

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138  
NORTH BRANCH AREA EDUCATION CENTER, LARGE GYM  
38705 GRAND AVENUE  
NORTH BRANCH, MN 55056  
REGULAR SCHOOL BOARD MEETING  
AUGUST 13, 2020  
5:30 PM**

**AGENDA**

- I. Call to Order
- II. Roll Call
- III. Pledge of Allegiance
- IV. Approval of Agenda
- V. Superintendent's Report
- VI. Removal of Consent Items for Discussion
- VII. Approval of Consent Items
  - A. Minutes of July 9, 2020 School Board Retreat
  - B. Minutes of July 9, 2020 Regular School Board Meeting
  - C. Minutes of July 15, 2020 OPEB Committee Meeting
  - D. Authorization of Payments, Transfers, and Investment Activity
  - E. Personnel
    1. Sydney Rydberg-Engel, BS, Step 2, beginning with the 2020-21 school year, as Art Teacher at North Branch Area High School
    2. Riley Stremick, MA, Step 4, beginning with the 2020-21 school year, as Speech Language Pathologist at Sunrise River Elementary School
    3. Joy Lampl, BS, Step 3, one-year contract for 2020-21 for a Tier 1 License for Math Teacher at North Branch Area High School
    4. Cole Nichols, BA/BS, Step 7, one-year contract for 2020-21 for a Tier 1 License for Industrial Tech/Tech Ed Teacher at North Branch Area High School
    5. Rachelle Johnson, resignation effective August 18, 2020, as SPED Assistant at North Branch Area High School
    6. Kathleen Wessel, resignation effective July 31, 2020 as SPED Assistant at Sunrise River Elementary School
    7. Debra Linder, retirement effective August 7, 2020, as SPED Assistant at Life Work Center
    8. 2020-21 Extra Curricular Fall Coach Positions
      - a. Nita Worthley, Class 4, Step 2, as Assistant Coach for Cross Country
      - b. Sherri Keller, Class 4, Step 6, as Assistant Coach for Girls Soccer
      - c. Joel Santjer, Class 3, Step 5, as Head Coach for Girls Tennis
      - d. Andy Spofford, Class 5, Step 5, as Assistant Coach for Girls Tennis
      - e. Brandon Korkowski - Volunteer Coach for Boys Soccer
      - f. Jenel Korkowski - Volunteer Coach for Boys Soccer
      - g. Don Mattson - Volunteer Coach for Boys Soccer
      - h. Brady Swanson - Volunteer Coach for Girls Tennis
  - F. Acceptance of Donations

Minnesota Statute 123B.02 permits school boards to "...receive, for the benefit of the district, bequests, donations, or gifts for any proper purpose and apply the same

to the purpose designated. In that behalf, the board may act as trustee of any trust created for the benefit of the district, and for the benefit of pupils thereof."

Therefore, the Superintendent recommends the following resolution:

BE IT RESOLVED by the School Board of Independent School District No. 138 that the School Board accept with appreciation the following contributions and permit their use as designated by the donors.

- VIII. **Open Mic:** Open mic is a time for public comment. However, it is not a means to have issues added to this evening's agenda. It is also not a means to discuss specific individuals negatively in public, either by name or position. If you would like district follow up to comments, please leave appropriate contact information on the open mic sign-in sheet. Please limit your comments to three minutes.
- IX. Old Business
- X. New Business
  - A. Consider Resolution Relating to Election of School Board Members and Calling the School District General Election
  - B. Consider First Reading of Policy 503-NB - Attendance Policy
  - C. Consider First Reading of Policy 506-NB - Student Discipline
- XI. Addendum
  - A. Consent
    - 1. Barb Swenson, three (3) year leave request beginning with the 2020-21 school year as Distance Learning/ALC Teacher at North Branch Area Public Schools
  - B. New Business
    - 1. Consider Letter of Agreement Addressing Compensation of Coaches and Co-Curricular Advisors During the 2020-2021 School Year
- XII. Information
  - A. Board & Administrator August 2020 Issue
- XIII. Board Requests
- XIV. Committee Reports
  - A. SEE (Schools for Equity in Education)
  - B. Negotiations
    - 1. NBSSA
    - 2. Principals
  - C. MSBA Update or Report
  - D. MSHSL
  - E. SCRED Report
  - F. Staff Development Report
  - G. Community Education Advisory Committee Report
  - H. Policy Committee Report
- XV. Dates to Remember
  - A. Wednesday, August 19, 2020 Negotiations Committee Meeting, 4:00 pm, Virtual
  - B. Wednesday, August 19, 2020 NBSSA Negotiations Session, 4:30 pm, Virtual
  - C. Thursday, August 27, 2020 Special School Board Meeting, 5:30 pm, North Branch Area Education Center, Large Gym
  - D. Thursday, September 8, 2020 First Day of School
  - E. Thursday, September 10, 2020 Regular School Board Meeting, 5:30 pm, North Branch Area Education Center, Large Gym

F. Thursday, September 24, 2020 School Board Work Session, 5:30 pm, North Branch  
Area Education Center, Large Gym  
XVI. Adjournment

# Superintendent Update



**NORTH BRANCH**  
**AREA PUBLIC SCHOOLS**  
**Inspire Dreams, Build Integrity, Instill Hope**

Better Together  
Superintendent Sara Paul  
August 13, 2020



# Distance Learning Academy Update

- Responding to Questions
- Providing Flexibility and Choice
- On track for 10% of enrolled to be in DLA



# Preparing for Co-curricular Activities



# Why Co-curricular Activities

- Provides leadership education and personal growth
- Supports the healthy development of social and emotional skills
- Activities enrich the student experience and participation is correlated to better academic performance
- Creates a safe environment for students after school

*“It is important that we look for opportunities to allow children to engage in activities that promote health and well-being,”*

*-Minnesota Commissioner of Health Jan Malcolm*



# AD Schmidt Communications with Coaches

- July 23 - Fall Coaches Meeting (Intro Superintendent Paul)
  - Work on [fall activities scenarios/return to play](#) slide deck
  - [Return to Play Continuum - LINK!](#)
- July 31 - Update on Governor's Announcement
  - Details from Governor and Administrative team process
- August 5 - Update on MSHSL Announcement
  - New seasons and guidelines released
- August 10 - Fall Coaches meeting with AD Schmidt
  - Discuss more Covid Specific guidelines and coaches handbook
- August 11 - Fall Coaches meeting with Player/Parents
- August 12 - M8 Sport Meeting Updates (NB host Soccer)
- August 12 - Fall/Spring Coaches discuss new [MSHSL training schedule](#)
- 23.5 hours of individual Meetings with coaches as of July 13th



# Coaches Memorandum of Understanding

- Value for the critical role that coaches play in the lives of our students
- Lessons learned from last year
- Clarity is kind



# Policy Recommendations

# Policy 503: Student Attendance



Vision → Students are engaged in a culture that supports participation

- Create classrooms and school spaces that allow students to feel safe, loved, and respected
- A child should not have to fail before they get the support that they need
- Attendance is an indicator, it is not a separate problem

# Policy 503: Student Attendance



We need to...

