

Regular Monthly Meeting

Monday, November 15, 2021 5:30 PM

R-P Schools Forum Room, 1000 Pine Meadows Lane, Rushford, Minnesota 55971

1. Call to Order

2. Pledge of Allegiance

3. Roll Call

4. Adoption of Agenda

5. Public Comments - Limited to 5 minutes per person

6. CONSENT AGENDA

A. November 8, 2021 Special Meeting Minutes

B. October 18, 2021 Regular Monthly Meeting Minutes

C. Donations in the amount of \$15,100.87.

D. October hand payables, wires & payroll liabilities in the amount of \$291,800.36.

E. October payroll in the amount of \$272,710.50

F. November Board Bills in the amount of \$145,732.13.

G. PERSONNEL:

1. Hires:

a. Christina Matter - Elementary & Middle School Paraprofessional.

b. Katherine Holbrook - Middle School Paraprofessional.

c. Jenelle O'Donnell - Assistant Volleyball Coach.

d. John Loney - JH Girls Basketball Coach (7th grade)

7. OLD BUSINESS

A. Second reading and adoption of the following policies:

#405 - Veteran's Preference

#407 - Employee Right to Know - Exposure to Hazardous Substances

#408 - Subpoena of a School District Employee

#409 - Employee Publications, Instructional Materials, Inventions, and Creations

#416 - Drug and Alcohol Testing

8. NEW BUSINESS

A. Approve the 2021-2022 Seniority List.

B. Set the January Organizational Meeting Date and time.

C. Approve the Resolution Establishing Combined Polling Places. (*roll call vote*)

D. Fund balance transfers. - More information at meeting.

9. **ADMIN REPORTS:**

A. Superintendent Report

B. Elementary Report

C. Middle School / High School Report

D. Community Education Highlights

E. Activities Report

10. **INFORMATION:**

Special meeting to review and approve the 2020-2021 school year audit –

December 8, 2021, 5:30 p.m. in the Forum Room.

December 20th, 5:30 p.m. - Regular Monthly

Meeting (Truth-in-Taxation meeting will start at 6:15)

11. **ADJOURNMENT**

**MINUTES
SPECIAL MEETING OF THE SCHOOL
BOARD INDEPENDENT SCHOOL
DISTRICT #239**

The special meeting of the Rushford-Peterson School District #239 was called to order by Vice-Chairperson Joyce Iverson at 5:30 p.m. on Monday, November 8, 2021 in the Rushford-Peterson Schools Forum Room, 1000 Pine Meadows Lane, Rushford, MN 55971.

The Pledge of Allegiance was recited.

Members Present: Matt Helgemoe, Joyce Iverson, Jeff Michel, Bonnie Prinsen, Ken Sawle, and Amy Woxland.

Members absent: Chris Grindland

Administration Present: Superintendent Jon Thompson

District Personnel: Laura Hahn

Motion by Michel, seconded by Prinsen to adopt the agenda. Motion carries unanimously.

2021 School Board Special Election Results (total # of votes received for each candidate)
Carl Schollmeier – 274, Beverly Helleland - 34, Nancy Snyder (write-in) - 216

Motion by Michel, seconded by Helgemoe to adopt the Resolution Canvassing Return of Votes of School District Special Election. Motion carries with a roll call vote of 6:0.

Motion by Woxland, seconded by Michel to adopt the Resolution Authorizing Issuance of Certificate of Election and Directing the School District Election Clerk, Laura Hahn, to perform other election related duties. Motion carries with a roll call vote of 6:0.

INFORMATION:

Regular Monthly Board Meetings beginning at 5:30 in the Forum Room:
November 15, December 20 (Truth-in-Taxation meeting will start at 6:15)

Special meeting to review and approve the 2020-2021 school year audit – December 8, 2021, 5:30 p.m. in the Forum Room.

Moved by Woxland, seconded by Helgemoe, to adjourn the special meeting at 5:38 p.m. Motion carries unanimously.

Joyce Iverson, Vice-Chairperson

Matt Helgemoe, Clerk

**MINUTES
REGULAR MEETING OF THE SCHOOL
BOARD INDEPENDENT SCHOOL
DISTRICT #239**

The regular meeting of the Rushford-Peterson School District #239 was called to order by Chairperson Chris Grindland at 5:30 p.m. on Monday, October 18, 2021 in the Rushford-Peterson Schools Forum Room with Joyce Iverson participating via Zoom.

The Pledge of Allegiance was recited.

Members Present: Chris Grindland, Matt Helgemoe Joyce Iverson (via Zoom), Jeff Michel, Bonnie Prinsen, Ken Sawle, and Amy Woxland.

