviors.
- B. Provided as part of a standards-based, comprehensive program designed to provide students and families with knowledge and skills that facilitate healthy behaviors, and encouragement to promote and protect their health and ability to learn.
- C. Integrated into every classroom and physical education (PE), as appropriate including areas such as math, science, language arts, social sciences, family and consumer sciences and elective subjects.
- D. Supported by teachers, staff, and food service personnel through participation in worksite wellness opportunities, and role modeling of healthy behaviors.
- E. Linked with school food environment, afterschool programs, and nutrition-related community services.
- F. Communicated and promoted with consistent messaging throughout the district, as well as to parents and the community via posters, website, newsletters, and other available means. Marketing and advertising of foods and beverages meet USDA Smart Snack guidelines and do not allow advertising of less nutritious choices during the school day. Advertising of foods and beverages that are not available for sale will not be advertised on any school property and will be considered in the selection of curricular/education materials and school publications. The district will avoid participation in fundraising or corporate incentive programs that promote a message inconsistent with goals for a healthy school community.
- G. Offered in the cafeteria and classrooms with coordination between nutrition-trained school food service staff and teachers.
- H. Encouraged through school-based agriculture and farm to school education.

III. USDA School Meal Program**School Meals are:**

- A. The main source of nutrition during the school day.
- B. Affordable, nutritious, appealing, and served in a safe, clean, and enjoyable setting.
- C. Served in an environment that encourages healthy eating.
- D. In compliance with or exceeding the most updated safety standards and US Department of Agriculture (USDA) school breakfast and lunch guidelines.

Barnesville School District:

- E. Provides continuing professional development for food service director and employees.
- F. Provides nutritional information for meals served including calories, fat, saturated fat, and sodium content.
- G. Offers nutrient-rich fresh fruits/vegetables, whole grains, and other minimally processed foods daily.
- H. Incorporates local foods into school meals and promotes Farm to School activities in the cafeteria and classroom to the extent possible.
- I. Provides access to clean, free drinking water for students during mealtimes and throughout the day.
- J. Provides student access to hand washing or hand sanitizing prior to meals and snacks.
- K. Operates the USDA Breakfast Program in all schools, informing families of the program availability and the link between a healthy breakfast and ability to learn.
- L. Encourages breakfast participation via alternative methods such as grab-n-go, breakfast in the classroom, and/or second chance breakfast.
- M. Provides students with adequate time to eat meals (after sitting to eat: 20 minutes for lunch and 10 minutes for breakfast).
- N. Schedules lunch between 11am-1 pm, and after recess to increase student nutrient intake and reduce food waste.
- O. Utilizes a closed campus in order to encourage healthy eating.
- P. Encouraged to limit the sale of beverages with caffeine to all students specifically high school students.
- Q. Discourages tutoring, club meetings, or activities during mealtimes unless lunch may be eaten during such activities.
- R. Uses no food/beverages as a reward unless healthy choices are allowed by student's Individualized Education Plan (IEP); does not withhold food/beverages as a punishment.
- S. Encourages that lunches from home contain nutritious food and beverage items.
- T. Applies USDA guidelines to food brought into the cafeteria from outside food vendors.
- U. Specifies how families are provided information about determining eligibility for free/reduced priced meals and takes steps beyond those required by the federal law/regulation to protect the privacy of students who qualify. Refer to Minnesota School Boards Association (MSBA) policy 534 about how to handle feeding students with unpaid meal balances without stigmatizing them.

IV. Competitive Foods and Other Foods:

Competitive Foods are those foods and beverages sold/served during the school day outside of reimbursable school meals. The district uses the current USDA Smart Snacks standards based on the intent that school meals be the main source of nutrition for students during the school day. Competitive Foods shall help rather than hinder health and learning and be within age appropriate serving sizes. Smart Snacks guidelines can be found here: <https://www.fns.usda.gov/tn/guide-smart-snacks-school>.

- A. Food and beverages sold through vending, school stores, a la carte shall follow or exceed USDA Smart Snack standards. USDA Smart Snack standards apply to all foods sold to students during, and up to 30 minutes following the school day.

- B. Fundraisers: Nonfood fundraising is recommended. All fundraisers held during the school day must meet Smart Snacks guidelines. Follow district procedure for all fundraisers.
- C. Elementary Schools have no vending, a la carte, school store, or food fundraising during the school day. Any food cart sells only items meeting Smart Snack standards.
- D. Afterschool programs in elementary schools follow Smart Snack standards.
- E. Individual Student Snacks: Families are encouraged to send healthy snacks that enhance their student's learning and health.
- F. Classroom Snacks (brought for entire class): shall follow Smart Snack standards. Fruits, vegetables, or foods containing <200 calories are recommended.
- G. School Day Classroom Celebrations, including birthdays, focus on physical activities rather than food.
- H. Concessions:
 - Encouraged to include healthy food/beverage options.
 - Encouraged to offer the following in appropriate portion sizes: low-fat or fat-free milk, fruits, vegetables, and at least one healthy entrée option.
- I. Anytime food is served at a school function, healthy food options shall be available.

V. Physical Education and Physical Activity

- A. Physical Education(PE) is:
 1. Standards-based, using state-developed standards and incorporates adequate PE/PA specific space and equipment that conforms to all applicable safety standards.
 2. Recognized as an essential component of the educational process and forming lifelong healthy behavior and lifestyle.
 3. Offered daily 150 minutes/week for elementary and 225 minutes/week for middle and high school students for the entire school year. It is in compliance with specialized IEP or 504 Plans for students with disabilities, special healthcare needs, and in alternative educational settings. Elementary schools do not substitute recess for PE.
 4. Composed of at least 50% of the time spent in moderate to vigorous PA.
 5. Taught with curriculum written for each grade that is sequential, provides an opportunity to learn, practice, and be assessed on content, developmentally appropriate motor skills, social skills, responsible behavior, physical fitness, and PA benefits.
 6. Taught by certified PE staff who are provided opportunities for professional development. PE teachers are trained to teach other school staff to integrate PA into the classroom and promote enjoyable, lifelong PA among students.
 7. Consistent with student-teacher ratios of other academic subjects though enrollment caps.
 8. Not to be withheld or used as punishment. PA or recess shall not be withheld or used as punishment. Staff is encouraged to use physical activity as a reward.
 9. To be participated in by all students; students may be temporarily excused from PE but will not receive waivers. Adapted PE is identified through an IEP. The school district discourages students from substituting other school or community activities for physical education class time.

B. Integration of Physical Activity Throughout the School Day

1. Elementary school students have at least a 20-minute supervised recess break daily, preferably outdoors and before lunch; moderate to vigorous PA is facilitated verbally and via adequate equipment and outdoor/indoor space.
2. Integration of Physical Activity into the Classroom Settings – In order that students are active the recommended amount of at least 60 minutes of PA per day:
 - a. Classroom health education reinforces knowledge and self-management skills to maintain a physically active lifestyle and reduce sedentary activities, such as watching TV and video games.
 - b. PA is integrated into classroom lessons, celebrations, and school events.
 - c. Short PA breaks are offered between lessons and classes, as appropriate.

C. Daily Physical Activity Opportunities Before and After School

1. Daily PA programs are offered and promoted, such as before/after school supervised active play time, activity clubs or intramurals.
2. Childcare programs held in schools shall encourage- verbally and via provision of safe space, activities, and equipment- daily periods of moderate to vigorous PA.
3. Schools shall make outdoor and indoor PA facilities available for community use when not being used for school activities. School safety policies apply at all times.
4. Safe bicycling and walking to and from school is promoted and encouraged.

D. Family and community engagement in physical activity opportunities

1. Physical activity opportunities are provided at schools for families and community members.

VI. Staff Wellness and Health Promotion

The Wellness Committee will have a staff wellness subcommittee that identifies and disseminates wellness resources and performs other functions that support staff wellness in coordination with human resources staff. Schools will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors, such as healthy eating/weight management programs that are accessible and free or low cost.

Professional Learning

When feasible, the district will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and school (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class). Professional learning will help staff understand the connections between academics and health.

VII. Implementation and Monitoring of Wellness Policy

- A. The district engages students, parents, classroom and PE teachers, food service professionals, school health professionals, school board, school administrators in developing, implementing, annual monitoring, and revising of Wellness Policy. The wellness committee will meet four times during the school year to review measurable annual goals.
- B. The Superintendent designates a Wellness Coordinator (identify position) and he/she is responsible for administrative procedures that designate district level and site-based staff responsible for policy implementation and compliance of the wellness policy.

- C. At least once every three years as part of the MN Department of Education triennial assessment, the school district Food Service Director, Wellness Coordinator and Superintendent or designee will evaluate compliance with the wellness policy to assess the implementation of the policy and create a report that includes the following information:
 - a. the extent to which schools under the jurisdiction of the school district are in compliance with the wellness policy
 - b. the extent to which the school district's wellness policy compares to model wellness policies
 - c. a description of the progress made in attaining the goals of the school district's wellness policy
- D. The Wellness Coordinator will be responsible for conducting the triennial assessment in partnership with the Wellness Committee.
- E. The triennial assessment report shall be posted on the school district's website or otherwise made available to the public.
- F. The Food Service Director will ensure compliance in food service areas, and report either to the building Principal or Superintendent. The Food Service Director will provide an annual report to the superintendent identifying the nutrition guidelines and procedures for selection of all foods made available on campus, as well as the most recent Minnesota Department of Education review (triennial assessment), findings and updates.
- G. The superintendent or wellness coordinator will develop an annual summary report on the progress of implementation of the wellness policy with wellness committee input. This report will be provided to the school board and communicated to school staff, parents, and the public through school website, newsletter, weekly column and/or other means as designated by the superintendent.

Adopted: _____

Revised: _____

MSBA/MASA Model Policy 533
Orig. 2005
Rev. 20~~22~~16

533 WELLNESS

[Note: All school districts that participate in the National School Lunch and School Breakfast Programs are required by the Healthy, Hunger-Free Kids Act of 2010 (Act) to have a wellness policy that includes standards and nutrition guidelines for foods and beverages made available to students on campus during the school day, as well as specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. The Act requires the involvement of parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the public in the development, implementation, and periodic review and update of the wellness policy. The Act also requires a plan for measuring implementation of the policy and reporting wellness policy content and implementation issues to the public, as well as the designation of at least one person charged with responsibility for the implementation and oversight of the wellness policy to ensure the school district is in compliance with the policy.]

I. PURPOSE

The purpose of this policy is to set forth methods that promote student wellness, prevent and reduce childhood obesity, and assure that school meals and other food and beverages sold and otherwise made available on the school campus during the school day are consistent with applicable minimum local, state, and federal standards.

II. GENERAL STATEMENT OF POLICY

- A. The school board recognizes that nutrition promotion and education, physical activity, and other school-based activities that promote student wellness are essential components of the educational process and that good health fosters student attendance and learning.
- B. The school environment should promote students' health, well-being, and ability to learn by encouraging healthy eating and physical activity.
- C. The school district encourages the involvement of parents, students, representatives of the school food authority, teachers, school health professionals, the school board, school administrators, and the general public in the development, implementation, and periodic review and update of the school district's wellness policy.
- D. Children need access to healthy foods and opportunities to be physically active in order to grow, learn, and thrive.
- E. All students in grades K-12 will have opportunities, support, and encouragement to be physically active on a regular basis.
- F. Qualified food service personnel will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; try to accommodate the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.

III. WELLNESS GOALS

[Note: The Act requires that wellness policies include goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness.]

A. Nutrition Promotion and Education

1. The school district will encourage and support healthy eating by students and engage in nutrition promotion that is:
 - a. offered as part of a comprehensive program designed to provide students with the knowledge and skills necessary to promote and protect their health;
 - b. part of health education classes, as well as classroom instruction in subjects such as math, science, language arts, social sciences, and elective subjects, where appropriate; and
 - c. enjoyable, developmentally appropriate, culturally relevant, and includes participatory activities, such as contests, promotions, taste testing, and field trips.
2. The school district will encourage all students to make age appropriate, healthy selections of foods and beverages, including those sold individually outside the reimbursable school meal programs, such as through a la carte/snack lines, vending machines, fundraising events, concession stands, and student stores.