Help students cope, manage, and thrive through healthy stress.

Reduce unnecessary stress.

# Policy 503: Student Attendance



- Consequences of Absences
- Protocols for Unexcused Absences
- Unexcused Tardies

# Mask Policy Update



- MSBA drafted a model policy for masks
- MDE prefers that MSBA not develop a model for masks
- Recommendation is to follow the Executive Order 20-81
- We will not be bringing a Mask Policy to the School Board

# Policy 506: Discipline



## Revised Purpose Statement

- School cultures of respect and acceptance
- Fair and proportionate consequences for failure to meet behavior expectations.
- Students share in the responsibility to uphold and respect the high standards of school behavior
- The District looks to parents/guardians and families to partner in the teaching, learning and supporting of appropriate school behavior

# Ongoing Engagement



- Welcome Back Communication going out from schools next week
- Ask the Superintendent Sessions

*Remember the importance of kindness in times of uncertainty.*

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138**  
**SCHOOL BOARD RETREAT**  
**July 9, 2020**

The School Board of Independent School District 138 held a school board retreat on Thursday, July 9, 2020, at 4:00 p.m. at the North Branch Area Middle School Media Center.

Members Present: Kirby Ekstrom, Tim MacMillan, Sarah Grovender, Kevin Bollman, Heather Osagiede (virtual), Tanya Giese, and Superintendent Paul

The topics discussed at the retreat included communication, back to school planning, and superintendent and school board goals.

The board adjourned the retreat at 5:15 p.m.

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Sarah Grovender, Clerk

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138  
REGULAR SCHOOL BOARD MEETING  
NORTH BRANCH AREA MIDDLE SCHOOL, MEDIA CENTER  
JULY 9, 2020**

The School Board of Independent School District 138 met in regular session on Thursday, July 9, 2020, at 5:30 p.m. at the North Branch Area Middle School Media Center.

Board Chair Ekstrom called the meeting to order.

Oath of Office for New School Board Member

The Oath of Office was read and the new school board member, Tanya Giese, was seated at the board table.

Roll Call: Kirby Ekstrom, Tim MacMillan, Sarah Grovender, Kevin Bollman, Heather Osagiede (virtual), Tanya Giese, and Superintendent Paul

Others in Attendance:

Bill Stickels III, John Wagner, Lori Zimmerman, David Treichel, Andrea Schmidt, Abby Schulte, Allen Schulte, Brenda Schulte, Dylan Beaver, Todd Tetzlaff, Pat Tepoorten, and Arle Chambers

The Pledge of Allegiance was said by all.

Approval of Agenda:

Moved by Bollman, seconded by MacMillan and carried unanimously to approve the agenda.

Recognition

Chair Ekstrom introduced the new superintendent for North Branch Area Public Schools, Sara Paul, and welcomed her to the district.

**SUPERINTENDENT'S REPORT**

Superintendent Paul introduced high school students Abby Schulte and Dylan Beaver. Abby and Dylan introduced Andrea Schmidt, the new Activities Director for the school district.

**CONSENT ITEMS**

Moved by MacMillan, seconded by Grovender and carried unanimously to approve the following consent items.

- A. Minutes of June 11, 2020 Special School Board Meeting
- B. Minutes of June 11, 2020 Public Meeting on Student Fees
- C. Minutes of June 11, 2020 Regular School Board Meeting

D. Authorization of Payments, Transfers, and Investment Activity

- Accounts Payable, Bank 07 – \$1,811,048.64
- Auxiliary, Bank 12 - \$18,384.56
- Payroll, Bank 13 - \$2,721,590.37
- Scholarship, Bank 18 - \$59,180.00
- High School Student Activities, Bank 31 - \$1,832.16
- Middle School Student Activities, Bank 32 - \$0.00

E. Personnel

1. Andrea Schmidt, employment effective July 1, 2020, as Activities Director at North Branch Area Public Schools
2. Michelle Tabor, BS, Step 1, as Distance Learning Teacher at North Branch Area Public Schools
3. Dylan Walker, MEd, Step 9, LTS for Kelly Coleman, for the 2020-21 school year, as English Teacher at North Branch Area High School
4. Julie Demo, change of position from Schoolkeeper to Custodian effective July 1, 2020 at North Branch Area Public Schools
5. Anthony Sletten, change of position from Schoolkeeper to Custodian effective July 1, 2020 at North Branch Area Public Schools
6. Peter DeCrans, request to be released from his contract for the upcoming 2020-21 school year, contingent upon the district hiring a suitable replacement, as Art Teacher at North Branch Area High School
7. Samantha Bartz, leave request effective approximately October 19, 2020 to January 8, 2021, as Second Grade Teacher at Sunrise River Elementary School
8. William Weinreis, rescinded district's offer of employment effective July 1, 2020 as Groundskeeper at North Branch Area Public Schools

F. Designation of Identified Official with Authority for the MDE External User Access Recertification System

The Minnesota Department of Education (MDE) requires that school districts annually designate an Identified Official with Authority to comply with the MNIT Enterprise Identity and Access Management Standard which states that all user access rights to Minnesota state systems must be reviewed and recertified at least annually. The Identified Official with Authority will assign job duties and authorize external user's access to MDE secure systems for their local education agency (LEA). The Board recommends to authorize Sara Paul to act as the Identified Official with Authority (IOwA) and Arle Chambers to act as the IOwA to add and remove names only for LEA for North Branch Area Public Schools.