Members absent: None

Administration Present: Superintendent Jon Thompson, Jake Timm and Angela Shepard

District Personnel: Laura Hahn

Director Michel requested the addition of an agenda item to discuss partnering with MN State College Southeast in Winona's Truck Driving Program.

Motion by Michel, seconded by Sawle to adopt the agenda with the following additions: Consent Agenda: Personnel: Resignation of Katrina Grover – Middle School Paraprofessional and New Business Item E. discuss partnering with MN State College Southeast in Winona's Truck Driving Program. Motion carried unanimously.

Public comments: Jason Ploetz, Christopher Oatman, Sarah Sprague and Tiffany Young

There was a brief discussion regarding recent COVID cases, vaccination status and close contact protocols.

Jacob Kramer gave the board an overview on upcoming Diversity Club topics and events.

Motion by Michel, seconded by Helgemoe to approve the following consent agenda items: September 20, 2021 Regular Monthly Meeting Minutes, Donation in the amount of \$24,000 from the Booster Club for Softball field bathrooms / concessions, September hand payables, wires and payroll liabilities in the amount of \$348,465.03, September payroll in the amount of \$266,558.86, October Board bills in the amount of \$187,028.90; Personnel: Retirement of Robert Nordby as of December 31, 2021, Hire of David Petersen to assist with snow removal and resignation of Katrina Grover – Middle School Paraprofessional. Motion carried unanimously.

The board discussed adding a student board member. No board action was taken.

Motion by Michel, seconded by Iverson to approve a \$0.50 per hour increase on the base wage for van drivers. Motion carried unanimously.

Motion by Prinsen, seconded by Helgemoe to approve increasing the current daily teacher sub rate from \$110 to \$125. Motion carried unanimously.

Motion by Iverson, seconded Prinsen to approve the first reading of the following policies: #405 – Veteran's Preference, #407 – Employee Right to Know – Exposure to Hazardous Substances,

#408 – Subpoena of a School District Employee, #409 – Employee Publications, Instructional Materials, Inventions and Creations and #416 – Drug and Alcohol Testing. Motion carried unanimously.

There was discussion between the board and administration regarding the possible partnering with MN State College Southeast in Winona’s Truck Driving Program. No action was taken.

Superintendent Thompson presented the Superintendent’s report.

The Elementary Principal, MS/HS Principal and Activities Reports as well as an update from the School Nurse were all reviewed.

INFORMATION:

Regular Monthly Board Meeting beginning at 5:30 in the Forum Room:
November 15, December 20 (Truth-in-Taxation meeting will begin at 6:15 p.m.)

Special meeting to canvass school board election results beginning at 5:30 in the Forum Room:
November 8

Moved by Michel, seconded by Iverson, to adjourn the regular meeting at 7:05 p.m. Motion carried unanimously.

Chris Grindland, Chairperson

Matt Helgemoe, Clerk

DONATIONS - November 2021

10/15/2021	MiEnergy	\$500.00	for Flag pole
10/15/2021	Rushford VFW Post 5905	\$500.00	for Flag pole
10/27/2021	Ross Himlie	\$200.00	Paint Sponsorship
10/27/2021	Rushford Chiropractic Clinic	\$100.00	Paint Sponsorship
10/27/2021	L & L Volkman	\$100.00	Paint Sponsorship
10/27/2021	Darr Auction	\$200.00	Paint Sponsorship
11/5/2021	RP School Foundation	\$850.17	Angel Fund - milk breaks and snacks
11/5/2021	Darr Auction	\$100.00	Paint Sponsorship
11/5/2021	Michael Cunningham	\$500.00	School store
11/5/2021	Arlin Falck	\$1,850.00	Scholarships
11/12/2021	The NRA Foundation	\$2,814.20	Grant
11/12/2021	In Memory of Alan and Sandy Pearlman	\$100.00	Music department
11/12/2021	RP Booster Club	\$336.00	CC State Shirts
11/12/2021	RP Booster Club	\$2,585.00	Spring 2021 Eagle Bluff trip
11/12/2021	RP Booster Club	\$2,378.50	Cheer team Unifroms
11/12/2021	RP Booster Club	\$1,987.00	Softball uniforms
Total		\$15,100.87	

We thank the above donors for their generous donations and support of our school district and activities!