B. Physical Activity

1. Students need opportunities for physical activity and to fully embrace regular physical activity as a personal behavior. Toward that end, health and physical education will reinforce the knowledge and self-management skills needed to maintain a healthy lifestyle and reduce sedentary activities, such as watching television;
2. Opportunities for physical activity will be incorporated into other subject lessons, where appropriate; and
3. Classroom teachers will provide short physical activity breaks between lessons or classes, as appropriate.

C. Communications with Parents

1. The school district recognizes that parents and guardians have a primary role in promoting their children's health and well-being.
2. The school district will support parents' efforts to provide a healthy diet and daily physical activity for their children.
3. The school district encourages parents to pack healthy lunches and snacks and refrain from including beverages and foods without nutritional value.
4. The school district will provide information about physical education and other school-based physical activity opportunities and will support parents' efforts to provide their children with opportunities to be physically active outside of school.

IV. STANDARDS AND NUTRITION GUIDELINES

[Note: The Act requires that school districts have standards, selected by the school district, for all foods available on the school campus during the school day with the objective of promoting student health and reducing childhood obesity. For foods and beverages sold to students during the school day on school campus, the Act requires that school districts also have nutrition guidelines.]

A. School Meals

[Note: The Act specifically requires that the wellness policy contain standards and nutrition guidelines for all foods and beverages sold to students during the school day that are consistent with the meal requirements for lunches and after-school snacks set forth in 7 Code of Federal Regulations section C.F.R. § 210.10 and the meal requirements for breakfasts set forth in Code of Federal Regulations section 7 C.F.R. § 220.8.]

1. The school district will provide healthy and safe school meal programs that comply with all applicable federal, state, and local laws, rules, and regulations.
2. Food service personnel will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students.
3. Food service personnel will try to accommodate the religious, ethnic, and cultural diversity of the student body in meal planning.
4. Food service personnel will provide clean, safe, and pleasant settings and adequate time for students to eat.
5. Food service personnel will take every measure to ensure that student access to foods and beverages meets or exceeds all applicable federal, state, and local laws, rules, and regulations and that reimbursable school meals meet USDA nutrition standards.
6. Food service personnel shall adhere to all applicable federal, state, and local food safety and security guidelines.
7. The school district will make every effort to eliminate any social stigma attached to, and prevent the overt identification of, students who are eligible for free and reduced-price school meals.
8. The school district will provide students access to hand washing or hand sanitizing before they eat meals or snacks.
9. The school district will make every effort to provide students with sufficient time to eat after sitting down for school meals and will schedule meal periods at appropriate times during the school day.
10. The school district will discourage tutoring, club, or organizational meetings or activities during mealtimes unless students may eat during such activities.

B. School Food Service Program/Personnel

1. The school district shall designate an appropriate person to be responsible for the school district's food service program, whose duties shall include the creation of nutrition guidelines and procedures for the selection of foods and beverages made available on campus to ensure food and beverage choices are consistent with current USDA guidelines.

2. As part of the school district's responsibility to operate a food service program, the school district will provide continuing professional development for all food service personnel in schools.

C. Competitive Foods and Beverages

1. All foods and beverages sold on school grounds to students, outside of reimbursable meals, are considered "competitive foods." Competitive foods include items sold a la carte in the cafeteria, from vending machines, school stores, and for in-school fundraisers.
2. All competitive foods will meet the USDA Smart Snacks in School (Smart Snacks) nutrition standards and any applicable state nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day, and create an environment that reinforces the development of healthy eating habits.
3. Before and Aftercare (child care) programs must also comply with the school district's nutrition standards unless they are reimbursable under USDA school meals program, in which case they must comply with all applicable USDA standards.

D. Other Foods and Beverages Made Available to Students

1. Student wellness will be a consideration for all foods offered, but not sold, to students on the school campus, including those foods provided through:
 - a. Celebrations and parties. The school district will provide a list of healthy party ideas to parents and teachers, including non-food celebration ideas.

[Note: Healthy party ideas are available from the USDA.]
 - b. Classroom snacks brought by parents. The school district will provide to parents a list of suggested foods and beverages that meet Smart Snacks nutrition standards.
2. Rewards and incentives. Schools will not use foods or beverages as rewards for academic performance or good behavior (unless this practice is allowed by a student's individual education plan or behavior intervention plan) and will not withhold food or beverages as punishment.
3. Fundraising. The school district will make available to parents and teachers a list of suggested healthy fundraising ideas.

E. Food and Beverage Marketing in Schools

1. School-based marketing will be consistent with nutrition education and health promotion.
2. Schools will restrict food and beverages marketing to the promotion of only those foods and beverages that meet the Smart Snacks nutrition standards.

V. WELLNESS LEADERSHIP AND COMMUNITY INVOLVEMENT

A. Wellness Coordinator

[Note: The Act requires that local school wellness policies identify the position of the local education agency or school official(s) responsible for the implementation and oversight of the local school wellness policy.]

1. The superintendent will designate a school district official to oversee the school district's wellness-related activities (Wellness Coordinator). The Wellness Coordinator will ensure that each school implements the policy.
2. The principal of each school, or a designated school official, will ensure compliance within the school and will report to the Wellness Coordinator regarding compliance matters upon request.

B. Public Involvement

[Note: The Act requires a description of the manner in which parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the general public are provided an opportunity to participate in the development, implementation, and periodic review and update of the local school wellness policy.]

1. The Wellness Coordinator will permit parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the school board, school administrators, and the general public to participate in the development, implementation, and periodic review and update of the wellness policy.
2. The Wellness Coordinator will hold meetings, from time to time, for the purpose of discussing the development, implementation, and periodic review and update of the wellness policy. All meeting dates and times will be posted on the school district's website and will be open to the public.

VI. POLICY IMPLEMENTATION AND MONITORING

A. Implementation and Publication

[Note: The Act requires a description of the plan for measuring the implementation of the local school wellness policy.]

1. After approval by the school board, the wellness policy will be implemented throughout the school district.
2. The school district will post its wellness policy on its website, to the extent it maintains a website.

[Note: Per Minnesota Statutes section, Stat. § 121A.215, when available, a school district must post its current local school wellness policy on its website.]

B. Annual Reporting

[Note: The Act requires that school districts inform the public about the content and implementation of the local wellness policy and make the policy and any updates to the policy available to the public on an annual basis.]

The Wellness Coordinator will annually inform the public about the content and implementation of the wellness policy and make the policy and any updates to the policy available to the public.

C. Triennial Assessment

[Note: The Act requires a triennial assessment of schools' compliance with the wellness policy. The Act also requires school districts to inform the public

about progress toward meeting the goals of the wellness policy by making the triennial assessment available to the public in an accessible and easily understood manner.]

1. At least once every three years, the school district will evaluate compliance with the wellness policy to assess the implementation of the policy and create a report that includes the following information:
 - a. the extent to which schools under the jurisdiction of the school district are in compliance with the wellness policy;
 - b. the extent to which the school district's wellness policy compares to model local wellness policies; and
 - c. a description of the progress made in attaining the goals of the school district's wellness policy.
2. The Wellness Coordinator will be responsible for conducting the triennial assessment.
3. The triennial assessment report shall be posted on the school district's website or otherwise made available to the public.

D. Recordkeeping

[Note: The Act requires school districts to retain records to document compliance with the requirements of 7 Code of Federal Regulations section C.F.R. § 210.30.]

The school district will retain records to document compliance with the requirements of the wellness policy. The records to be retained include, but are not limited to:

1. The school district's written wellness policy.
2. Documentation demonstrating compliance with community involvement requirements, including requirements to make the local school wellness policy and triennial assessments available to the public.
3. Documentation of the triennial assessment of the local school wellness policy for each school under the school district's jurisdiction efforts to review and update the wellness policy (including an indication of who is involved in the update and methods the school district uses to make stakeholders aware of their ability to participate on the Wellness Committee).

Legal References: Minn. Stat. § 121A.215 (Local School District Wellness Policy; [Website](#))
42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)
42 U.S.C. § 1758b (Local School Wellness Policy)
42 U.S.C. § 1771 *et seq.* (Child Nutrition Act ~~of 1966~~)
7 U.S.C. § 5341 (Establishment of Dietary Guidelines)
7 C.F.R. § 210.10 (School Lunch Program Regulations)
7 C.F.R. § 220.8 (School Breakfast Program Regulations)

Local Resources: Minnesota Department of Education, www.education.state.mn.us
Minnesota Department of Health, www.health.state.mn.us
County Health Departments
Action for Healthy Kids Minnesota, www.actionforhealthykids.org
United States Department of Agriculture, www.fns.usda.gov

Adopted: _____

MSBA/MASA Model Policy 534

Orig. 2017

Revised: _____

Rev. 2019

534 UNPAID MEAL CHARGES

[Note: United States Department of Agriculture (USDA) Policy Memorandum SP 46-2016 requires all School Food Authorities (i.e., school districts) operating federal school meal programs to have a written and clearly communicated system to address unpaid meal charges by July 1, 2017. USDA Policy Memorandum SP 23-2017 clarified that school districts could adopt a “policy” or “standard practice.” Although this document is styled as a “policy,” school districts may establish and implement a set of written procedures instead of a policy, provided that the written document explains how the school district will handle situations where students eligible to receive reduced-price or paid meals do not have money in their account or in hand to cover the cost of their meals at the time of service. The policy or standard practice must be implemented throughout the school district.]

[Note: This MSBA/MASA model policy is drafted to be consistent for all grade levels. However, local school districts may vary the meal charge policy for elementary, middle, and high schools.]

[Note: School districts must follow appropriate debt collection practices when attempting to recover unpaid meal charges.]

I. PURPOSE

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the school district’s nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for school meals as well as to maintain the financial integrity of the school nutrition program.

II. PAYMENT OF MEALS

[Note: Payment systems and procedures will likely vary from school district to school district. The school district should select one of the following options and delete the remaining options.]

- A. [OPTION 1: *All meal purchases are to be prepaid before meal service begins. [Insert description for how families may add money to students’ accounts (e.g., electronic payment options, pay at the school office, etc.).] A student who does not have sufficient funds will not be allowed to charge meals or a la carte items until additional money is deposited in the student’s account.*]

[OPTION 2: *Students have use of a meal account. When the balance reaches zero, a student may charge no more than \$[insert amount] or [insert number of meals] to this account. When an account reaches this limit, a student shall not be allowed to charge further meals or a la carte items until the negative account balance is paid. [Insert description for how families may add money to students' accounts (e.g., electronic payment options, pay at the school office, etc.).]*]

[OPTION 3: *Insert a school district-specific process for payment of meals.*]

- B. If the school district receives school lunch aid under Minn. Stat. § 124D.111, it must make lunch available without charge to all participating students who qualify for free or reduced-price meals regardless of account balance.
- C. A student with an outstanding meal charge debt will be allowed to purchase a meal if the student pays for the meal when it is received.
- D. The school district may provide an alternate meal that meets federal and state requirements to a student who does not have sufficient funds in the student's account or cannot pay cash for a meal. The school district will accommodate special dietary needs with respect to alternate meals. The cost of the alternative meal (*\$[insert amount]*) will be charged to the student's account or otherwise charged to the student.
- E. When a student has a negative account balance, the student will not be allowed to charge a snack item.
- F. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.

III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION

- A. The school district will make reasonable efforts to notify families when meal account balances are low or fall below zero.
- B. Families will be notified of an outstanding negative balance once the negative balance reaches *\$[insert amount] or [insert number of meals]*. Families will be notified by *[insert the method used to notify families (e.g., automated calling system, email, letters sent home)]*.
- C. Reminders for payment of outstanding student meal balances will not demean or stigmatize any student participating in the school lunch program. A meal will not be taken away from a student with an overdrawn account.