## G. Acceptance of Donations

Date	Donation From	Donation To	Amount	Use
6/2/20	ECMC Foundation – Danielle Carrillo	NBHS Athletics	\$5,000.00	FRC Robotics Program
6/15/20	Lions Club of North Branch – NB, MN	NBHS Scholarship A/C	\$1,500.00	Scholarship Donation
6/15/20	Sons of the American Legion – NB, MN	NBHS Scholarship A/C	\$1,000.00	Scholarship Donation
6/15/20	Jasper Lodge No 164 – Rush City, MN	NBHS Scholarship A/C	\$1,000.00	Scholarship Donation
6/26/20	Andy Spofford – NB, MN	NBHS Athletics	\$1,000.00	Tennis Program
6/30/20	Steve Thorp – Harris, MN	NBAPS	\$60.25	Donated lunch balance
		<b>Total</b>	<b>\$9,560.25</b>	

### **OPEN MIC**

No one signed up for open mic.

### **OLD BUSINESS**

#### A. Approval of Contract for Garbage Pickup

Moved by Grovender, seconded by Osagiede and carried unanimously to accept the bid of Terry's Disposal for garbage pickup for FY2021. Bids results are attached.

#### B. Approval of Contract for Diesel Fuel and Gasoline

Moved by Bollman, seconded by MacMillan and carried unanimously to award the bid for diesel fuel and gasoline to Petroleum Traders Corporation for FY2021 for the school district and the City of North Branch. Bid results are attached.

### **NEW BUSINESS**

A. Member Bollman introduced the following resolution and moved its adoption:

#### **RESOLUTION ESTABLISHING DATES FOR FILING AFFIDAVITS OF CANDIDACY**

BE IT RESOLVED by the School Board of Independent School District No. 138, State of Minnesota, as follows:

1. The period for filing affidavits of candidacy for the office of school board member of Independent School District No. 138 shall begin on July 28, 2020, and shall close on August 11, 2020. An affidavit of candidacy must be filed in the office of the school district clerk and the \$2 filing fee paid prior to 5:00 o'clock p.m. on August 11, 2020.

2. The clerk is hereby authorized and directed to cause notice of said filing dates to be published in the official newspaper of the district, at least two (2) weeks prior to the first day to file affidavits of candidacy. Publication of said notice prior to the date of adoption of this resolution is hereby ratified and approved in all respects.

3. The clerk is hereby authorized and directed to cause notice of said filing dates to be posted at the administrative offices of the school district at least ten (10) days prior to the first day to file affidavits of candidacy.

4. The notice of said filing dates shall be in substantially the following form:

**NOTICE OF FILING DATES FOR ELECTION TO THE SCHOOL BOARD  
INDEPENDENT SCHOOL DISTRICT NO. 138  
(NORTH BRANCH AREA PUBLIC SCHOOLS)  
STATE OF MINNESOTA**

NOTICE IS HEREBY GIVEN that the period for filing affidavits of candidacy for the office of school board member of Independent School District No. 138 shall begin on July 28, 2020, and shall close at 5:00 o'clock p.m. on August 11, 2020.

The general election shall be held on Tuesday, November 3, 2020. At that election, three (3) members will be elected to the School Board for terms of four (4) years each.

Affidavits of Candidacy are available from the school district clerk, Independent School District No. 138, 38705 Grand Ave, North Branch, MN 55056. The filing fee for this office is \$2. A candidate for this office must be an eligible voter, must be 21 years of age or more on assuming office, must have been a resident of the school district from which the candidate seeks election for thirty (30) days before the general election, and must have no other affidavit on file for any other office at the same primary or general election.

The affidavits of candidacy must be filed in the office of the school district clerk and the filing fee paid prior to 5:00 o'clock p.m. on August 11, 2020.

Dated: July 9, 2020

BY ORDER OF THE SCHOOL BOARD

/s/ Sarah Grovender  
School District Clerk  
Independent School District No. 138  
(North Branch Area Public Schools)  
State of Minnesota

The motion for the adoption of the foregoing resolution was duly seconded by MacMillan. On a roll call vote, the following voted in favor: Ekstrom, MacMillan, Grovender, Bollman, Osagiede, Giese and the following voted against: None whereupon said resolution was declared duly passed and adopted.

B. Approval of Long-Term Facilities Maintenance Plan

Todd Tetzlaff, Director of Finance and Human Services, presented information on the long-term facilities maintenance plan. Moved by Bollman, seconded by Grovender and carried unanimously to approve the long-term facilities maintenance plan.

C. Approval of Renewal of Membership in Minnesota School Boards Association (MSBA)

Moved by MacMillan, seconded by Grovender and carried unanimously to approve the renewal of membership in the Minnesota Schools Boards Association (MSBA) in the amount of \$ 9,051.00.

D. Approval of Resolution of an Agreement Between St. Cloud State University and North Branch Area Public Schools for the Purpose of Providing Supervisory Services for Students from St. Cloud State University

Moved by Grovender, seconded by Bollman and carried unanimously to approve an agreement between St. Cloud State University and North Branch Area Public Schools for the purpose of providing supervisory services for students from St. Cloud State University.

E. Approval of 2020-21 Student and Parent Handbook

Moved by MacMillan, seconded by Grovender and carried unanimously to approve the 2020-2021 student and parent handbook.

**INFORMATION**

The board reviewed the July 2020 issue of the Board and Administrator and the 2019-20 fundraising reports for Early Childhood, Sunrise River Elementary School, North Branch Middle School, and the North Branch High School Activities.

**BOARD REQUESTS**

None

**COMMITTEE REPORTS**

A. SEE (Schools for Equity in Education) – None

- B. Negotiations – Board Member MacMillan reported the second negotiations session with the North Branch Support Staff Association was held on July 1 and the next session is scheduled for July 15.
- C. MSBA Report – Board Member Ekstrom reported the MSBA Summer Seminar meeting would be held remotely over 3 evenings, August 5, 12, and 19 from 6-8 pm.
- D. MSHSL – Board Member Ekstrom reported the next MSHSL Board of Directors meeting is July 13. The school board watched a MSHSL video called Why We Play.
- E. SCRED Report – None
- F. Staff Development Report – None
- G. Community Education – None
- H. Policy Committee Report – None

**DATES TO REMEMBER**

- A. July 15, 2020 OPEB Meeting, 2:00 pm, Virtual
- B. July 15, 2020 Negotiations Committee Meeting, 4:00 pm, Virtual
- C. July 15, 2020 NBSSA Negotiations Session, 4:30 pm, Virtual
- D. July 23, 2020 Negotiations Committee Meeting, 4:00 pm, North Branch Area Education Center
- E. July 23, 2020 Principal Negotiations Session, 4:30 pm, North Branch Area Education Center
- F. August 6, 2020, Work Session, 5:30 pm, Location to be determined
- H. August 13, 2020 Regular School Board Meeting, 5:30 pm, Location to be determined

**Adjournment**

Moved by Grovender, seconded by Bollman and carried unanimously to adjourn the regular meeting at 6:16 pm.