Rushford-Peterson Public School

Payment Reg by Bank and Check

OCT 2021 HAND PAYABLES, WIRES & PAYROLL LIABILITIES

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Pay/Void			Date	Amount
									Print	Recon	Void		
001	P22041	45708		Wire	1	1903	KWIK TRIP		No	Yes	No	10/04/2021	9,945.00
001	p2204p	45808		Wire	1	1291	EDUCATOR BENEFIT CONSULTANTS, L		No	Yes	No	10/19/2021	9,365.72
001	p2204p	45809		Wire	1	12990	COMMISSIONER OF REVENUE		No	Yes	No	10/19/2021	6,589.21
001	p2204p	45810		Wire	1	46168	PUBLIC EMPLOYEES RETIREMENT		No	Yes	No	10/19/2021	6,240.74
001	p2204p	45811		Wire	1	49200	RUSHFORD STATE BANK		No	Yes	No	10/19/2021	41,878.04
001	p2204p	45812		Wire	1	56000	TEACHERS RETIREMENT ASSN		No	Yes	No	10/19/2021	23,596.06
001	P22041	45815		Wire	1	52167	SELECT ACCOUNT		No	Yes	No	10/21/2021	41.00
001	p2204q	45826		Wire	1	06600	BLUE CROSS/BLUE SHIELD MINN		No	No	No	10/27/2021	21,873.00
001	p2204q	45827		Wire	1	1241	MN PEIP		No	No	No	10/27/2021	46,133.48
001	p2204q	45828		Wire	1	1291	EDUCATOR BENEFIT CONSULTANTS, L		No	Yes	No	10/27/2021	6,665.72
001	p2204q	45829		Wire	1	12990	COMMISSIONER OF REVENUE		No	Yes	No	10/27/2021	6,857.16
001	p2204q	45830		Wire	1	2110	GUARDIAN		No	No	No	10/27/2021	941.74
001	p2204q	45831		Wire	1	46168	PUBLIC EMPLOYEES RETIREMENT		No	Yes	No	10/27/2021	6,224.46
001	p2204q	45832		Wire	1	49200	RUSHFORD STATE BANK		No	Yes	No	10/27/2021	44,019.82
001	p2204q	45833		Wire	1	56000	TEACHERS RETIREMENT ASSN		No	Yes	No	10/27/2021	24,943.77
001	P22041	45710	43113	Check	1	1897	BEST WAY PROMOTIONS		Yes	Yes	No	10/07/2021	164.27
001	P22041	45711	43114	Check	1	1916	GLOMSTAD, DAVID	Ind/Sole Proprietor	Yes	Yes	No	10/07/2021	107.50
001	P22041	45713	43115	Check	1	32128	MABEL-CANTON PUBLIC SCHOOLS		Yes	No	No	10/07/2021	49.00
001	P22041	45712	43116	Check	1	1918	MINNESOTA FFA STATE ASSOCIATION		Yes	Yes	No	10/07/2021	1,127.00
001	P22041	45709	43117	Check	1	04698	QUALI-TEE SCREEN PRINTING		Yes	Yes	No	10/07/2021	1,714.50
001	P22041	45714	43118	Check	1	1588	THOMPSON, BRIAN		Yes	Yes	No	10/08/2021	200.00
001	P22041	45715	43119	Check	1	2111	SEMCAC-FOODSHELF		Yes	Yes	No	10/08/2021	1,697.34
001	P22041	45723	43120	Check	1	08600	CANNON FALLS HIGH SCHOOL		Yes	Yes	No	10/15/2021	250.00
001	P22041	45725	43121	Check	1	20395	GOODHUE SCHOOLS		Yes	Yes	No	10/15/2021	175.00
001	P22041	45724	43122	Check	1	1294	MELDAHL, JAMIE		Yes	No	No	10/15/2021	150.00
001	p2204p	45807	43203	Check	1	48175	RP EDUCATIONAL SUPPORT PERSONN		Yes	Yes	No	10/19/2021	148.87
001	p2204p	45806	43204	Check	1	48100	RUSHFORD-PETERSON EDUCATION		Yes	No	No	10/19/2021	2,514.65
001	P22041	45813	43205	Check	1	1358	UNIQUE SOFTWARE CORPORATION		Yes	Yes	No	10/20/2021	2,080.00
001	P22041	45814	43206	Check	1	48020	RUSHFORD, CITY OF		Yes	No	No	10/20/2021	525.81
001	P22041	45817	43207	Check	1	57800	CREAMERY PIZZA & ICE CREAM		Yes	Yes	No	10/26/2021	36.73
001	P22041	45816	43208	Check	1	46082	POSTMASTER		Yes	No	No	10/26/2021	64.60
001	p2204q	45818	43209	Check	1	02370	AFLAC		Yes	No	No	10/27/2021	432.99
001	p2204q	45819	43210	Check	1	1274	MERCHANTS BANK		Yes	Yes	No	10/27/2021	7,492.26
001	p2204q	45820	43211	Check	1	1836	METLIFE - GROUP BENEFITS		Yes	No	No	10/27/2021	7,941.56
001	p2204q	45821	43212	Check	1	37815	MN SCHOOL EMPLOYEE ASSN		Yes	No	No	10/27/2021	204.96
001	p2204q	45822	43213	Check	1	40998	NCPERS GROUP LIFE INS		Yes	No	No	10/27/2021	16.00
001	p2204q	45824	43214	Check	1	48175	RP EDUCATIONAL SUPPORT PERSONN		Yes	No	No	10/27/2021	148.70
001	p2204q	45823	43215	Check	1	48100	RUSHFORD-PETERSON EDUCATION		Yes	No	No	10/27/2021	2,514.65
001	p2204q	45825	43216	Check	1	48210	RUSHFORD-PETERSON ESCROW ACC		Yes	Yes	No	10/27/2021	2,176.74