IV. UNPAID MEAL CHARGES

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free and reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$*[insert amount]*, not paid prior to *[enter time period (e.g., end of the month, end of the semester, end of the school year)]*, will be turned over to the superintendent or superintendent's designee for collection. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district may not deny any student the opportunity to participate in graduation ceremonies or other commencement activities due to unpaid meal charges.

V. COMMUNICATION OF POLICY

- A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:
 - 1. all households at or before the start of each school year;
 - 2. students and families who transfer into the school district, at the time of enrollment; and
 - 3. all school district personnel who are responsible for enforcing this policy.
- B. The school district may post the policy on the school district's website, in addition to providing the required written notification described above.

Legal References: Minn. Stat. § 124D.111, Subd. 4
 42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)
 7 C.F.R. § 210 *et seq.* (School Lunch Program Regulations)
 7 C.F.R. § 220.8 (School Breakfast Program Regulations)
 USDA Policy Memorandum SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies (2016)

534-4

USDA Policy Memorandum SP 47-2016, Unpaid Meal Charges:
Clarification on Collection of Delinquent Meal Payments (2016)

USDA Policy Memorandum SP 23-2017, Unpaid Meal Charges:
Guidance and Q&A

Minn. Op. Atty. Gen. 169j (May 14, 2019) (*Letter to Ricker*)

Adopted: _____

MSBA/MASA Model Policy 534

Orig. 2017

Revised: _____

Rev. 2023

534 SCHOOL MEALS POLICY

[Note: In 2021, the Minnesota legislature amended Minnesota Statutes, section 124D.111, ~~that now states to require~~ that Minnesota school districts that participate in the national school lunch program **must** adopt a school meals policy. In 2023, the Minnesota legislature amended the statute to create the free school meals program].

[Note: This MSBA/MASA model policy is drafted to be consistent for all grade levels. However, local school districts may vary the meal charge policy for elementary, middle, and high schools.]

[Note: School districts must follow appropriate debt collection practices when attempting to recover unpaid a la carte items or second meal charges.]

I. PURPOSE

The purpose of this policy is to ensure that students receive healthy and nutritious meals through the school district's nutrition program and that school district employees, families, and students have a shared understanding of expectations regarding meal charges. The policy of the school district is to provide meals to students in a respectful manner and to maintain the dignity of students by prohibiting lunch shaming or otherwise ostracizing the student. The policy seeks to allow students to receive the nutrition they need to stay focused during the school day and minimize identification of students with insufficient funds to pay for a la carte items or second school meals as well as to maintain the financial integrity of the school nutrition program.

II. PAYMENT OF MEALS

[Note: Payment systems and procedures will likely vary from school district to school district. The school district should select one of the following options and delete the remaining options.]

A. [OPTION 1: All a la carte items or second meal purchases are to be prepaid before meal service begins. [Insert description for how families may add money to students' accounts (e.g., electronic payment options, pay at the school office, etc.).] A student who does not have sufficient funds will not be allowed to charge ~~meals or a la carte items~~ or a second meal until additional money is deposited in the student's account.]

[OPTION 2: Students have use of a meal account. When the balance reaches zero, a student may charge no more than \$[insert amount] or [insert number of meals] to this account]. When an account reaches this limit, a student shall not be allowed to charge ~~further second~~ meals or a la carte items until the negative account balance is paid. [Insert description for how families may add money to students' accounts (e.g., electronic payment options, pay at the school office, etc.).]]

[OPTION 3: Insert a school district-specific process for payment of a la carte items or second meals.]

If the school district participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage below the federal percentage determined for all meals to be reimbursed at the free rate via the Community Eligibility Provision must participate in the free school meals program.

B. A school that participates in the United States Department of Agriculture National School Lunch program and has an Identified Student Percentage at or above the federal percentage determined for all meals to be reimbursed at the free rate must participate in the federal Community Eligibility Provision in order to participate in the free school meals program.

C. Each school that participates in the free school meals program must:

(1) participate in the United States Department of Agriculture School Breakfast Program and the United States Department of Agriculture National School Lunch Program; and

(2) provide to all students at no cost up to two federally reimbursable meals per school day, with a maximum of one free breakfast and one free lunch.

~~If the school district receives school lunch aid under Minnesota Statutes section 124D.111, it must make lunch available without charge to all participating students who qualify for free or reduced-price meals regardless of account balance.~~

~~C. A student with an outstanding meal charge debt will be allowed to purchase a meal if the student pays for the meal when it is received.~~

~~D. A student who has been determined to be eligible for free and reduced-price lunch always must be served a reimbursable meal even if the student has an outstanding debt.~~

~~D. Once a meal has been placed on a student's tray or otherwise served to a student, the meal may not be subsequently withdrawn from the student by the cashier or other school official, whether or not the student has an outstanding meals balance.~~

~~E. When a student has a negative account balance, the student will not be allowed to charge a snack item.~~

~~E. If a parent or guardian chooses to send in one payment that is to be divided between sibling accounts, the parent or guardian must specify how the funds are to be distributed to the students' accounts. Funds may not be transferred between sibling accounts unless written permission is received from the parent or guardian.~~

III. LOW OR NEGATIVE ACCOUNT BALANCES – NOTIFICATION

A. The school district will make reasonable efforts to notify families when meal account balances are low or fall below zero.

B. Families will be notified of an outstanding negative balance once the negative balance reaches \$*[insert amount]* or *[insert number of meals]*. Families will be notified by *[insert the method used to notify families (e.g., automated calling system, email, letters sent home)]*.

- C. Reminders for payment of outstanding student meal balances will not demean or stigmatize any student participating in the school lunch program, including, but not limited to, dumping meals, withdrawing a meal that has been served, announcing or listing students' names publicly, providing alternative meals not specifically related to dietary needs; providing nonreimbursable meals; or affixing stickers, stamps, or pins.

IV. UNPAID MEAL CHARGES

- A. The school district will make reasonable efforts to communicate with families to resolve the matter of unpaid charges. Where appropriate, families may be encouraged to apply for free or reduced-price meals for their children.
- B. The school district will make reasonable efforts to collect unpaid meal charges classified as delinquent debt. Unpaid meal charges are designated as delinquent debt when payment is overdue, the debt is considered collectable, and efforts are being made to collect it.
- C. Negative balances of more than \$*[insert amount]*, not paid prior to *[enter time period (e.g., end of the month, end of the semester, end of the school year)]*, will be turned over to the superintendent or superintendent's designee for collection. In some instances, the school district does use a collection agency to collect unpaid school meal debts after reasonable efforts first have been made by the school district to collect the debt. Collection options may include, but are not limited to, use of collection agencies, claims in the conciliation court, or any other legal method permitted by law.
- D. The school district may not enlist the assistance of non-school district employees, such as volunteers, to engage in debt collection efforts.
- E. The school district will not impose any other restriction prohibited under Minnesota Statutes, section 123B.37 due to unpaid student meal balances. The school district will not limit a student's participation in any school activities, graduation ceremonies, field trips, athletics, activity clubs, or other extracurricular activities or access to materials, technology, or other items provided to students due to an unpaid student meal balance.

V. COMMUNICATION OF POLICY

- A. This policy and any pertinent supporting information shall be provided in writing (i.e., mail, email, back-to-school packet, student handbook, etc.) to:
 - 1. all households at or before the start of each school year;
 - 2. students and families who transfer into the school district, at the time of enrollment; and
 - 3. all school district personnel who are responsible for enforcing this policy.
- B. The school district will post this policy on the school district's website, or the website of the organization where the meal is served, in addition to providing the required written notification described above.
- C. If the school district contracts with a third party for its meal services, it will provide the vendor with its school meals policy. The school district will ensure that any third-party provider with whom the school district enters into either an original or modified contract after July 1, 2021, adheres to the school district's school meals policy.

Legal References: Minn. Stat. § 123B.37 (Prohibited Fees)
Minn. Stat. § 124D.111 (School Meals Policies; Lunch Aid; Food Service Accounting)
42 U.S.C. § 1751 *et seq.* (Healthy and Hunger-Free Kids Act)
7 C.F.R. § 210 *et seq.* (School Lunch Program Regulations)
7 C.F.R. § 220.8 (School Breakfast Program Regulations)
USDA Policy Memorandum SP 46-2016, Unpaid Meal Charges: Local Meal Charge Policies (2016)
USDA Policy Memorandum SP 47-2016, Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments (2016)
USDA Policy Memorandum SP 23-2017, Unpaid Meal Charges: Guidance and Q&A

Cross References: None

EQUAL EDUCATIONAL OPPORTUNITY

BARENSVILLE PUBLIC SCHOOL
ISD 146

POLICY 102
SERIES 100 SCHOOL DISTRICT

102 EQUAL EDUCATIONAL OPPORTUNITY

I. PURPOSE

The purpose of this policy is to ensure that equal educational opportunity is provided for all students of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to provide equal educational opportunity for all students. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation, including gender identity ~~and~~ expression, or age. The school district also makes reasonable accommodation for students with disabilities.
- B. The school district prohibits harassment and discrimination of any individual based on any of the protected classifications listed above. For information about the types of conduct that constitute violation of the school district's policy on harassment and violence and the school district's procedures for addressing such complaints, refer to the school district's policy on harassment and violence (Policy 413).
- C. The school district prohibits discrimination of students with a disability, within the intent of Section 504 of the Rehabilitation Act of 1973 ("Section 504"), who need services, accommodations, or programs in order to receive a free appropriate public education. For information as to protections that may apply pursuant to Section 504 and the school district's corresponding procedures for addressing disability discrimination complaints, refer to the school district's policy on student disability nondiscrimination (Policy 521).
- D. The school district prohibits sexual harassment discrimination of any individual on the basis of sex in its education programs or activities. For information as to the protections that apply pursuant to Title IX and school district's corresponding procedures and processes for addressing sexual harassment and discrimination, refer to the school district's policy on Title IX sex nondiscrimination (Policy 522).
- E. The school district shall provide equal opportunity for members of each sex and to members of all races and ethnicities to participate in its athletic program. In determining whether equal opportunity to participate in athletic programs is available for the purposes of this law, at least the following factors shall be considered to the extent that they are applicable to a given situation: whether the opportunity for males and females to participate in the athletic program reflects the demonstrated interest in athletics of the males and females in the student body of the educational institution; whether the opportunity for members of all races and ethnicities to participate in the athletic program reflects the demonstrated interest in athletics of members of all races and ethnicities in the student body of the educational institution; whether the variety and selection of sports and levels of competition effectively accommodate the demonstrated interests of members of each sex; whether the variety and selection of sports and levels of competition effectively accommodate the demonstrated interests of members of all races and ethnicities; the provision of equipment and supplies; scheduling of games and practice times; assignment of coaches; provision of locker rooms; practice and competitive facilities; and the provision of necessary funds for teams of one sex.

EQUAL EDUCATIONAL OPPORTUNITY

BARENSVILLE PUBLIC SCHOOL
ISD 146

POLICY 102
SERIES 100 SCHOOL DISTRICT

- F. This policy applies to all areas of education including academics, coursework, co-curricular and extracurricular activities, or other rights or privileges of enrollment.
- G. Every school district employee shall be responsible for complying with this policy.
- H. Any student, parent, or guardian having a question regarding this policy should discuss it with the appropriate school district official as provided by policy. In the absence of a specific designee, an inquiry or a complaint should be referred to the superintendent.

Legal References: Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)
Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. § 1681 *et seq.* (Title IX of the Education Amendments of 1972)
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

Cross References: MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process)

OUT-OF-STATE TRAVEL BY SCHOOL BOARD MEMBERS

BARENSVILLE PUBLIC SCHOOL
ISD 146

POLICY 214
SERIES 200 SCHOOL BOARD

214 OUT-OF-STATE TRAVEL BY SCHOOL BOARD MEMBERS

I. PURPOSE

The purpose of this policy is to control out-of-state travel by school board members as required by law.