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Sarah Grovender, Clerk

**NORTH BRANCH INDEPENDENT SCHOOL DISTRICT NO. 138  
SUNRISE RIVER ELEMENTARY SCHOOL  
OPEB COMMITTEE MEETING  
July 15, 2020**

The OPEB Committee met in a virtual meeting on Wednesday, July 15 at 2:00 p.m.

In attendance: Superintendent Paul, Todd Tetzlaff, Paula Vaughn, Kevin Bollman, Merle Waters and John Schutz from Wells Fargo

The OPEB Committee met with Merle Waters and John Schutz from Wells Fargo to review the status of the school district's OPEB Trust. The update included information related to the investment allocation of the OPEB Trust funds and a review of rates of return and disbursements by the school district. The overall performance of the trust continues to be positive and the trust is projected to continue to meet the future obligations for OPEB funds. The committee will continue to meet annually to review the status of the OPEB Trust.

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Sarah Grovender, Clerk

**ELECTRONIC FUND TRANSFERS  
JULY 2020**

Direct Dep Cks			\$709,352.85
ACHS			<u>\$15,027.20</u>
			<b>\$724,380.05</b>
Transfer from Construction Account to General Operating:			
	2017A Bond	7/10/2020	\$678,372.85
	2018A Bond	7/10/2020	<u>\$481,684.70</u>
			<b>\$1,160,057.55</b>
Transfers to Wells Fargo - Debt Service Payments:		7/31/2020	\$80,750.00
Transfers to Associated- Debt Service Payments:		7/28/2020	<u>\$1,340,658.63</u>
			<b>\$1,421,408.63</b>
Other Electronic Fund Transfers:			
Federal/FICA Taxes		7/6/2020	\$41,078.27
(Also reflected in P/R info)		7/13/2020	\$65,951.12
		7/20/2020	\$39,101.02
		7/27/2020	<u>\$64,947.93</u>
			<b>\$211,078.34</b>
Minnesota Withholding Taxes		7/1/2020	\$3,723.48
(Also reflected in P/R info)		7/7/2020	\$6,661.65
		7/14/2020	\$11,198.93
		7/21/2020	\$6,454.68
		7/28/2020	<u>\$10,668.36</u>
			<b>\$38,707.10</b>
Economic Service (EBC)		7/6/2020	\$8,887.59
(Also reflected in P/R info)		7/14/2020	\$16,229.12
		7/20/2020	\$8,768.37
		7/27/2020	<u>\$16,229.12</u>
			<b>\$50,114.20</b>
MII LIFE-F S A	PEIP	7/6/2020	\$329.19
	PEIP	7/13/2020	\$542.66
	PEIP	7/14/2020	\$260.45
	PEIP	7/20/2020	\$1,086.20
	PEIP	7/22/2020	\$1,177.55
	PEIP	7/27/2020	<u>\$250.07</u>
			<b>\$3,646.12</b>
MII LIFE-M S A		7/1/2020	\$2,012.08
(Also reflected in P/R info)		7/8/2020	\$6,232.14
		7/15/2020	\$2,012.08
		7/28/2020	<u>\$2,012.08</u>
			<b>\$12,268.38</b>
Minnesota Teachers Retirement		7/10/2020	\$7,361.97
		7/13/2020	\$44,702.11
		7/17/2020	\$7,364.41
		7/24/2020	\$45,208.46
		7/31/2020	<u>\$7,327.55</u>
			<b>\$111,964.50</b>
PERA		7/2/2020	\$17,673.79
		7/17/2020	\$14,961.45
		7/31/2020	<u>\$14,627.73</u>
			<b>\$47,262.97</b>
Delta Dental Plan		7/21/2020	<b>\$23,434.10</b>
MN Sales Tax		7/20/2020	<b>\$114.00</b>

JULY 2020

DATE	DONATION FROM	DONATION TO	AMOUNT	USE
7/20/20	VFW Post 6424, P.O. Box 373, North Branch, MN 55056	NBHS Athletics	\$500.00	JROTC Program Donation
			\$500.00	
JUL	Beth Raarup, 26310 Golden Ct., Wyoming, MN 55092	NBAPS-Early Childhood Program		Beth Raarup received a \$250.00 Thrivent Financial grant in support of North Branch Area Public Schools to purchase toys for Early Childhood Classrooms

EXTRACT OF MINUTES OF MEETING  
OF SCHOOL BOARD  
OF INDEPENDENT SCHOOL DISTRICT NO. 138  
(NORTH BRANCH AREA PUBLIC SCHOOLS)  
STATE OF MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the School Board of Independent School District No. 138 (North Branch Area Public Schools), State of Minnesota, was held in said school district on August 13, 2020, at 5:30 o'clock p.m.

The following members were present:

and the following were absent:

Member \_\_\_\_\_ introduced the following resolution and moved its adoption:

**RESOLUTION RELATING TO ELECTION OF SCHOOL BOARD MEMBERS  
AND CALLING THE SCHOOL DISTRICT GENERAL ELECTION**

BE IT RESOLVED by the School Board of Independent School District No. 138, State of Minnesota, as follows:

1. It is necessary for the school district to hold its general election for the purpose of electing three (3) school board members for terms of four (4) years each.
2. The general election is hereby called and directed to be held in conjunction with the state general election on Tuesday, the 3rd day of November, 2020.
3. Pursuant to Minnesota Statutes, Section 205A.11, the precincts and polling places for this general election are those polling places and precincts or parts of precincts located within the boundaries of the school district and which have been established by the cities or towns located in whole or in part within the school district. The voting hours at those polling places shall be the same as those for the state general election.
4. The clerk is hereby authorized and directed to cause written notice of said general election to be provided to the county auditor of each county in which the school district is located, in whole or in part, at least seventy-four (74) days before the date of said election. The notice shall specify the date of said election and the office or offices to be voted on at said general election. Any notice given prior to the adoption of this resolution is ratified and confirmed in all respects.