											Pay/Void			
Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Print	Recon	Void	Date	Amount	
001	P22041	45834	43217	Check	1	1015	CASH		Yes	Yes	No	10/28/2021	200.00	
001	P22041	45835	43218	Check	1	1895	HYPESOCKS		Yes	No	No	10/29/2021	1,602.31	
001	P22041	45836	43219	Check	1	1408	HERITAGE		Yes	No	No	10/29/2021	2,750.00	
											Bank Total:			\$291,800.36
											Report Total:			\$291,800.36

Rushford-Peterson Public School

Payment Reg by Bank and Check

NOVEMBER 2021 BOARD BILLS

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Pay/Void			Amount	
									Print	Recon	Void		Date
001	P22053	45852		Check	1	03137	ARNOLD'S SUPPLY		No	No	No	11/15/2021	615.00
001	P22053	45853		Check	1	03188	CARD MEMBER SERVICES		No	No	No	11/15/2021	7,363.44
001	P22053	45854		Check	1	04615	BERNARD BUS SERVICE		No	No	No	11/15/2021	41,283.99
001	P22053	45855		Check	1	04698	QUALI-TEE SCREEN PRINTING		No	No	No	11/15/2021	1,403.00
001	P22053	45856		Check	1	06559	BLICK ART MATERIALS		No	No	No	11/15/2021	33.65
001	P22053	45857		Check	1	06620	BROWN TIRE & BATTERY		No	No	No	11/15/2021	1,122.68
001	P22053	45858		Check	1	07018	B & S RENTALS		No	No	No	11/15/2021	480.00
001	P22053	45859		Check	1	1083	LASER PRODUCT TECHNOLOGIES		No	No	No	11/15/2021	1,878.96
001	P22053	45860		Check	1	1291	EDUCATOR BENEFIT CONSULTANTS, L		No	No	No	11/15/2021	55.65
001	P22053	45861		Check	1	1380	PORTA PHONE		No	No	No	11/15/2021	3,583.47
001	P22053	45862		Check	1	1391	ACENTEK		No	No	No	11/15/2021	4,370.44
001	P22053	45863		Check	1	1392	MRI SOFTWARE, LLC.		No	No	No	11/15/2021	85.00
001	P22053	45864		Check	1	1408	HERITAGE		No	No	No	11/15/2021	1,666.00
001	P22053	45865		Check	1	15455	ERIC'S LOCK AND KEY		No	No	No	11/15/2021	45.00
001	P22053	45866		Check	1	1581	QUADIENT		No	No	No	11/15/2021	500.00
001	P22053	45867		Check	1	1586	PAN-O-GOLD BAKING CO.		No	No	No	11/15/2021	306.44
001	P22053	45868		Check	1	1596	ADVANCED BUSINESS SYSTEMS, INC.		No	No	No	11/15/2021	375.00
001	P22053	45869		Check	1	1598	ALPHA FOX ENTERPRISES - FRED PET		No	No	No	11/15/2021	128.00
001	P22053	45870		Check	1	1654	ANDERSON AUTO, LLC		No	No	No	11/15/2021	1,164.26
001	P22053	45871		Check	1	16945	CARDMEMBER SERVICE		No	No	No	11/15/2021	1,595.33
001	P22053	45872		Check	1	1714	MINNESOTA ENERGY RESOURCES		No	No	No	11/15/2021	3,387.45
001	P22053	45873		Check	1	1822	PET WASTE ELIMINATOR		No	No	No	11/15/2021	96.99
001	P22053	45874		Check	1	18398	FILLMORE COUNTY JOURNAL		No	No	No	11/15/2021	422.10
001	P22053	45875		Check	1	1856	AMAZON CAPITAL SERVICES		No	No	No	11/15/2021	995.19
001	P22053	45876		Check	1	1860	COULEE CONNECTIONS		No	No	No	11/15/2021	3,700.00
001	P22053	45877		Check	1	1986	QUADIENT LEASING USA, INC.		No	No	No	11/15/2021	188.64
001	P22053	45878		Check	1	2033	MUSIC MART		No	No	No	11/15/2021	3,955.00
001	P22053	45879		Check	1	23400	HIAWATHA VALLEY		No	No	No	11/15/2021	26,936.12
001	P22053	45880		Check	1	23401	HIAWATHA VALLEY MENTAL HEALTH		No	No	No	11/15/2021	1,190.47
001	P22053	45881		Check	1	25138	IEA INC		No	No	No	11/15/2021	658.10
001	P22053	45882		Check	1	29759	KEMPS		No	No	No	11/15/2021	3,314.20
001	P22053	45883		Check	1	31260	LASER PRODUCT TECHNOLOGIES INC		No	No	No	11/15/2021	635.65
001	P22053	45884		Check	1	36718	MN DEPARTMENT OF HEALTH		No	No	No	11/15/2021	700.00
001	P22053	45885		Check	1	39800	NASCO		No	No	No	11/15/2021	76.76
001	P22053	45886		Check	1	44400	PEARSON EDUCATION, INC		No	No	No	11/15/2021	1,412.28
001	P22053	45887		Check	1	46078	PLUNKETT'S PEST CONTROL		No	No	No	11/15/2021	120.00
001	P22053	45888		Check	1	46784	RATWIK, ROSZAK & MALONEY P.A.		No	No	No	11/15/2021	887.50
001	P22053	45889		Check	1	46804	REINHART FOODSERVICE, LLC		No	No	No	11/15/2021	15,966.18
001	P22053	45890		Check	1	46954	RTS / ROCHESTER TELECOM SYSTEM		No	No	No	11/15/2021	142.52