II. GENERAL STATEMENT OF POLICY

School board members have an obligation to become informed on the proper duties and functions of a school board member, to become familiar with issues that may affect the school district, to acquire a basic understanding of school finance and budgeting, and to acquire sufficient knowledge to comply with federal, state, and local laws, rules, regulations, and school district policies that relate to their functions as school board members. Occasionally, it may be appropriate for school board members to travel out of state to fulfill their obligations.

III. APPROPRIATE TRAVEL

Travel outside the state is appropriate when the school board finds it proper for school board members to acquire knowledge and information necessary to allow them to carry out their responsibilities as school board members. Travel to regional or national meetings of the National School Boards Association is presumed to fulfill this purpose. Travel to other out-of-state meetings for which the member intends to seek reimbursement from the school district should be preapproved by the school board.

IV. REIMBURSABLE EXPENSES

Expenses to be reimbursed may include transportation, meals, lodging, registration fees, required materials, parking fees, tips, and other reasonable and necessary school district-related expenses.

V. REIMBURSEMENT

- A. Requests for reimbursement must be itemized on the official school district form and are to be submitted to the designated administrator. Receipts for lodging, commercial transportation, registration, and other reasonable and necessary expenses must be attached to the reimbursement form.
- B. Automobile travel shall be reimbursed at the mileage rate set by the school board. Commercial transportation shall reflect economy fares and shall be reimbursed only for the actual cost of the trip.
- C. Amounts to be reimbursed shall be within the school board's approved budget allocations, including attendance at workshops and conventions.

VI. ESTABLISHMENT OF DIRECTIVES AND GUIDELINES

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

Legal References: Minn. Stat. § 123B.09, Subd. 2 (Boards of Independent School Districts)

Adopted:

Revised: 2008

Effective:

OUT-OF-STATE TRAVEL BY SCHOOL BOARD MEMBERS

**BARENSVILLE PUBLIC SCHOOL
ISD 146**

**POLICY 214
SERIES 200 SCHOOL BOARD**

Minn. Stat. § 471.661 (Out-of-State Travel)
Minn. Stat. § 471.665 (Mileage Allowances)
Minn. Op. Atty. Gen. 1035 (Aug. 23, 1999) (Retreat Expenses)
Minn. Op. Atty. Gen. 161b-12 (Aug. 4, 1997) (Transportation Expenses)

Cross References: MSBA/MASA Model Policy 212 (School Board Member Development)
MSBA/MASA Model Policy 412 (Expense Reimbursement)

Adopted:

Revised:

Effective:

EQUAL EMPLOYMENT OPPORTUNITY

BARENSVILLE PUBLIC SCHOOL
ISD 146

POLICY 401
SERIES 400 EMPLOYEES/PERSONNEL

401 EQUAL EMPLOYMENT OPPORTUNITY

I. PURPOSE

The purpose of this policy is to provide equal employment opportunity for all applicants for school district employment and for all school district employees.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to provide equal employment opportunity for all applicants and employees. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation, including gender identity ~~or expression~~, age, family care leave status, or veteran status. The school district also makes reasonable accommodations for disabled employees.
- B. The school district prohibits the harassment of any individual for any of the categories listed above. For information about the types of conduct that constitute impermissible harassment and the school district's internal procedures for addressing complaints of harassment, please refer to the school district's policy on harassment and violence.
- C. This policy applies to all areas of employment, including hiring, discharge, promotion, compensation, facilities, or privileges of employment.
- D. Every school district employee shall be responsible for following this policy.
- E. Any person having a question regarding this policy should discuss it with the Superintendent. ~~_____ (specify, e.g., the Personnel Manager).~~

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

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination)
MSBA/MASA Model Policy 405 (Veteran's Preference)
MSBA/MASA Model Policy 413 (Harassment and Violence)

Adopted:

Revised: 400

Effective:

DISABILITY NONDISCRIMINATION

BARENSVILLE PUBLIC SCHOOL
ISD 146

POLICY 402
SERIES 400 EMPLOYEES/PERSONNEL

402 DISABILITY NONDISCRIMINATION POLICY

I. PURPOSE

The purpose of this policy is to provide a fair employment setting for all persons and to comply with state and federal law.

II. GENERAL STATEMENT OF POLICY

- A. The school district shall not discriminate against qualified individuals with disabilities because of the disabilities of such individuals in regard to job application procedures, hiring, advancement, discharge, compensation, job training, and other terms, conditions, and privileges of employment.
- B. The school district shall not engage in contractual or other arrangements that have the effect of subjecting its qualified applicants or employees with disabilities to discrimination on the basis of disability. The school district shall not exclude or otherwise deny equal jobs or job benefits to a qualified individual because of the known disability of an individual with whom the qualified individual is known to have a relationship or association.
- C. The school district shall make reasonable accommodations for the known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or employee unless the accommodation would impose undue hardship on the operation of the business of the school district.
- D. Any job applicant or employee wishing to discuss the need for a reasonable accommodation, or other matters related to a disability or the enforcement and application of this policy, should contact [Dr. Jon Ellerbusch, Superintendent, jellerbusch@isd146.com, \(320\) 360-9192](mailto:jellerbusch@isd146.com). ~~_____~~ *(list the name, title, office address, telephone number, and e-mail address)*. This individual is the school district's appointed ADA/Section 504 coordinator.

Legal References: Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
29 U.S.C. § 794 *et seq.* (Section 504 of the Rehabilitation Act of 1973)
42 U.S.C. § 12101 (Americans with Disabilities Act)
29 C.F.R. Part 32 (Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance)
34 C.F.R. Part 104 (Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance)

Cross References: MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)

PUBLIC AND PRIVATE PERSONNEL DATA

BARENSVILLE PUBLIC SCHOOL
ISD 146

POLICY 406
SERIES 400 EMPLOYEES/PERSONNEL

406 PUBLIC AND PRIVATE PERSONNEL DATA

I. PURPOSE

The purpose of this policy is to provide guidance to school district employees as to the data the school district collects and maintains regarding its employees, volunteers, independent contractors, and applicants ("personnel").

II. GENERAL STATEMENT OF POLICY

- A. All data on individuals collected, created, received, maintained, or disseminated by the school district, which is classified by statute or federal law as public, shall be accessible to the public pursuant to the procedures established by the school district.
- B. All other data on individuals is private or confidential.

III. DEFINITIONS

- A. "Public" means that the data is available to anyone who requests it.
- B. "Private" means the data is not public and is accessible only to the following: the subject of the data, as limited by any applicable state or federal law; individuals within the school district whose work assignments reasonably require access; entities and agencies as determined by the responsible authority who are authorized by law to gain access to that specific data; and entities or individuals given access by the express written direction of the data subject.
- C. "Confidential" means the data are not public and are not accessible to the subject.
- D. "Parking space leasing data" means the following government data on an applicant for, or lessee of, a parking space: residence address, home telephone number, beginning and ending work hours, place of employment, location of parking space, and work telephone number.
- E. "Personnel data" means government data on individuals maintained because they are or were employees, applicants for employment, volunteers or independent contractors for the school district. Personnel data include data submitted by an employee to the school district as part of an organized self-evaluation effort by the school district to request suggestions from all employees on ways to cut costs, make the school district more efficient, or to improve school district operations.
- F. "Finalist" means an individual who is selected to be interviewed by the school board for a position.
- G. "Protected health information" means individually identifiable health information as defined in 45 Code of Federal Regulations section 160.103, that is transmitted by electronic media, maintained in electronic media, or transmitted or maintained in any other form or medium by a health care provider, in connection with a transaction covered by 45 Code of Federal Regulations Parts 160, 162 and 164. "Protected health information" excludes individually identifiable health information in education records covered by the Family Educational Rights and Privacy Act, employment records held by

PUBLIC AND PRIVATE PERSONNEL DATA

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POLICY 406
SERIES 400 EMPLOYEES/PERSONNEL

a school district in its role as employer; and records regarding a person who has been deceased for more than fifty (50) years.

- H. "Public officials" means business managers; human resource directors; athletic directors whose duties include at least fifty (50) percent of their time spent in administration, personnel, supervision, and evaluation; chief financial officers; directors; and individuals defined as superintendents and principals; and in a charter school, individuals employed in comparable positions.

IV. PUBLIC PERSONNEL DATA

- A. The following information on current and former employees, volunteers and independent contractors of the school district, is public:
1. name;
 2. employee identification number, which may not be the employee's Social Security number;
 3. actual gross salary;
 4. salary range;
 5. terms and conditions of employment relationship;
 6. contract fees;
 7. actual gross pension;
 8. the value and nature of employer-paid fringe benefits;
 9. the basis for and the amount of any added remuneration, including expense reimbursement, in addition to salary;
 10. job title;
 11. bargaining unit;
 12. job description;
 13. education and training background;
 14. previous work experience;
 15. date of first and last employment;
 16. the existence and status of any complaints or charges against the employee, regardless of whether the complaint or charge resulted in a disciplinary action;
 17. the final disposition of any disciplinary action, as defined in Minnesota Statutes section 13.43, subdivision. 2(b), together with the specific reasons for the action

PUBLIC AND PRIVATE PERSONNEL DATA

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SERIES 400 EMPLOYEES/PERSONNEL**

- and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the school district;
18. the complete terms of any agreement settling any dispute arising out of the employment relationship, including superintendent buyout agreements, except that the agreement must include specific reasons for the agreement if it involves the payment of more than \$10,000 of public money, and such agreement may not have the purpose or effect of limiting access to or disclosure of personnel data or limiting the discussion of information or opinions related to personnel data;
 19. work location;
 20. work telephone number;
 21. badge number;
 22. work-related continuing education;
 23. honors and awards received; and
 24. payroll time sheets or other comparable data that are used only to account for employee's work time for payroll purposes, except to the extent that release of time sheet data would reveal the employee's reasons for the use of sick or other medical leave or other not public data.
- B. The following information on current and former applicants for employment by the school district is public:
1. veteran status;
 2. relevant test scores;
 3. rank on eligible list;
 4. job history;
 5. education and training; and
 6. work availability.
- C. Names of applicants are private data except when certified as eligible for appointment to a vacancy or when applicants are considered by the school board to be finalists for public employment.
- D. Applicants for appointment to a public body.
1. Data about applicants for appointment to a public body collected by the school district as a result of the applicant's application for employment are private data on individuals except that the following are public:

PUBLIC AND PRIVATE PERSONNEL DATA

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**POLICY 406
SERIES 400 EMPLOYEES/PERSONNEL**

- a. name;
 - b. city of residence, except when the appointment has a residency requirement that requires the entire address to be public;
 - c. education and training;
 - d. employment history;
 - e. volunteer work;
 - f. awards and honors;
 - g. prior government service;
 - h. any data required to be provided or that are voluntarily provided in an application for appointment to a multimember agency pursuant to Minnesota Statutes section 15.0597; and
 - i. veteran status.
2. Once an individual is appointed to a public body, the following additional items of data are public:
 - a. residential address;
 - b. either a telephone number or electronic mail address where the appointee can be reached, or both at the request of the appointee;
 - c. first and last dates of service on the public body;
 - d. the existence and status of any complaints or charges against an appointee; and
 - e. upon completion of an investigation of a complaint or charge against an appointee, the final investigative report is public, unless access to the data would jeopardize an active investigation.
 3. Notwithstanding paragraph 2., any electronic mail address or telephone number provided by a public body for use by an appointee shall be public. An appointee may use an electronic mail address or telephone number provided by the public body as the designated electronic mail address or telephone number at which the appointee can be reached.
- E. Regardless of whether there has been a final disposition as defined in Minnesota Statutes section 13.43, subdivision 2(b), upon completion of an investigation of a complaint or charge against a public official, as defined in Minnesota Statutes section 13.43, subdivision 2(e), or if a public official resigns or is terminated from employment while the complaint or charge is pending, all data relating to the complaint or charge are public, unless access to the data would jeopardize an active investigation or reveal confidential sources. Data relating to a complaint or charge against a public official is public only if:
1. the complaint or charge results in disciplinary action or the employee resigns or is terminated from employment while the complaint or charge is pending; or

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2. potential legal claims arising out of the conduct that is the subject of the complaint or charge are released as part of a settlement agreement

Data that is classified as private under another law is not made public by this provision.