The clerk is hereby authorized and directed to cause notice of said general election to be posted at the administrative offices of the school district at least ten (10) days before the date of said election.

The clerk is hereby authorized and directed to cause a sample ballot to be posted at the administrative offices of the school district at least four (4) days before the date of said general election and to cause two sample ballots to be posted in each polling place on election day. The sample ballot shall not be printed on the same color paper as the official ballot. The sample ballot for a polling place must reflect the offices, candidates and rotation sequence on the ballots used in that polling place.

The clerk is hereby authorized and directed to cause notice of said election to be published in the official newspaper of the school district, for two (2) consecutive weeks with the last publication being at least one (1) week before the date of the election.

The notice of election so posted and published shall state the offices to be filled as set forth in the form of ballot below, and shall include information concerning each established precinct and polling place.

The clerk is hereby authorized and directed to cause the rules and instructions for use of the optical scan voting system to be posted in each polling place on election day.

The clerk is authorized and directed to acquire and distribute such election materials and to take such other actions as may be necessary for the proper conduct of this general election and generally to cooperate with state, city, township and county election authorities conducting the state general and other elections on that date. The clerk and members of the administration are authorized and directed to take such actions as may be necessary to coordinate this election with those other elections, including entering into agreements or understandings with appropriate municipal and county officials regarding preparation and distribution of ballots, election administration and cost sharing.

5. The clerk is further authorized and directed to cause ballots to be prepared for use at said election in substantially the following form, with such changes in form, color and instructions as may be necessary to accommodate an optical scan voting system:

# General Election Ballot

Independent School District No. 138  
(North Branch Area Public Schools)

November 3, 2020

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**Instructions to Voters:**  
**To vote, completely fill in the oval(s) next to your choice(s) like this: ●.**

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**School Board Member**  
**Vote for Up to Three**

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- |                       |                  |
|-----------------------|------------------|
| <input type="radio"/> | Tanya Giese      |
| <input type="radio"/> | Tim MacMillan    |
| <input type="radio"/> | Heather Osagiede |
| <input type="radio"/> | _____            |
|                       | write-in, if any |
| <input type="radio"/> | _____            |
|                       | write-in, if any |
| <input type="radio"/> | _____            |
|                       | write-in, if any |
-

Optical scan ballots must be printed in black ink on white material, except that marks to be read by the automatic tabulating equipment may be printed in another color ink. The name of the precinct and machine-readable identification must be printed on each ballot. Voting instructions must be printed at the top of the ballot on each side that includes ballot information. The instructions must include an illustration of the proper mark to be used to indicate a vote. Lines for initials of at least two election judges must be printed on one side of the ballot so that the judges' initials are visible when the ballots are enclosed in a secrecy sleeve.

6. The name of each candidate for office at each election shall be rotated with the names of the other candidates for the same office in the manner specified in Minnesota law.

7. If the school district will be contracting to print the ballots for this election, the clerk is hereby authorized and directed to prepare instructions to the printer for layout of the ballot. Before a contract in excess of \$1,000 is awarded for printing ballots, the printer shall, if requested by the election official, furnish, in accordance with Minnesota Statutes, Section 204D.04, a sufficient bond, letter of credit, or certified check acceptable to the clerk in an amount not less than \$1,000 conditioned on printing the ballots in conformity with the Minnesota election law and the instructions delivered. The clerk shall set the amount of the bond, letter of credit, or certified check in an amount equal to the value of the purchase.

8. The individuals designated as judges for the state general election shall act as election judges for this general election at the various polling places and shall conduct said election in the manner described by law. The election judges shall act as clerks of election, count the ballots cast and submit them to the school board for canvass in the manner provided for other school district elections. The general election must be canvassed between the third and the tenth day following the general election.

9. The School District clerk shall make all Campaign Financial Reports required to be filed with the school district under Minnesota Statutes, Section 211A.02 available on the school district's website. The clerk must post the report on the school district's website as soon as possible, but no later than thirty (30) days after the date of the receipt of the report. The school district must make a report available on the school district's website for four years from the date the report was posted to the website. The clerk must also provide the Campaign Finance and Public Disclosure Board with a link to the section of the website where reports are made available.

The motion for the adoption of the foregoing resolution was duly seconded by \_\_\_\_\_ and upon vote being taken thereon the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.



# STUDENTS

## Attendance Policy

503-NB

### I. PURPOSE

- A. The school board believes that regular school attendance is directly related to success in academic work, benefits students socially, provides opportunities for important communications between teachers and students, and establishes regular habits of dependability important to the future of the student. The purpose of this policy is to encourage regular school attendance. It is intended to be positive and not punitive.
- B. This policy also recognizes that class attendance is a joint responsibility to be shared by the student, parent or guardian, teacher and administrators. This policy will assist students in attending class.

### II. GENERAL STATEMENT OF POLICY

#### A. Responsibilities

##### 1. Student's Responsibility

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

##### 2. Parent or Guardian's Responsibility

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

##### 3. Teacher's Responsibility

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

##### 4. Administrator's Responsibility

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#### North Branch Independent School District No. 138: District Policy 503-NB

**Adopted:** November 11, 1997

**Reviewed:** June 10, 1999, June 8, 2000, June 14, 2001 (MSBA Model Policy reviewed March 2009), July 11, 2013

**Number Changed from 5113 to 503:** June 8, 2000

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**Effective:** September 2009, July 11, 2013, July 10, 2014, May 12, 2016

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# STUDENTS

## Attendance Policy

503-NB

- a. It is the administrator's responsibility to require students to attend all assigned classes and study halls. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, and to prepare a list of the previous day's absences stating the status of each. Finally, it is the administrator's responsibility to inform the student's parent or guardian of the student's attendance and to work cooperatively with them and the student to solve attendance problems.
- b. In accordance with the Minnesota Compulsory Instruction Law, Minn. Stat. § 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

### B. Attendance Procedures

The superintendent shall develop procedures to implement the policy for district schools and keep the school board informed of any changes in these procedures.