Rushford-Peterson Public School

Payment Reg by Bank and Check

NOVEMBER 2021 BOARD BILLS

Bank	Batch	Pmt No	Check No	Pay Type	Grp Code	Rcd	Vendor	Tax Class	Pay/Void				Amount
									Print	Recon	Void	Date	
001	P22053	45891		Check	1	48020	RUSHFORD, CITY OF		No	No	No	11/15/2021	160.00
001	P22053	45892		Check	1	48600	RUSHFORD FOODS		No	No	No	11/15/2021	4,939.32
001	P22053	45893		Check	1	48604	RUSHFORD HARDWARE		No	No	No	11/15/2021	420.50
001	P22053	45894		Check	1	50856	SCHILLING SUPPLY COMPANY		No	No	No	11/15/2021	1,739.47
001	P22053	45895		Check	1	50978	SCHOOL SPECIALTY LLC.		No	No	No	11/15/2021	163.73
001	P22053	45896		Check	1	52157	SELCO		No	No	No	11/15/2021	606.04
001	P22053	45897		Check	1	56040	PAM'S CORNER		No	No	No	11/15/2021	1,965.39
001	P22053	45898		Check	1	61278	VERIZON WIRELESS		No	No	No	11/15/2021	209.39
001	P22053	45899		Check	1	61614	WASTE MANAGEMENT		No	No	No	11/15/2021	881.95
001	P22053	45900		Check	1	63062	WINONA HEALTH SERVICE	AT	No	No	No	11/15/2021	1,200.00
001	P22053	45901		Check	1	64610	ZIEBELL'S HIAWATHA FOODS INC		No	No	No	11/15/2021	605.88

Bank Total: \$145,732.13Report Total: \$145,732.13

RUSHFORD-PETERSON SCHOOL DISTRICT #239 POLICY 405

Adopted: _____

MSBA/MASA Model Policy 405

Orig. 1995

Revised: _____

Rev. 2016

405 VETERAN'S PREFERENCE

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

I. PURPOSE

The purpose of this policy is to comply with the Minnesota Veterans Preference Act (VPA) which provides preference points for veterans applying for employment with political subdivisions, including school districts, as well as additional rights for veterans in the discharge process.