V. PRIVATE PERSONNEL DATA

- A. All other personnel data not listed in Section IV are private and data will not be otherwise released unless authorized by law.
- B. Data pertaining to an employee's dependents are private data on individuals.
- C. Data created, collected, or maintained by the school district to administer employee assistance programs are private.
- D. Parking space leasing data with regard to data on individuals are private.
- E. An individual's checking account number is private when submitted to a government entity.
- F. Personnel data may be disseminated to labor organizations to the extent the responsible authority determines ~~is~~ the dissemination is necessary for the labor organization to conduct elections, notify employees of fair share fee assessments and implement the provisions of Minnesota Statutes chapters 179 and 179A. Personnel data shall be disseminated to labor organizations and the Bureau of Mediation Services ("BMS") to the extent the dissemination is ordered or authorized by the Commissioner of the BMS.
- G. The school district may display a photograph of a current or former employee to prospective witnesses as part of the school district's investigation of any complaint or charge against the employee.
- H. The school district may, if its responsible authority or designee reasonably determines that the release of personnel data is necessary to protect an employee from harm to self or to protect another person who may be harmed by the employee, release data that are relevant to the concerns for safety to:
 1. the person who may be harmed and to the attorney representing the person when the data are relevant to obtaining a restraining order;
 2. a prepetition screening team conducting an investigation of the employee under Minnesota Statutes section 253B.07, subdivision 1; or
 3. a court, law enforcement agency, or prosecuting authority.
- I. Private personnel data or confidential investigative data on employees may be disseminated to a law enforcement agency for the purpose of reporting a crime or alleged crime committed by an employee, or for the purpose of assisting law enforcement in the investigation of a crime or alleged crime committed by an employee.
- J. A complainant has access to a statement provided by the complainant to the school

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district in connection with a complaint or charge against an employee.

- K. When allegations of sexual or other types of harassment are made against an employee, the employee ~~shall~~ not have access to data that would identify the complainant or other witnesses if the responsible authority determines that the employee's access to that data would:
1. threaten the personal safety of the complainant or a witness; or
 2. subject the complainant or witness to harassment.

If a disciplinary proceeding is initiated against the employee, data on the complainant or witness shall be available to the employee as may be necessary for the employee to prepare for the proceeding.

- L. The school district must report to the Minnesota Professional Educator Licensing and Standards Board ("PELSB") or the Board of School Administrators ("BOSA"), whichever has jurisdiction over the teacher's or administrator's license, as required by Minnesota Statutes section 122A.20, subdivision. 2, and shall, upon written request from the licensing board having jurisdiction over the license, provide the licensing board with information about the teacher or administrator from the school district's files, any termination or disciplinary proceeding, and settlement or compromise, or any investigative file in accordance with Minnesota Statutes section 122A.20, subdivision 2.
- M. Private personnel data shall be disclosed to the Department of Employment and Economic Development for the purpose of administration of the unemployment insurance program under Minnesota Statutes chapter 268.
- N. When a report of alleged maltreatment of a student in an elementary, middle school, high school or charter school is made to the Commissioner of the Minnesota Department of Education ("MDE") under Minnesota Statutes chapter 260E, data that are relevant and collected by the school facility about the person alleged to have committed maltreatment must be provided to the Commissioner on request for purposes of an assessment or investigation of the maltreatment report. Additionally, personnel data may be released for purposes of providing information to a parent, legal guardian, or custodian of a child in accordance with MDE Screening Guidelines.
- O. The school district shall release to a requesting school district or charter school private personnel data on a current or former employee related to acts of violence toward or sexual contact with a student, if
1. an investigation conducted by or on behalf of the school district or law enforcement affirmed the allegations in writing prior to release and the investigation resulted in the resignation of the subject of the data; or
 2. the employee resigned while a complaint or charge involving the allegations was pending, the allegations involved acts of sexual contact with a student, and the employer informed the employee in writing, before the employee resigned, that if the employee resigns while the complaint or charge is still pending, the employer must release private personnel data about the employee's alleged sexual contact with a student to a school district or charter school requesting

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the data after the employee applies for employment with that school district or charter school and the data remain classified as provided in Minnesota Statutes chapter 13.

Data that are released under this paragraph must not include data on the student.

- P. Data submitted by an employee to the school district as part of an organized self-evaluation effort by the school district to request suggestions from all employees on ways to cut costs, make the school district more efficient, or improve the school district operations is private data. An employee who is identified in a suggestion, however, shall have access to all data in the suggestion except the identity of the employee making the suggestion.
- Q. Protected health information, as defined in 45 Code of Federal Regulations Parts 160 and 164, on employees is private and will not be disclosed except as permitted or required by law.
- R. Personal home contact information for employees may be used by the school district to ensure that an employee can be reached in the event of an emergency or other disruption affecting continuity of school district operations and may be shared with another government entity in the event of an emergency or other disruption to ensure continuity of operation for the school district or government entity.
- S. The personal telephone number, home address, and electronic mail address of a current or former employee of a contractor or subcontractor maintained as a result of a contractual relationship between the school district and a contractor or subcontractor entered on or after August 1, 2012, are private data. These data must be shared with another government entity to perform a function authorized by law. The data also must be disclosed to a government entity or any person for prevailing wage purposes.
- T. When a continuing contract teacher is discharged immediately because the teacher's license has been revoked due to a conviction for child abuse or sexual offenses involving a child as set forth in Minnesota Statutes section 122A.40, subdivision 13(b), or when the Commissioner of the MDE makes a final determination of child maltreatment involving a teacher under Minnesota Statutes section 260E.21, subdivision 4, or 260E.35, the school principal or other person having administrative control of the school must include in the teacher's employment record the information contained in the record of the disciplinary action or the final maltreatment determination, consistent with the definition of public data under Minnesota Statutes, section 13.41, subdivision. 5, and must provide PELSB and the licensing division at MDE with the necessary and relevant information to enable PELSB and MDE's licensing division to fulfill their statutory and administrative duties related to issuing, renewing, suspending, or revoking a teacher's license. In addition to the background check required under Minnesota Statutes section 123B.03, a school board or other school hiring authority must contact PELSB and MDE to determine whether the teacher's license has been suspended or revoked, consistent with the discharge and final maltreatment determinations. Unless restricted by federal or state data practices law or by the terms of a collective bargaining agreement, the responsible authority for a school district must disseminate to another school district private personnel data on a current or former teacher (employee or contractor) of the district, including the results of background investigations, if the requesting school district seeks the information because the subject of the data has applied for employment with the requesting school district.

VI. MULTIPLE CLASSIFICATIONS

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If data on individuals are classified as both private and confidential by Minnesota Statutes chapter 13, or any other state or federal law, the data are private.

VII. CHANGE IN CLASSIFICATIONS

The school district shall change the classification of data in its possession if it is required to do so to comply with either judicial or administrative rules pertaining to the conduct of legal actions or with a specific statute applicable to the data in the possession of the disseminating or receiving agency.

VIII. RESPONSIBLE AUTHORITY

The school district has designated [Dr. Jon Ellerbusch, Superintendent, jellerbusch@isd146.com, \(320\) 360-9192](mailto:jellerbusch@isd146.com) ~~[name and title, telephone]~~ as the authority responsible for personnel data.

The responsible authority, or a school district employee if so designated, shall serve as the school district's data practices compliance official and, as such, shall be the employee to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems.

IX. EMPLOYEE AUTHORIZATION/RELEASE FORM

An employee authorization form is included as an addendum to this policy.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.02 (Definitions)
Minn. Stat. § 13.03 (Access to Government Data)
Minn. Stat. § 13.05 (Duties of Responsible Authority)
Minn. Stat. § 13.37 (General Nonpublic Data)
Minn. Stat. § 13.39 (Civil Investigation)
Minn. Stat. § 13.41 (Licensing Data)
Minn. Stat. § 13.43 (Personnel Data)
Minn. Stat. § 13.601, subd. 3 (Elected and Appointed Officials)
Minn. Stat. § 15.0597 (Appointment to Multimember Agencies)
Minn. Stat. § 122A.20, Subd. 2 (Mandatory Reporting)
Minn. Stat. § 122A.40, Subds. 13 and 16 (Employment; Contracts; Termination)
Minn. Stat. § 123B.03 (Background Check)
Minn. Stat. § 123B.143, subd. 2 (Disclose Past Buyouts)
Minn. Stat. Ch. 179 (Minnesota Labor Relations Act)
Minn. Stat. Ch. 179A (Minnesota Public Labor Relations Act)
Minn. Stat. § 253B.07 (Judicial Commitment: Preliminary Procedures)
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
Minn. Stat. Ch. 268 (Unemployment Insurance)
Minn. R. Pt. 1205 (Data Practices)
P.L. 104-191 (HIPAA)
45 C.F.R. Parts 160, 162, and 164 (HIPAA Regulations)

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

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Considerations)

MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)

MSBA/MASA Model Policy 722 (Public Data Requests)

MSBA Law Bulletin "I" (School Records – Privacy – Access to Data)

Adopted:

410
Revised:

Effective:

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410 FAMILY AND MEDICAL LEAVE POLICY

I. PURPOSE

The purpose of this policy is to provide for family and medical leave to school district employees in accordance with the Family and Medical Leave Act of 1993 (FMLA) and also with parenting leave under state law.

II. GENERAL STATEMENT OF POLICY

The following procedures and policies regarding family and medical leave are adopted by the school district, pursuant to the requirements of the FMLA and consistent with the requirements of the Minnesota parenting leave laws.

III. DEFINITIONS

A. "Covered active duty" means:

1. in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and
2. in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty under a provision of law referred to in 10 United States Code section 101(a)(13)(B).

B. "Covered servicemember" means:

1. a member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness; or
2. a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness and who was a member of the Armed Forces, including a member of the National Guard or Reserves, and was discharged or released under conditions other than dishonorable, at any time during the period of five years preceding the first date the eligible employee takes FMLA leave to care for the covered veteran.

- C. "Eligible employee" means an employee who has been employed by the school district for a total of at least 12 months and who has been employed for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave. An employee returning from fulfilling his or her Uniformed Services Employment and Reemployment Rights Act (USERRA)-covered service obligation shall be credited with the hours of service that would have been performed but for the period of absence from work due to or necessitated by USERRA-covered service. In determining whether the employee met the hours of service requirement, and to determine the hours that would have been worked during the period of absence from work due to or necessitated by USERRA-covered service, the employee's pre-service work schedule can generally be

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used for calculations. While the 12 months of employment need not be consecutive, employment periods prior to a break in service of seven years or more may not be counted unless: (1) the break is occasioned by the employee's fulfillment of his or her USERRA-covered service obligation; or (2) a written agreement, including a collective bargaining agreement, exists concerning the school district's intention to rehire the employee after the break in service.