#### 1. Excused Absences

- a. To be considered an excused absence, the student's parent or legal guardian will verify within two days of the absence, in writing or by phone, the reason for the student's absence from school. The school district reserves the right to request documentation for any excused absence. A note from a physician or a licensed mental health professional stating that the student cannot attend school is a valid excuse.
- b. The following reasons shall be sufficient to constitute excused absences:
  - (1) Illness. (Documentation from a medical provider may be required.)
  - (2) Serious illness or injury in the student's immediate family.
  - (3) A death or funeral in the student's immediate family or of a close friend or relative.
  - (4) Medical, dental or orthodontic treatment, or counseling appointment.
  - (5) Court appearances occasioned by family or personal action.

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# STUDENTS

## Attendance Policy

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- (6) Religious instruction not to exceed three hours in any week.
- (7) Physical emergency conditions such as fire, flood, storm, etc.
- (8) Official school field trip or other school-sponsored outing.
- (9) Removal of a student pursuant to a suspension. Suspensions are to be handled as excused absences and students will be permitted to complete make-up work.
- (10) Family emergencies
- (11) Active duty in any military branch of the United States
- (12) Family member on military leave
- (13) Observance of a religious or cultural holiday
- (14) Successfully appealed absences
- (15) A student's condition that requires ongoing treatment for a mental health diagnosis.

### c. Consequences of Excused Absences

- (1) Students whose absences are excused are required to make up all assignments missed or to complete alternative assignments as deemed appropriate by the classroom teacher. The student is responsible for contacting teachers to initiate makeup work.
- (2) Work missed because of absence must be made up. ~~within 2 days from the date of the student's return to school. Any work not completed within this period shall result in "no credit" for the missed assignment. However,~~ The building principal or the classroom teacher ~~will~~ **may** extend the time allowed for completion of make-up work in the case of an extended illness or other extenuating circumstances.

## 2. Unexcused Absences

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

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

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# STUDENTS

## Attendance Policy

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- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (3) Work at home/Needed at home.
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Vacations with family.
- (6) Personal trips to schools or colleges.
- (7) Absences resulting from cumulated unexcused tardies. Three unexcused tardies equal one unexcused absence.
- (8) Any other absence not included under the attendance procedures set out in this policy. For Example: Hunting, Fishing, 4-H, Rodeo, etc.

### b. Consequences Protocols for Unexcused Absences

- (1) Absences resulting from official suspension will be handled in accordance with the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.
- (2) Days during which a student is suspended from school shall not be counted in a student's total cumulated unexcused absences.
- (3) In cases of recurring unexcused absences, the administration may also request the county attorney to file a petition with the juvenile court, pursuant to Minnesota statutes.
- (4) ~~Students with unexcused absences shall be subject to discipline in the following manner:~~
  - ~~(a) With the exception of truancy absences, work missed on a day marked unexcused may be turned in the day after the student returns to school. Work completed on the day of truancy that represents work from multiple days (tests, group projects, long term projects) will be accepted.~~
  - ~~(b) After the 3<sup>rd</sup> cumulated unexcused absence in a trimester, a student's parent or guardian will be notified by mail that his or her child is nearing a total of 5 unexcused absences and that, after the 5th unexcused absence, students in grades 9-12 shall have their grade reduced by one increment for each unexcused absence thereafter.~~

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# STUDENTS

## Attendance Policy

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- (c) After such notification, the student or his or her parent or guardian may, within a reasonable time, request a conference with school officials regarding the student's absences and the prescribed discipline. The notification will offer the student's parent or guardian an opportunity to request such a conference.
- (d) For high school students in grades 9-12 on the 6th cumulative unexcused absence in a trimester the teacher will reduce the student's letter grade by one increment in consultation with the building administrator. The grade will be reduced one increment for each unexcused absence thereafter (i.e. A- to B+). The administration may impose the loss of academic credit in the class or classes from which the student has been absent. However, prior to loss of credit, an administrative contact must be made with the student and parent and the parent must be provided an opportunity to have an administrative conference if desired.
- (e) Students may be assigned detention or suspended from school for truancy.
- (f) If the result of a grade reduction or loss of credit has the effect of an expulsion, the school district will follow the procedures set forth in the Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40-121A.56.
- (g) A student may appeal the grade reduction process if the student feels that he/she has a valid reason (i.e. unforeseeable extenuating circumstance) for the absence. An Appeals Committee will review and make a decision on the appeal.

### C. Tardiness

1. Definition: Students are expected to be in their assigned area at designated times. Failure to do so constitutes tardiness. A student will be marked tardy if they arrive to class within ten minutes of the bell. Students that are more than ten minutes late will be marked absent.
2. Procedures for Reporting Tardiness
  - a. Students tardy at the start of school must report to the school office or classroom for an admission slip.
  - b. Tardiness between periods will be handled by the teacher.
3. Excused Tardiness

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## Attendance Policy

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Valid excuses for tardiness are:

- a. Illness.
- b. Serious illness in the student's immediate family.
- c. A death or funeral in the student's immediate family or of a close friend or relative.
- d. Medical, dental, orthodontic, or mental health treatment.
- e. Court appearances occasioned by family or personal action.
- f. Physical emergency conditions such as fire, flood, storm, etc.
- g. Any tardiness for which the student has been excused in writing by an administrator or faculty member.

#### 4. Unexcused Tardiness

- a. An unexcused tardiness is failing to be in an assigned area at the designated time class period commences without a valid excuse.
- b. Consequences of tardiness may include detention after 3 unexcused tardies. In addition, for students ages 12 through 17, ~~grades 9-12~~, 3 unexcused tardies are equivalent to one unexcused absence. Three late to school unexcused tardies for students ages 11 and under ~~grades K-8~~ are the equivalent to one unexcused absence.

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

1. This policy applies to all students involved in any extracurricular activity scheduled either during or outside the school day and any school-sponsored on-the-job training programs.
2. School-initiated absences will be accepted and participation permitted.
3. A student may not participate in any activity or program if he or she has an unexcused absence from any class during the day.
4. If a student is suspended from any class he or she may not participate in any activity or program

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# STUDENTS

## Attendance Policy

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that day.

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

### III. DISSEMINATION OF POLICY

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

### IV. REQUIRED REPORTING

#### A. Continuing Truant

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

1. Three days if the child is in elementary school; or
2. Three or more class periods on three days if the child is in middle school or high school.