II. GENERAL STATEMENT OF POLICY

- A. The school district's policy is to comply with the VPA regarding veteran's preference rights and mandated preference points to veterans and spouses of deceased veterans or disabled veterans.
- B. The school district's policy is also to comply with the VPA requirement that no covered veteran may be removed from public employment except for incompetency or misconduct shown after a hearing upon due notice, upon stated charges, and in writing. This paragraph does not apply to the position of teacher.
- C. Veteran's preference points will be applied pursuant to applicable law as follows:
 - 1. A credit of ten points shall be added to the competitive open examination rating of a non-disabled veteran, who so elects, provided that the veteran obtained a passing rating on the examination without the addition of the credit points.
 - 2. A credit of fifteen points shall be added to the competitive open examination rating of a disabled veteran, who so elects, provided that the veteran obtained a passing rating on the examination without the addition of the credit points.
 - 3. A credit of five points shall be added to the competitive promotional examination rating of a disabled veteran, who so elects, provided that (a) the veteran obtained a passing rating on the examination without the addition of the credit points and (b) the veteran is applying for a first promotion after securing public employment.
 - 4. A preference may be used by the surviving spouse of a deceased veteran and by the spouse of a disabled veteran who, because of the disability, is unable to qualify.
- D. Eligibility for and application of veteran's preference, the definition of a veteran, and the definition of a disabled veteran for purposes of this policy will be pursuant to the VPA.
- E. When notifying applicants that they have been accepted into the selection process, the school district shall notify applicants that they may elect to use veteran's preference.

RUSHFORD-PETERSON SCHOOL DISTRICT #239 POLICY 405

- F. The school district's policy is to use a 100-point hiring system to enable allocation of veteran's preference points. The school district may or may not use a 100-point hiring system for filling teaching positions. If a 100-point hiring system is not used for filling a teaching position, preference points will not be added, but all veteran applicants who have proper licensure for the teaching position will be granted an interview for the position.
- G. If the school district rejects a member of the finalist pool who has claimed veteran's preference, the school district shall notify the finalist in writing of the reasons for the rejection and file the notice with the school district's personnel officer.

[Note: A school district may require a veteran to complete an initial hiring probationary period as defined in Minn. Stat. § 43A.16.]

- H. In accordance with the VPA, no honorably discharged veteran shall be removed from a position of employment except for incompetency, misconduct, or good faith abolishment of position.
 - 1. Incompetency or misconduct must be shown after a hearing, upon due notice, upon stated charges, in writing.
 - 2. A veteran must irrevocably elect to be governed either by the VPA or by arbitration provisions set forth in a collective bargaining agreement in the event of a discharge.
- I. The VPA and the provisions of this policy do not apply to the position of private secretary, superintendent, head of a department, or any person holding a strictly confidential relation to the school board or school district. The VPA and the provisions of this policy apply to teachers only with respect to the hiring process, as set forth in Paragraph F., above.

Legal References: Minn. Stat. § 43A.11 (Veteran's Preference)
Minn. Stat. § 197.455 (Veteran's Preference Applied)
Minn. Stat. § 197.46 (Veterans Preference Act)
Hall v. City of Champlin, 463 N.W.2d 502 (Minn. 1990)
Young v. City of Duluth, 410 N.W.2d 27 (Minn. Ct. App. 1987)

Cross References: Rushford-Peterson School District Policy 401 (Equal Employment Opportunity)

RUSHFORD-PETERSON SCHOOL DISTRICT #239 POLICY 407

Adopted: _____

MSBA/MASA Model Policy 407

Orig. 1995

Revised: _____

Rev. 2012

407 EMPLOYEE RIGHT TO KNOW – EXPOSURE TO HAZARDOUS SUBSTANCES

[Note: School districts are not required by statute to have a policy addressing these issues. However, the provisions of this policy accurately reflect the requirements of Minn. Stat. § 182.653.]

I. PURPOSE

The purpose of this policy is to provide school district employees a place of employment and conditions of employment free from recognized hazards that are likely to cause death or serious injury or harm. (Minn. Stat. § 182.653, Subd. 2)

II. GENERAL STATEMENT OF POLICY

The policy of this school district is to provide information and training to employees who may be “routinely exposed” to a hazardous substance, harmful physical agent, infectious agent, or blood borne pathogen.

III. DEFINITIONS

- A. “Commissioner” means the Commissioner of Labor and Industry.
- B. “Routinely exposed” means that there is a reasonable potential for exposure during the normal course of assigned work or when an employee is assigned to work in an area where a hazardous substance has been spilled.
- C. “Hazardous substance” means a chemical or substance, or mixture of chemicals and substances, which:
 - 1. is regulated by the Federal Occupational Safety and Health Administration under the Code of Federal Regulations; or
 - 2. is either toxic or highly toxic; an irritant; corrosive; a strong oxidizer; a strong sensitizer; combustible; either flammable or extremely flammable; dangerously reactive; pyrophoric; pressure-generating; compressed gas; carcinogen; teratogen; mutagen; reproductive toxic agent; or that otherwise, according to generally accepted documented medical or scientific evidence, may cause substantial acute or chronic personal injury or illness during or as a direct result of any customary or reasonably foreseeable accidental or intentional exposure to the chemical or substance; or
 - 3. is determined by the commissioner as a part of the standard for the chemical or substance or mixture of chemicals and substances to present a significant risk to worker health and safety or imminent danger of death or serious physical harm to an employee as a result of foreseeable use, handling, accidental spill, exposure, or contamination.
- D. “Harmful physical agent” means a physical agent determined by the commissioner as a part of the standard for that agent to present a significant risk to worker health or safety or imminent danger of death or serious physical harm to an employee. This

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definition includes, but is not limited to, radiation, whether ionizing or nonionizing.