- D. "Military caregiver leave" means leave taken to care for a covered servicemember with a serious injury or illness.
- E. "Next of kin of a covered servicemember" means the nearest blood relative other than the covered servicemember's spouse, parent, son, or daughter, in the following order of priority: blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions, brothers and sisters, grandparents, aunts and uncles, and first cousins, unless the covered servicemember has specifically designated in writing another blood relative as his or her nearest blood relative for purposes of military caregiver leave under the FMLA. When no such designation is made and there are multiple family members with the same level of relationship to the covered servicemember, all such family members shall be considered the covered servicemember's next of kin, and the employee may take FMLA leave to provide care to the covered servicemember, either consecutively or simultaneously. When such designation has been made, the designated individual shall be deemed to be the covered servicemember's only next of kin.
- F. "Outpatient status" means, with respect to a covered servicemember who is a current member of the Armed Forces, the status of a member of the Armed Forces assigned to:
1. a military medical treatment facility as an outpatient; or
 2. a unit established for the purpose of providing command and control of members of the Armed Forces receiving care as outpatients.
- G. "Qualifying exigency" means a situation where the eligible employee seeks leave for one or more of the following reasons:
1. to address any issues that arise from a short-notice deployment (seven calendar days or less) of a covered military member;
 2. to attend military events and related activities of a covered military member;
 3. to address issues related to childcare and school activities of a covered military member's child;
 4. to address financial and legal arrangements for a covered military member;
 5. to attend counseling provided by someone other than a health care provider for oneself, a covered military member, or his/her child;
 6. to spend up to 15 calendar days with a covered military member who is on short-term, temporary rest and recuperation leave during a period of deployment;

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7. to attend post-deployment activities related to a covered military member;
 8. to address care needs of a covered military member's parent who is incapable of self-care; and
 9. to address other events related to a covered military member that both the employee and school district agree is a qualifying exigency.
- H. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves:
1. inpatient care in a hospital, hospice, or residential medical care facility; or
 2. continuing treatment by a health care provider.
- I. "Spouse" means a husband or wife. For purposes of this definition, husband or wife refers to the other person with whom an individual entered into marriage as defined or recognized under state law for purposes of marriage in the state in which the marriage was entered into or, in the case of a marriage entered into outside of any state, if the marriage is valid in the place where entered into and could have been entered into in at least one state. This definition includes an individual in a same-sex or common law marriage that either: (1) was entered into in a state that recognizes such marriages; or (2) if entered into outside of any state, is valid in the place where entered into and could have been entered into in at least one state.
- J. "Veteran" has the meaning given in 38 United States Code section 101.

IV. LEAVE ENTITLEMENT

- A. Twelve-week Leave under Federal Law
1. Eligible employees are entitled to a total of 12 work weeks of unpaid family or medical leave during the applicable 12-month period as defined below, plus any additional leave as required by law. Leave may be taken for one or more of the following reasons in accordance with applicable law:
 - a. birth of the employee's child and to care for such child;
 - b. placement of an adopted or foster child with the employee;
 - c. to care for the employee's spouse, son, daughter, or parent with a serious health condition;
 - d. the employee's serious health condition makes the employee unable to perform the functions of the employee's job; and/or
 - e. any qualifying exigency arising from the employee's spouse, son, daughter, or parent being on covered active duty, or notified of an impending call or order to covered active duty in the Armed Forces.

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2. For the purposes of this policy, “year” is defined as a rolling 12-month period measured backward from the date an employee’s leave is to commence.
3. An employee’s entitlement to FMLA leave for the birth, adoption, or foster care of a child expires at the end of the 12-month period beginning on the date of the birth or placement.
4. A “serious health condition” typically requires either inpatient care or continuing treatment by or under the supervision of a health care provider, as defined by applicable law. Family and medical leave generally is not intended to cover short-term conditions for which treatment and recovery are very brief.
5. A “serious injury or illness,” in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means:
 - a. injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty in the Armed Forces and that may render the member medically unfit to perform the duties of the member’s office, grade, rank, or rating; and
 - b. in the case of a covered veteran who was a member of the Armed Forces, including a member of the National Guard or Reserves, at any time, during the period of five years preceding the date on which the veteran undergoes the medical treatment, recuperation, or therapy, means a qualifying injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces or that existed before the beginning of the member’s active duty and was aggravated by service in the line of duty in the Armed Forces and that manifested itself before or after the member became a veteran, and is:
 - (1) a continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the servicemember unable to perform the duties of the servicemember’s office, grade, rank, or rating; or
 - (2) a physical or mental condition for which the covered veteran has received a U.S. Department of Veterans Affairs Service-Related Disability (VASRD) rating of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for military caregiver leave; or
 - (3) a physical or mental condition that substantially impairs the covered veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service, or would do so absent treatment; or

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- (4) an injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers.
6. Eligible spouses employed by the school district are limited to an aggregate of 12 weeks of leave during any 12-month period for the birth and care of a newborn child or adoption of a child, the placement of a child for foster care, or to care for a parent. This limitation for spouses employed by the school district does not apply to leave taken: by one spouse to care for the other spouse who is seriously ill; to care for a child with a serious health condition; because of the employee's own serious health condition; or pursuant to Paragraph IV.A.1.e. above.
7. Depending on the type of leave, intermittent or reduced schedule leave may be granted in the discretion of the school district or when medically necessary. However, part-time employees are only eligible for a pro-rata portion of leave to be used on an intermittent or reduced schedule basis, based on their average hours worked per week. Where an intermittent or reduced schedule leave is foreseeable based on planned medical treatment, the school district may transfer the employee temporarily to an available alternative position for which the employee is qualified and which better accommodates recurring periods of leave than does the employee's regular position, and which has equivalent pay and benefits.
8. If an employee requests a leave for the serious health condition of the employee or the employee's spouse, child, or parent, the employee will be required to submit sufficient medical certification. In such a case, the employee must submit the medical certification within 15 days from the date of the request or as soon as practicable under the circumstances.
9. If the school district has reason to doubt the validity of a health care provider's certification, it may require a second opinion at the school district's expense. If the opinions of the first and second health care providers differ, the school district may require certification from a third health care provider at the school district's expense. An employee may also be required to present a certification from a health care provider indicating that the employee is able to return to work.
10. Requests for leave shall be made to the school district. When leave relates to an employee's spouse, son, daughter, parent, or covered servicemember being on covered active duty, or notified of an impending call or order to covered active duty pursuant to Paragraph IV.A.1.e. above, and such leave is foreseeable, the employee shall provide reasonable and practical notice to the school district of the need for leave. For all other leaves, employees must give 30 days' written notice of a leave of absence where practicable. The failure to provide the required notice may result in a delay of the requested leave. Employees are expected to make a reasonable effort to schedule leaves resulting from planned medical treatment so as not to disrupt unduly the operations of the school district, subject to and in coordination with the health care provider.

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11. The school district may require that a request for leave under Paragraph IV.A.1.e. above be supported by a copy of the covered military member's active duty orders or other documentation issued by the military indicating active duty or a call to active duty status and the dates of active duty service. In addition, the school district may require the employee to provide sufficient certification supporting the qualifying exigency for which leave is requested.
12. During the period of a leave permitted under this policy, the school district will provide health insurance under its group health plan under the same conditions coverage would have been provided had the employee not taken the leave. The employee will be responsible for payment of the employee contribution to continue group health insurance coverage during the leave. An employee's failure to make necessary and timely contributions may result in termination of coverage. An employee who does not return to work after the leave may be required, in some situations, to reimburse the school district for the cost of the health plan premiums paid by it.
13. The school district may request or require the employee to substitute accrued paid leave for any part of the 12-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave. The superintendent shall be responsible to develop directives and guidelines as necessary to implement this policy. Such directives and guidelines shall be submitted to the school board for annual review.

The school district shall comply with written notice requirements as set forth in federal regulations.

14. Employees returning from a leave permitted under this policy are eligible for reinstatement in the same or an equivalent position as provided by law. However, the employee has no greater right to reinstatement or to other benefits and conditions of employment than if the employee had been continuously employed during the leave.

B. Twelve-week Leave under State Law

An employee who does not qualify for parenting leave under Paragraphs IV.A.1.a. or IV.A.1.b. above may qualify for a 12-week unpaid leave which is available to a biological or adoptive parent in conjunction with the birth or adoption of a child, or to a female employee for prenatal care or incapacity due to pregnancy, childbirth, or related health conditions. The length of the leave shall be determined by the employee but must not exceed 12 weeks unless agreed to by the school district. The employee may qualify if he or she has worked for the school district for at least 12 months and has worked an average number of hours per week equal to one-half of the full time equivalent during the 12-month period immediately preceding the leave. This leave is separate and exclusive of the family and medical leave described in the preceding paragraphs but may be reduced by any period of paid parental, disability, personal, or medical, or sick leave, or accrued vacation provided by the school district so that the total leave does not exceed 12 weeks, unless agreed to by the school district, or leave taken for the

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same purpose under the FMLA. The leave taken under this section shall begin at a time requested by the employee. An employee who plans to take leave under this section must give the school district reasonable notice of the date the leave shall commence and the estimated duration of the leave. For leave taken by a biological or adoptive parent in conjunction with the birth or adoption of a child, the leave must begin within 12 months of the birth or adoption; except that, in the case where the child must remain in the hospital longer than the mother, the leave must begin within 12 months after the child leaves the hospital.

C. Twenty-six-week Servicemember Family Military Leave

1. An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember shall be entitled to a total of 26 work weeks of leave during a 12-month period to care for the servicemember. The leave described in this paragraph shall be available only during a single 12-month period. For purposes of this leave, the need to care for a servicemember includes both physical and psychological care.
2. During a single 12-month period, an employee shall be entitled to a combined total of 26 work weeks of leave under Paragraphs IV.A. and IV.C. above.
3. The 12-month period referred to in this section begins on the first day the eligible employee takes leave to care for a covered servicemember and ends 12 months after that date.
4. Eligible spouses employed by the school district are limited to an aggregate of 26 weeks of leave during any 12-month period if leave is taken for birth of the employee's child or to care for the child after birth; for placement of a child with the employee for adoption or foster care or to care for the child after placement; to care for the employee's parent with a serious health condition; or to care for a covered servicemember with a serious injury or illness.
5. The school district may request or require the employee to substitute accrued paid leave for any part of the 26-week period. Employees may be allowed to substitute paid leave for unpaid leave by meeting the requirements set out in the administrative directives and guidelines established for the implementation of this policy, if any. Employees eligible for leave must comply with the family and medical leave directives and guidelines prior to starting leave.
6. An employee will be required to submit sufficient medical certification issued by the health care provider of the covered servicemember and other information in support of requested leave and eligibility for such leave under this section within 15 days from the date of the request or as soon as practicable under the circumstances.
7. The provisions of Paragraphs IV.A.7., IV.A.10., IV.A.12., IV.A.13., and IV.A.14. above shall apply to leaves under this section.

V. SPECIAL RULES FOR INSTRUCTIONAL EMPLOYEES

- A. An instructional employee is one whose principal function is to teach and instruct

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students in a class, a small group, or an individual setting. This includes, but is not limited to, teachers, coaches, driver's education instructors, and special education assistants.

- B. Instructional employees who request foreseeable medically necessary intermittent or reduced work schedule leave greater than 20 percent of the workdays in the leave period may be required to:
 - 1. take leave for the entire period or periods of the planned medical treatment; or
 - 2. move to an available alternative position for which the employee is qualified, and which provides equivalent pay and benefits, but not necessarily equivalent duties.

- C. Instructional employees who request continuous leave near the end of a semester may be required to extend the leave through the end of the semester. The number of weeks remaining before the end of a semester does not include scheduled school breaks, such as summer, winter, or spring break.
 - 1. If an instructional employee begins leave for any purpose more than five weeks before the end of a semester and it is likely the leave will last at least three weeks, the school district may require that the leave be continued until the end of the semester.
 - 2. If the instructional employee begins leave for a purpose other than the employee's own serious health condition during the last five weeks of a semester, the school district may require that the leave be continued until the end of the semester if the leave will last more than two weeks or if the employee's return from leave would occur during the last two weeks of the semester.
 - 3. If the instructional employee begins leave for a purpose other than the employee's own serious health condition during the last three weeks of the semester and the leave will last more than five working days, the school district may require the employee to continue taking leave until the end of the semester.
 - 4. If the school district requires an instructional employee to extend leave through the end of a semester as set forth in this paragraph, only the period of leave until the employee is ready and able to return to work shall be charged against the employee's FMLA leave entitlement. Any additional leave required by the school district to the end of the school term is not counted as FMLA leave but as an unpaid or paid leave, to the extent the instructional employee has accrued paid leave available and the school district shall maintain the employee's group health insurance and restore the employee to the same or equivalent job, including other benefits, at the conclusion of the leave.