#### B. Reporting Responsibility

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

1. That the child is truant;
2. That the parent or guardian should notify the school if there is a valid excuse for the child's absences;
3. That the parent or guardian is obligated to compel the attendance of the child at school pursuant to Minn. Stat. § 120A.22 and parents or guardians who fail to meet this obligation may be subject to prosecution under Minn. Stat. § 120A.34;
4. That this notification serves as the notification required by Minn. Stat. § 120A.34;

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# STUDENTS

## Attendance Policy

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5. That alternative educational programs and services may be available in the child's enrolling or resident district;
6. That the parent or guardian has the right to meet with appropriate school personnel to discuss solutions to the child's truancy;
7. That if the child continues to be truant, the parent and child may be subject to juvenile court proceedings under Minn. Stat. Ch. 260;
8. That if the child is subject to juvenile court proceedings, the child may be subject to suspension, restriction, or delay of the child's driving privilege pursuant to Minn. Stat. § 260C.201; and
9. That it is recommended that the parent or guardian accompany the child to school and attend classes with the child for one day.

### C. Habitual Truant

1. A habitual truant is a child under the age of 17 years who is absent from attendance at school without lawful excuse for seven school days per school year if the child is in elementary school or for one or more class periods on seven school days per school year if the child is in middle school or high school, or a child who is 17 years of age who is absent from attendance at school without lawful excuse for one or more class periods on seven school days per school year and who has not lawfully withdrawn from school.
2. A school district attendance officer shall refer a habitual truant child and the child's parent or legal guardian to appropriate services and procedures, under Minn. Stat. Ch. 260A.

<b>Legal References:</b>	Minn. Stat. § 120A.05 (Definitions)
	Minn. Stat. § 120A.22 (Compulsory Instruction)
	Minn. Stat. § 120A.24 (Reporting)
	Minn. Stat. § 120A.26 (Enforcement and Prosecution)
	Minn. Stat. § 120A.34 (Violations; Penalties)
	Minn. Stat. §§ 121A.40-121A.56 (Pupil Fair Dismissal Act)
	Minn. Stat. § 260A.02 (Definitions)
	Minn. Stat. § 260A.03 (Notice to Parent or Guardian When Child is a Continuing Truant)
	Minn. Stat. § 260C.007, Subd. 19 (Habitual Truant Defined)
	Minn. Stat. § 260C.201 (Dispositions; Children in Need of Protection or Services or

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### North Branch Independent School District No. 138: District Policy 503-NB

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Neglected and in Foster Care)

*Goss v. Lopez*, 419 U.S. 565, 95 S.Ct. 729 (1975)

*Slocum v. Holton Board of Education*, 429 N.W.2d 607 (Mich. App. Ct. 1988)

*Campbell v. Board of Education of New Milford*, 475 A.2d 289 (Conn. 1984)

*Hamer v. Board of Education of Township High School District No. 113*, 66 Ill. App.3d 7, 383 N.E.2d 231 (1978)

*Gutierrez v. School District R-1*, 585 P.2d 935 (Co. Ct. App. 1978)

*Knight v. Board of Education*, 38 Ill. App. 3d 603, 348 N.E.2d 299 (1976)

*Dorsey v. Bale*, 521 S.W.2d 76 (Ky. 1975)

**Cross References:** NB Policy 506 (Student Discipline)

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# STUDENTS

## Student Discipline

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### 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.~~

North Branch Area Public Schools recognizes that appropriate school behavior is critical to academic success and sustaining a safe and caring learning community. It is also the intention of this policy to ensure a safe and orderly learning environment for all students and a safe working environment for staff. Effective teaching of school appropriate behavior is the responsibility of the adults in every school. Effective teaching of school appropriate behavior is the responsibility of the adults in every school. Effective school discipline includes the establishment of high standards of behavior, school cultures of respect and acceptance, instruction in appropriate behavior, time for students to learn appropriate behavior, and fair and proportionate consequences for failure to meet behavior expectations. Students share in the responsibility to uphold and respect the high standards of school behavior that contribute to the ability of all to learn. Effective discipline maximizes the amount of student and staff time and attention spent on teaching and learning and minimizes the amount of student and staff time and attention directed toward behavior that disrupts the learning process. The District looks to parents/guardians and families to partner in the teaching, learning and supporting of appropriate school behavior to maximize the academic success of their students. Effective discipline considers the age and development of the student in framing the instruction in appropriate behavior and the consequences for misbehavior. Effective discipline is educational, not punitive. Effective discipline includes building relationships, repair of harm and restoring relationships and restorative practices to re-engage students in their learning community. This discipline policy is adopted in accordance with and subject to the Minnesota Pupil Fair Dismissal Act, Minn. Stat. §§ 121A.40 through 121A.56.

### 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

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North Branch Independent School District No. 138: Policy #506-NB

**Adopted:** February 12, 1998

**Replaced:** Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

**Revised:** May 5, 2003, June 10, 2004, September 8, 2011, July 10, 2014, March 10, 2016, June 8, 2017, December 13, 2018

**Effective:** June 10, 2004, September 8, 2011, July 10, 2014, March 10, 2016, June 8, 2017, December 13, 2018

# STUDENTS

## Student Discipline

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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

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#### North Branch Independent School District No. 138: Policy #506-NB

**Adopted:** February 12, 1998

**Replaced:** Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

**Revised:** May 5, 2003, June 10, 2004, September 8, 2011, July 10, 2014, March 10, 2016, June 8, 2017, December 13, 2018

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## Student Discipline

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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

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North Branch Independent School District No. 138: Policy #506-NB

**Adopted:** February 12, 1998

**Replaced:** Policy #5144 Student Discipline Policy (Student); Policy # 5114 Suspension-Expulsion-Age of Majority (Student); and Policy #5115 Detention (Student)

**Revised:** May 5, 2003, June 10, 2004, September 8, 2011, July 10, 2014, March 10, 2016, June 8, 2017, December 13, 2018

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## Student Discipline

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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

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North Branch Independent School District No. 138: Policy #506-NB

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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 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;

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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, or look-alike substances, except as prescribed by a physician, including 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;

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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;

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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;

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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;

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- 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. Expulsion under the Pupil Fair Dismissal Act;
- S. Exclusion under the Pupil Fair Dismissal Act; and/or
- T. 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

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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.
- C. Procedures for Removal of a Student From a Class
  1. The teacher or staff member will inform the student of expected behavior and allow the student a reasonable amount of time to correct his/her behavior. The teacher or staff member will determine if the student behavior requires removal of the student from class.