- E. "Infectious agent" means a communicable bacterium, rickettsia, parasites, virus, or fungus determined by the commissioner by rule, with approval of the commissioner of health, which, according to documented medical or scientific evidence, causes substantial acute or chronic illness or permanent disability as a foreseeable and direct result of any routine exposure to the infectious agent. Infectious agent does not include an agent in or on the body of a patient before diagnosis.
- F. "Blood borne pathogen" means a pathogenic microorganism that is present in human blood and can cause disease in humans. This definition includes, but is not limited to, hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

IV. TARGET JOB CATEGORIES

Annual training will be provided to all full- and part-time employees who are "routinely exposed" to a hazardous substance, harmful physical agent, infectious agent, or blood borne pathogen as set forth above.

V. TRAINING SCHEDULE

Training will be provided to employees before beginning a job assignment as follows:

- A. Any newly hired employee assigned to a work area where he or she is determined to be "routinely exposed" under the guidelines above.
- B. Any employee reassigned to a work area where he or she is determined to be "routinely exposed" under the above guidelines.

Legal References: Minn. Stat. Ch. 182 (Occupational Safety and Health)
Minn. Rules Ch. 5205 (Safety and Health Standards)
Minn. Rules Ch. 5206 (Employee Right to Know Standards)
29 C.F.R. § 1910.1050, App. B (Substance Technical Guidelines)

Cross References: Rushford-Peterson School District Policy 420 (Students and Employees with Sexually Transmitted Infections and Diseases and Certain Other Communicable Diseases and Infectious Conditions)
Rushford-Peterson School Policy 807 (Health and Safety Policy)

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Adopted: _____

MSBA/MASA Model Policy 408

Orig. 1995

Revised: _____

Rev. 2007

408 SUBPOENA OF A SCHOOL DISTRICT EMPLOYEE

I. PURPOSE

The purpose of this policy is to protect the privacy rights of school district employees and students under both state and federal law when requested to testify or provide educational records for a judicial or administrative proceeding.

II. GENERAL STATEMENT OF POLICY

This policy is to provide guidance and direction for school district employees who may be subpoenaed to testify and/or provide educational records for a judicial or administrative proceeding.

III. DATA CLASSIFICATION

A. Educational Data

1. State Law

The Minnesota Government Data Practices Act (MGDPA), Minn. Stat. Ch. 13, classifies all educational data, except for directory information as designated by the school district, as private data on individuals. The state statute provides that **private data on individuals may not be released, except pursuant to a valid court order or informed consent by the subject of the data or a parent if the subject of the data is a minor.**

2. Federal Law

The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, provides that educational data may not be released, except pursuant to informed consent by the individual subject of the data or any lawfully issued subpoena. Regulations promulgated under the federal law require that the school district must first make a reasonable effort to notify the parent of the student, or the student if the student is 18 years of age or older, of the subpoena in advance of releasing the information pursuant to the subpoena.

B. Personnel Data

The MGDPA, Minn. Stat. Ch. 13, also classifies all personnel data, except for certain data specifically classified as public, as private data on individuals. The state statute provides that **private data on individuals may not be released, except pursuant to a valid court order or informed consent by the subject of the data.**

IV. APPLICATION AND PROCEDURES

- A. Any employee who receives a subpoena for any purpose related to employment is to inform the building administrator or designated supervisor when the employee receives the subpoena. The building administrator or designated supervisor shall immediately

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inform the superintendent that the employee has received a subpoena.