VI. OTHER

- A. The provisions of this policy are intended to comply with applicable law, including the FMLA and applicable regulations. Any terms used from the FMLA will have the same meaning as defined by the FMLA and/or applicable regulations. To the extent that this

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policy is ambiguous or contradicts applicable law, the language of the applicable law will prevail.

- B. The requirements stated in the collective bargaining agreement between employees in a certified collective bargaining unit and the school district regarding family and medical leaves (if any) shall be followed.

VII. DISSEMINATION OF POLICY

- A. A poster prepared by the U.S. Department of Labor summarizing the major provisions of the Family and Medical Leave Act and informing employees how to file a complaint shall be conspicuously posted in each school district building in areas accessible to employees and applicants for employment.
- B. This policy will be reviewed at least annually for compliance with state and federal law.

Legal References: Minn. Stat. §§ 181.940-181.944 (Parenting Leave and Accommodations)
10 U.S.C. § 101 *et seq.* (Armed Forces General Military Law)
29 U.S.C. § 2601 *et seq.* (Family and Medical Leave Act)
38 U.S.C. § 101 (Definitions)
29 C.F.R. Part 825 (Family and Medical Leave Act)

Cross References: MSBA School Law Bulletin "M" (Licensed and Non-Licensed School District Employee Leave)

EXPENSE REIMBURSEMENT

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412 EXPENSE REIMBURSEMENT

I. PURPOSE

The purpose of this policy is to identify school district business expenses that involve initial payment by an employee and qualify for reimbursement from the school district, and to specify the manner by which the employee seeks reimbursement.

II. AUTHORIZATION

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

III. REIMBURSEMENT

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

IV. AIRLINE TRAVEL CREDIT

- A. Employees utilizing school district funds to pay for airline travel are required to ensure that any credits or other benefits issued by any airline accrue to the benefit of the school district rather than the employee.
 - 1. To the extent an airline will not honor a transfer or assignment of credit or benefit from the employee to the school district, the employee shall report receipt of the credit or benefit to the designated administrator within 90 days of receipt of the credit or benefit.
 - 2. Reports of the receipt of an airline credit or benefit shall be made in writing and shall include verification from the airline as to the credit or benefit received. Reimbursement for airline travel expenses will not be made until such documentation is provided.
- B. Employees who have existing credits or benefits issued by an airline based upon previously reimbursed airline travel for school district purposes will be required to utilize those credits or benefits toward any subsequent airline travel related to school district purposes, prior to reimbursement for such travel, to the extent permitted and/or feasible.
- C. The requirements of this section apply to all airline travel, regardless of where or how the tickets are purchased.

V. ESTABLISHMENT OF DIRECTIVES AND GUIDELINES

EXPENSE REIMBURSEMENT

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

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

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

HARASSMENT AND VIOLENCE

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413 HARASSMENT AND VIOLENCE

I. PURPOSE

The purpose of this policy is to maintain a learning and working environment free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability (Protected Class).

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to maintain a learning and working environment free from harassment and violence on the basis of Protected Class. The school district prohibits any form of harassment or violence on the basis of Protected Class.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's Protected Class, as defined by this policy. (For purposes of this policy, school district personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's Protected Class.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's Protected Class, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel found to have violated this policy.

III. DEFINITIONS

- A. "Assault" is:
 - 1. an act done with intent to cause fear in another of immediate bodily harm or death;
 - 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
 - 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, when the conduct:

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1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
 2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
 3. otherwise adversely affects an individual's employment or academic opportunities.
- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
1. "Disability" means, with respect to an individual who
 - a. has a physical, sensory or mental impairment that materially limits one or more major life activities of such individual;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
 2. "Familial status" means the condition of one or more minors being domiciled with:
 - a. their parent or parents or the minor's legal guardian; or
 - b. the designee of the parent or parents or guardian with the written permission of the parent or parents or guardian. The protections afforded against harassment or discrimination on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.
 3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment or discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
 4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
 5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
 6. "Sexual orientation" means having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.
 7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental

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assistance or rent supplements.

- E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.
- F. Sexual Harassment; Definition
1. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:
 - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
 - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
 - c. that conduct or communication has the purpose or effect of substantially interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
 2. Sexual harassment may include, but is not limited to:
 - a. unwelcome verbal harassment or abuse;
 - b. unwelcome pressure for sexual activity;
 - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;
 - d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
 - e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
 - f. unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.
- G. Sexual Violence; Definition

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1. Sexual violence is a physical act of aggression or force or the threat thereof that involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minnesota Statutes section 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
2. Sexual violence may include, but is not limited to:
 - a. touching, patting, grabbing, or pinching another person's intimate parts
 - b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
 - c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
 - d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence; Definition

Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to an individual's Protected Class.

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of Protected Class by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct that may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.
- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of

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harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.

- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. In the District. The school board hereby designates [Dr. Jon Ellerbusch, Superintendent](#) as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves [the Superintendent, the complaint shall be filed with the Board Chairperson.](#)~~a human rights officer, the complaint shall be filed directly with the superintendent.~~¹
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.
- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent

¹ In some school districts the superintendent may be the human rights officer. If so, an alternative individual should be designated by the school board.

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with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

Consequences for employees who permit, condone, or tolerate violence or harassment or engage in an act of reprisal or intentional false reporting of violence or harassment may result in disciplinary action up to and including termination or discharge.

Consequences for other individuals engaging in prohibited acts of violence or harassment may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts.

V. INVESTIGATION

- A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.

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- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

VI. SCHOOL DISTRICT ACTION

- A. Upon completion of an investigation that determines a violation of this policy has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.
- B. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the targets or victims and alleged perpetrators of harassment or violence, the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

VII. RETALIATION OR REPRISAL

The school district will discipline or take appropriate action against any student, teacher, administrator, or other school district personnel who commits an act of reprisal or who retaliates against any person who asserts, alleges, or makes a good faith report of alleged harassment or violence prohibited by this policy, who testifies, assists, or participates in an investigation of retaliation or alleged harassment or violence, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment or violence. Retaliation includes, but is not limited to, any form of intimidation, reprisal, harassment, or intentional disparate treatment. Disciplinary consequences will be sufficiently severe to deter violations and to appropriately discipline the individual(s) who engaged in the harassment or violence. Remedial responses to the harassment or violence shall be tailored to the particular incident and nature of the conduct.

VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

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These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights or another state or federal agency, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

IX. HARASSMENT OR VIOLENCE AS ABUSE

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minnesota Statutes chapter. 260E may be applicable.
- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

X. DISSEMINATION OF POLICY AND TRAINING

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.
- B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- C. This policy shall appear in the student handbook.
- D. The school district will develop a method of discussing this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, resourcefulness, and/or sexual abuse prevention.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

Legal References: Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Minn. Stat. § 609.341 (Definitions)
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)

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42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

Cross References: MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
MSBA/MASA Model Policy 401 (Equal Employment Opportunity)
MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)
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 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination, Grievance Procedures and Process)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

CHEMICAL USE AND ABUSE

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417 CHEMICAL USE AND ABUSE

I. PURPOSE

The school board recognizes that chemical use and abuse constitutes a grave threat to the physical and mental well-being of students and employees and significantly impedes the learning process. Chemical use and abuse also creates significant problems for society in general. The school board believes that the public school has a role in education, intervention, and prevention of chemical use and abuse. The purpose of this policy is to assist the school district in its goal to prevent chemical use and abuse by providing procedures for education and intervention.

II. GENERAL STATEMENT OF POLICY

- A. Use or possession of controlled substances, toxic substance, medical cannabis, ~~or~~ alcohol before, during, or after school hours, at school or in any other school location, is prohibited in accordance with school district policies with respect to a Drug-Free Workplace/Drug-Free School.
- B. The school district shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievement.
- C. Every school that participates in a school district chemical abuse program shall establish a chemical abuse preassessment team. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
- D. The school district shall establish a drug-free awareness program for its employees.

III. DEFINITIONS

- A. "Chemical abuse," as applied to students, means use of any psychoactive or mood-altering chemical substance, without compelling medical reason, in a manner that induces mental, emotional, or physical impairment and causes socially dysfunctional or socially disordering behavior, to the extent that the ~~student~~ ~~minor~~'s normal function in academic, school, or social activities is chronically impaired.
- B. "Controlled substances," as applied to the chemical abuse assessment of students, means a drug, substance, or immediate precursor in Schedules I through V of Minnesota Statutes section 152.02 and "marijuana" as defined in Minnesota Statutes section 152.01, subdivision 9 but not distilled spirits, wine, malt beverages, intoxicating liquors or tobacco. As otherwise defined in this policy, "controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code section 812, including analogues and look-alike drugs.
- C. "Drug prevention" means prevention, early intervention, rehabilitation referral, recovery support services, or education related to the illegal use of drugs, such as raising awareness about the consequences of drug use that are evidence based.

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- D. "School location" includes any school building or on any school premises; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off-school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.
- E. "Teacher" means all persons employed in a public school or education district or by a service cooperative as members of the instructional, supervisory, and support staff including superintendents, principals, supervisors, secondary vocational and other classroom teachers, librarians, counselors, school psychologists, school nurses, school social workers, audio-visual directors and coordinators, recreation personnel, media generalists, media supervisors, and speech therapists.

IV. STUDENTS

A. Districtwide School Discipline Policy

Procedures for detecting and addressing chemical abuse problems of a student while on school premises are included in the districtwide school student discipline policy.

B. Programs and Activities

- 1. The school district shall develop, implement, and evaluate comprehensive programs and activities that foster safe, healthy, supportive, and drug-free environments that support student academic achievements. The programs and activities may include, among other programs and activities, drug prevention activities and programs that may be evidence based, including programs to educate students against the use of alcohol, tobacco, marijuana, smokeless tobacco products, and electronic cigarettes.
- 2. As part of its drug-free programs, the school district may implement the drug abuse resistance education program (DARE) that enables peace officers to undergo the training to teach a curriculum on drug abuse resistance in schools.

C. Reports of Use, Possession, or Transfer of Alcohol or a Controlled Substance

- 1. A teacher in a nonpublic school participating in a school district chemical use program, or a public school teacher, who knows or has reason to believe that a student is using, possessing, or transferring alcohol or a controlled substance while on the school premises or involved in school-related activities, shall immediately notify the school's chemical abuse preassessment team, or staff member assigned duties similar to those of such a team, of this information.
- 2. Students involved in the abuse, possession, transfer, distribution, or sale of chemicals may be suspended and proposed for expulsion in compliance with the student discipline policy and the Pupil Fair Dismissal Act, Minnesota Statutes section 121A.40-121A.56, and proposed for expulsion.

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3. Searches by school district officials in connection with the use, possession, or transfer of alcohol or a controlled substance will be conducted in accordance with school board policies related to search and seizure.
4. Nothing in paragraph IV.B.1. prevents a teacher or any other school employee from reporting to a law enforcement agency any violation of law occurring on school premises or at school sponsored events.

D. Preassessment Team

1. Every school that participates in a school district chemical abuse program shall establish a chemical abuse preassessment team designated by the superintendent or designee. The team must be composed of classroom teachers, administrators, and to the extent they exist in the school, school nurse, school counselor or psychologist, social worker, chemical abuse specialist, and other appropriate professional staff. For schools that do not have a chemical abuse program and team, the superintendent or designee will assign these duties to a designated school district employee.
2. The team is responsible for addressing reports of chemical abuse problems and making recommendations for appropriate responses to the individual reported cases.
3. Within forty-five (45) days after receiving an individual reported case, the team shall make a determination whether to provide the student and, in the case of a minor, the [dependent](#) student's parents with information about school and community services in connection with chemical abuse.