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If determined necessary, the student will be asked to leave the classroom by the teacher or staff member.

2. If the student refuses to follow a teacher or staff member's direction to leave the classroom, the office will be notified and the principal or designee will respond.

3. Details of the incident requiring removal from class will be provided to the principal or designee by the teacher or staff member initiating the removal as soon as possible following the occurrence.

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

1. Each building in the school district will have a designated space that students will be directed to upon removal from class.

2. The teacher or staff member removing the student from class will make a decision as to whether or not the student needs to be accompanied.

3. Each building will have a discipline plan providing information as to the procedure the student follows while out of the class, and designation of who has control over and responsibility for a student after removal from class.

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

1. Following a conference with the principal or his/her designee, the student will return to class based on the readmission plan developed by the principal or designee during the conference with the student.

### F. Procedures for Notification

1. Students and parents will be notified of rule violations and resulting disciplinary action through any of the following methods: a conference with the student, a phone call, a letter, an email, a copy of the referral form, or a conference with

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the parent, at the discretion of  
for the severity of the infraction.

the principal or designee as appropriate

G. Disabled Students; Special Provisions

1. Procedures for students with disabilities will be determined by the  
IEP teams and will follow current IDEA rules and regulations, including due process.

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; and
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

The principal or his/her designee has discretion in assigning appropriate consequences to  
students for violations of the code of student conduct, considering such things as the severity of  
the infraction and the student's previous history of violations of the code of conduct.

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

Parents will be notified of infractions of the student code of conduct that result in the student  
being referred to the principal or his/her designee. Each building will maintain adequate  
records of documented behaviors and interventions for each student.

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

Each building will have a Student Assistance Team that will be designed to promote early  
intervention practices in the classroom and school when staff and/or parents have indicated a  
concern.

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### 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

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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 pupil'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 (6<sup>th</sup>) consecutive day of suspension or the tenth (10<sup>th</sup>) 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

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homework, or enrollment in another district or in an alternative learning center under Minn. Stat. § 123A.05 selected to allow the pupil 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. (NB change)
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.
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

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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

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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

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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

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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

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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

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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.

*Language from the St. Cloud Area Schools Discipline Policy was replicated in drafting this purpose statement.*

#### **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. 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)

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

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# Board & Administrator

FOR SCHOOL BOARD MEMBERS

August 2020 Vol. 34, No. 4

## Stay focused on board's mission even during pandemic

Don't let your focus on serving your educational community during the pandemic distract you from analyzing the district's mission and vision statements at the start of the new school year. Your board's mission statement should be a clear declaration of where you want your district to go.

Set aside time to perform an annual analysis of the mission and vision statements. Be sure the entire board and the superintendent participate in the analysis. With things changing so rapidly in education, confirm that the statement is consistent in terms of the board's vision and goals.

For example, one Maryland district's mission

statement developed several years ago contains belief statements that are relevant today. Those beliefs are:

- An understanding and appreciation for learning, varied cultures, and diversity is vital to success in a global society.
- All students have the right to a safe, healthy, and nurturing school environment.
- Students, family, school, and community share in the responsibility of education.
- All students have the capacity to learn.
- A range of opportunities and a well-balanced, rigorous, and engaging curriculum will lead to an educated community. ■

## Inform stakeholders when superintendent exits post

When a superintendent decides to leave the district, it's important to communicate effectively.

The board president should be informed of the resignation first. Then, the school board and the superintendent should collectively come to a decision about how to share the news with the public.

Crafting the communication regarding the superintendent's departure and being clear about when the communication occurs is critical. The board needs to be prepared. One way to prepare for the announcement is to make a list of key stakeholders and community leaders to inform prior to the public announcement.

Next, draft the communication to the public.

The announcement typically contains the following information:

- When the superintendent tendered her resignation letter.
- The reason the superintendent is stepping down, if known.
- The length of the superintendent's tenure.
- The major accomplishments or projects completed during her tenure.
- The date of the superintendent's last day in the district.
- The name, if known, of the acting superintendent.
- Information concerning a new superintendent search. ■

## Public picks up on board's dissension

Respect for the majority's decision is one key to a harmonious school board. You can vote your conscience on a tough issue, but once the vote is taken, all board members need to support the majority decision. Here's why.

At a board meeting, the audience picks up on the lack of unity among board members. Eventu-

ally, that will start to wear on your board teammates, as well as the district's staff. In addition, the community may begin to play a dissenting board member against the board majority.

So what's the take away? Make support for the board majority's decision a part of your board's written operating principles. ■

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## Exit interview gathers insight from departing board members

School boards typically schedule orientations for incoming members, but should they also schedule exit interviews for out-going members? An exit interview is a great way to close out a person's board service, an opportunity to show appreciate for her service, and a chance to learn as much as you can about her experience. And, you can use the information to improve board operations.

Consider developing an exit interview protocol and exit interview form. The protocol may start with a statement that an exit interview will be conducted with each member who ends her service on the board. It may conclude by stating that the information from exit interviews will be shared with the full board each year.

To encourage open and honest conversation, state that the exit interview is conducted by a non-

officer member of the board, using questions from the Exit Interview Form. The result is a conversation between colleagues designed to gather information that can make the board better.

Exit interview questions to include on the form:

- Do you have any suggestions as to how we might improve the board in any area?
- What board accomplishment are you most proud of?
- Are the expectations we have for board members realistic?
- Did you feel your talents and expertise were utilized?
- Did a long-range planning process occur during your time on the board?
- What upcoming projects or challenges do you see for the district? ■

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## 3 steps to cool down a heated school board meeting

Many topics — a change to the boundary policy, whether to eliminate school police, teacher pay, to name a few — can lead to a contentious school board meeting. There are a few things you can do the next time your board's internal discussions at a public meeting become heated. Consider the following actions:

**1. Let the board president do his job.** The school board president is trained to chair the board meeting, even a contentious one. Let him assume the responsibility and intervene.

**2. Play the role of peacekeeper.** Consid-

er laying out the pros and cons of the various sides being debated, and stay neutral. Remain calm and watch your tone of voice. Remind all members that they want the public to have confidence in the way the school board conducts business.

**3. Ask the superintendent to speak frankly.** If the board is about to step outside of legal lines, the superintendent should be direct with the board and caution that it is about to break the law. Ask that all members pause and reflect on the superintendent's statement. ■