E. Data Practices

1. Student data may be disclosed without consent in health and safety emergencies pursuant to Minnesota Statutes section 13.32 and applicable federal law and regulations.
2. Destruction of Records
 - a. If the preassessment team decides not to provide a [dependent](#) student and, in the case of a minor, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the determination is made.
 - b. If the team decides to provide the student and, in the case of a minor or a dependent student, the student's parents with information about school or community services in connection with chemical abuse, records created or maintained by the team about the student shall be destroyed not later than six (6) months after the student is no longer enrolled in the district.

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- c. Destruction of records identifying individual students shall be governed by paragraph IV.E.2. notwithstanding Minnesota Statutes section 138.163 (Preservation and Disposal of Public Records).

F. Consent

Any minor may give effective consent for medical, mental, and other health services to determine the presence of or to treat conditions associated with alcohol and other drug abuse, and the consent of no other person is required.

V. EMPLOYEES

- A. The school district shall establish a drug-free awareness program to inform employees about:
 - 1. The dangers of drug abuse in the workplace.
 - 2. The school district's policy of maintaining a drug-free workplace.
 - 3. Available drug counseling, rehabilitation, and employee assistance programs.
 - 4. The penalties that may be imposed on employees for drug abuse violations.
- B. The school district shall notify a federal granting agency required to be notified under the Drug-Free Workplace Act within ten (10) days after receiving notice from the employee or otherwise receiving actual notice of any criminal drug statute conviction occurring in the workplace.

Legal References: Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.25-121A.29 (Chemical Abuse)
Minn. Stat. § 121A.40-121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
Minn. Stat. § 124D.695 (Approved Recovery Program Funding)
Minn. Stat. § 126C.44 (Safe Schools Levy)
Minn. Stat. § 138.163 (Preservation and Disposal of Public Records)
Minn. Stat. § 144.343 (Pregnancy, Venereal Disease, Alcohol or Drug Abuse, Abortion)
Minn. Stat. § 152.01 (Definitions)
Minn. Stat. § 152.02 (Schedules of Controlled Substances; Administration of Chapter)
Minn. Stat. § 152.22 (Definitions; Medical Cannabis)
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)
Minn. Stat. § 299A.33 (DARE Program)
Minn. Stat. § 466.07, subd. 1 (Indemnification Required)
Minn. Stat. § 609.101, subd. 3(e) (Controlled Substance Offenses; Minimum Fines)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)
20 U.S.C. §§ 7101-7122 (Student Support and Academic Enrichment Grants)
20 U.S.C. § 5812 (National Education Goals)
20 U.S.C. § 7175 (Local Activities)
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)

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34 C.F.R. Part 84 (Government-Wide Requirements for Drug-Free Workplace)

Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 416 (Drug and Alcohol Testing)
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug Free School)
MSBA/MASA Model Policy 419 (Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction)
MSBA/MASA Model Policy 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 527 (Student Use and Parking of Motor Vehicles; Patrols, Inspections, and Searches)

DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL

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418 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. "Alcohol" includes any alcoholic beverage containing more than one-half of one percent alcohol by volume.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code section 812, including analogues and look-alike drugs.
- C. "Edible cannabinoid product" means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug.
- D. "Nonintoxicating cannabinoid" means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed by injection, inhalation, ingestion, or by any other immediate means.
- E. "Medical cannabis" means any species of the genus cannabis plant, or any mixture or

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preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; (4) combustion with use of dried raw cannabis; or (5) any other method approved by the Commissioner of the Minnesota Department of Health ("Commissioner").

- F. "Possess" means to have on one's person, in one's effects, or in an area subject to one's control.
- G. "School location" includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.
- H. "Sell" means to sell, give away, barter, deliver, exchange, distribute or dispose of to another, or to manufacture; or to offer or agree to perform such an act, or to possess with intent to perform such an act.
- I. "Toxic substances" includes: (1) glue, cement, aerosol paint, containing toluene, benzene, xylene, amyl nitrate, butyl nitrate, nitrous oxide, or containing other aromatic hydrocarbon solvents, but does not include glue, cement, or paint contained in a packaged kit for the construction of a model automobile, airplane, or similar item; (2) butane or a butane lighter; or (3) any similar substance declared to be toxic to the central nervous system and to have a potential for abuse, by a rule adopted by the Commissioner.
- I. "Use" means to sell, buy, manufacture, distribute, dispense, be under the influence of, or consume in any manner, including, but not limited to, consumption by injection, inhalation, ingestion, or by any other immediate means.

IV. EXCEPTIONS

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

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except under the direction and supervision of a medical doctor.

V. PROCEDURES

- A. Students who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, must comply with the school district’s student medication policy.
- B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.
- C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.
- D. Employees are subject to the school district’s drug and alcohol testing policies and procedures.
- E. Members of the public are not permitted to possess controlled substances, intoxicating cannabinoids, or edible cannabinoid products in a school location except with the express permission of the superintendent.
- F. No person is permitted to possess or use medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products on a school bus or van; or on the grounds of any preschool or primary or secondary school; or on the grounds of any child care facility. This prohibition includes (1) vaporizing or combusting medical cannabis on any form of public transportation where the vapor or smoke could be inhaled by a minor child or in any public place, including indoor or outdoor areas used by or open to the general public or place of employment; and (2) operating, navigating, or being in actual physical control of any motor vehicle or working on transportation property, equipment or facilities while under the influence of medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products.
- G. Possession of alcohol on school grounds pursuant to the exceptions of Minnesota Statutes section 624.701, subdivision 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

VI. SCHOOL PROGRAMS

- A. Starting in the 2026-2027 school year, the school district must implement a comprehensive education program on cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, for students in middle school and high school. The program must include instruction on the topics listed in Minnesota Statutes, section 120B.215, subdivision 1 and must:

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1. respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl; and
 2. refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, and treatment for a substance use disorder.
- B. School district efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with Minnesota Statutes, sections 120B.10 and 120B.11.
- C. Notwithstanding any law to the contrary, the school district shall have a procedure for a parent, a guardian, or an adult student 18 years of age or older to review the content of the instructional materials to be provided to a minor child or to an adult student pursuant to this article. The district must allow a parent or adult student to opt out of instruction under this article with no academic or other penalty for the student and must inform parents and adult students of this right to opt out.

VI. ENFORCEMENT

A. Students

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

B. Employees

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

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

C. The Public

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

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

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

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MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 516 (Student Medication)

Adopted:

441
Revised:

Effective:

TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION

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419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION

I. PURPOSE

The purpose of this policy is to maintain a learning and working environment that is tobacco free.

II. GENERAL STATEMENT OF POLICY

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.
- D. **The school district will not solicit or accept any contributions or gifts of money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, tobacco-related devices, or electronic delivery devices. The school district will not promote or allow promotion of tobacco products or electronic delivery devices on school property or at school-sponsored events.**

III. DEFINITIONS

- A. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of aerosol or vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic

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delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.

- B. "Heated tobacco product" means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- D. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- E. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. "Vaping" means using an activated electronic delivery device or heated tobacco product.

IV. EXCEPTIONS

- A. A violation of this policy does not occur when an Indian adult lights tobacco on school district property as a part of a traditional Indian spiritual or cultural ceremony. An American Indian student may carry a medicine pouch containing loose tobacco intended as observance of traditional spiritual or cultural practices. An Indian is a person who is a member of an Indian tribe as defined under Minnesota law.
- B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off-campus events sponsored by the school district.

V. VAPING PREVENTION INSTRUCTION

TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION

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- A. The school district must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The school district may use instructional materials based upon the Minnesota Department of Health's school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the school district's locally developed health standards.

VI. ENFORCEMENT

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

VII. DISSEMINATION OF POLICY

- A. This policy shall appear in the student handbook.
- B. The school district will develop a method of discussing this policy with students and employees.

Legal References: Minn. Stat. § 120B.238 (Vaping Awareness and Prevention)
Minn. Stat. §§ 144.411-144.417 (Minnesota Clean Indoor Air Act)
Minn. Stat. § 609.685 (Sale of Tobacco to Persons Under Age 21)
2007 Minn. Laws Ch. 82 (Freedom to Breathe Act of 2007)

TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION

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Cross References: MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 506 (Student Discipline)

Adopted:

445
Revised:

Effective:

WORKLOAD LIMITS FOR CERTAIN SPECIAL EDUCATION TEACHERS

BARENSVILLE PUBLIC SCHOOL
ISD 146

POLICY 427
SERIES 400 EMPLOYEES/PERSONNEL

427 WORKLOAD LIMITS FOR CERTAIN SPECIAL EDUCATION TEACHERS

I. PURPOSE

The purpose of this policy is to establish general parameters for determining the workload limits of special education staff who provide services to children with disabilities receiving direct special education services 60 percent or less of the instructional day.

II. DEFINITIONS

A. Special Education Staff; Special Education Teacher

"Special education staff" and "special education teacher" both mean a teacher employed by the school district who is licensed under the rules of the Minnesota Professional Educator Licensing and Standards Board to instruct children with specific disabling conditions.

B. Direct Services

"Direct services" means special education services provided by a special education teacher or a related service professional when the services are related to instruction, including cooperative teaching.

C. Indirect Services

"Indirect services" means special education services provided by a special education teacher or a related service professional which include ongoing progress reviews; cooperative planning; consultation; demonstration teaching; modification and adaptation of the environment, curriculum, materials, or equipment; and direct contact with the pupil to monitor and observe.

D. Workload

"Workload" means a special education teacher's total number of minutes required for all due process responsibilities, including direct and indirect services, evaluation and reevaluation time, management of individualized education programs (IEPs), travel time, parental contact, and other services required in the IEPs.

III. GENERAL STATEMENT OF POLICY

- A. Workload limits for special education teachers shall be determined by the appropriate special education administrator, in consultation with the building principal and the superintendent.
- B. In determining workload limits for special education staff, the school district shall take into consideration the following factors: student contact minutes, evaluation and reevaluation time, indirect services, management of IEPs, travel time, and other services required in the IEPs of eligible students.

IV. COLLECTIVE BARGAINING AGREEMENT UNAFFECTED

WORKLOAD LIMITS FOR CERTAIN SPECIAL EDUCATION TEACHERS

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This policy shall not be construed as a reopening of negotiations between the school district and the special education teachers' exclusive representative, nor shall it be construed to alter or limit in any way the managerial rights or other authority of the school district set forth in the Public Employment Labor Relations Act or in the collective bargaining agreement between the school district and the special education teachers' exclusive representative.

Legal References: Minn. Stat. § 179A.07, Subd. 1 (Inherent Managerial Policy)
Minn. Rule 3525.0210, Subps. 14, 27, 44, and 49 (Definitions)
Minn. Rule 3525.2340, Subp. 4.B. (Case Loads for School-Age Educational Service Alternatives)

Cross References: MSBA/MASA Model Policy 508 (Extended School Year for Certain Students with Individualized Education Programs)
MSBA/MASA Model Policy 608 (Instructional Services – Special Education)

C. Approval of Policies

15. Discussion/Information

A. Truth in Taxation Hearing

1) Monday, December 18, 2023, 7:15 PM, Barnesville High School

B. Breanna Mueller's Request for Compensation

Item Tabled

C. Superintendent Evaluation

Chair Bredman reported there was a positive review for evaluation.

16. Enrollment Update

449

Barnesville Public School
 Student Enrollment
 SY 2023-2024

	2023-24 Projection	Sep 8	Oct 1	Nov 1	Dec 1	Jan 1	Feb 1	Mar 1	Apr 1	May 1	May 25
Grade K	70	57									
Grade 1	76	74									
Grade 2	75	72									
Grade 3	73	76									
Grade 4	72	72									
Grade 5	66	76									
Grade 6	69	68									
	502	495	0								
Grade 7	71	62									
Grade 8	69	75									
Grade 9	66	59									
Grade 10	68	59									
Grade 11	67	59									
Grade 12	58	69									
	399	383	0								
Grades K-12	901	878	0								

17. Dates to Remember

A. Regular School Board Meeting

- 1) Monday, October 16, 2023, 7:00 PM, Barnesville High School

18. Adjournment