- B. No employee may release educational data, personnel data, or any other data of any kind without consultation in advance with the school district official who is designated as the authority responsible for the collection, use and dissemination of data.
- C. Payment for attendance at judicial or administrative proceedings and the retention of witness and mileage fees is to be determined in accordance with the applicable school board policies and collective bargaining agreements.
- D. The administration shall not release any information except in strict compliance with state and federal law and this policy. Recognizing that an unauthorized release may expose the school district or its employees to civil or criminal penalties or loss of employment, the administration shall confer with school district legal counsel prior to release of such data.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Rules 1205.0100, Subp. 5 (Minnesota Rules Regarding Data Practices)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act)

Cross References: Rushford-Peterson School District Policy 211
(Criminal or Civil Action Against School District, School Board Member,
Employee, or Student)
Rushford-Peterson School District Policy 515 (Protection and Privacy of Pupil
Records)
MSBA Service Manual, Chapter 13, School Law Bulletin "I" (School Records –
Privacy – Access to Data)

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Adopted: _____

MSBA/MASA Model Policy 409

Orig. 1995

Revised: _____

Rev. 2008

409 EMPLOYEE PUBLICATIONS, INSTRUCTIONAL MATERIALS, INVENTIONS, AND CREATIONS

I. PURPOSE

The purpose of this policy is to identify and reserve the proprietary rights of the school district to certain publications, instructional materials, inventions, and creations which employees may develop or create, or assist in developing or creating, while employed by the school district.

II. GENERAL STATEMENT OF POLICY

Unless the employee develops, creates or assists in developing or creating a publication, instructional material, computer program, invention or creation entirely on the employee's own time and without the use of any school district facilities or equipment, the employee shall immediately disclose and, on demand of the school district, assign any rights to publications, instructional materials, computer programs, materials posted on websites, inventions or creations which the employee develops or creates or assists in developing or creating during the term of employee's employment and for five (5) years thereafter. In addition, employees shall sign such documents and perform such other acts as may be necessary to secure the rights of the school district relating to such publications, instructional materials, computer programs, materials posted on websites, inventions and/or creations, including domestic and foreign patents and copyrights.

III. NOTICE OF POLICY

The school district shall give employees notice of this policy by such means as are reasonably likely to inform them of this policy.

Legal References: Minn. Stat. § 181.78 (Agreements; Terms Relating to Inventions)
17 U.S.C. § 101 *et seq.* (Copyrights)

Cross References:

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416 DRUG AND ALCOHOL TESTING

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

- A. All school district employees and job applicants whose positions require a commercial driver's license will be required to undergo drug and alcohol testing in accordance with federal law and the applicable provisions of this policy. The school district also may request or require that drivers submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957.
- B. The school district may request or require that any school district employee or job applicant, other than an employee or applicant whose position requires a commercial driver's license, submit to drug and alcohol testing in accordance with the provisions of this policy and as provided in Minn. Stat. §§ 181.950-181.957.
- C. The use, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed, including medical cannabis, regardless of whether it has been prescribed for the employee, is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of drugs which are not medically prescribed, including medical cannabis, regardless of whether it has been prescribed for the employee, is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs which are not medically prescribed are prohibited from entering or remaining on school district property.

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- D. The use, possession, sale, purchase, transfer, or dispensing of alcohol is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of alcohol is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of alcohol are prohibited from entering or remaining on school district property.
- E. Any employee who violates this section shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge.

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

A. General Statement of Policy

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

B. Definitions

1. "Actual Knowledge" means actual knowledge by the school district that a driver has used alcohol or controlled substances based on: (a) direct observation of the employee's use (not observation of behavior sufficient to warrant reasonable suspicion testing); (b) information provided by a previous employer; (c) a traffic citation; or (d) an employee's admission, except when made in connection with a qualified employee self-admission program.
2. "Alcohol Screening Device" (ASD) means a breath or saliva device, other than an Evidential Breath Testing Device (EBT), that is approved by the National Highway Traffic Safety Administration and placed on its Conforming Products List for such devices.
3. "Breath Alcohol Technician" (BAT) means an individual who instructs and assists individuals in the alcohol testing process and who operates the EBT.
4. "Commercial Motor Vehicle" (CMV) includes a vehicle which is designed to transport 16 or more passengers, including the driver.
5. "Designated Employer Representative" (DER) means a designated school district representative authorized to take immediate action to remove employees from safety-sensitive duties, to make required decisions in the testing and evaluation process, and to receive test results and other communications for the school district.
6. "Department of Transportation" (DOT) means United States Department of Transportation.
7. "Driver" is any person who operates a CMV, including full-time, regularly employed drivers, casual, intermittent or occasional drivers, leased drivers, and independent owner-operator contractors.

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8. "Evidential Breath Testing Device" (EBT) means a device approved by the National Highway Traffic Safety Administration for the evidentiary testing of breath for alcohol concentration and placed on its Conforming Products List for such devices.
9. "Medical Review Officer" (MRO) means a licensed physician responsible for receiving and reviewing laboratory results generated by the school district's drug testing program and for evaluating medical explanations for certain drug tests.
10. "Refusal to Submit" (to an alcohol or controlled substances test) means that a driver: (a) fails to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so; (b) fails to remain at the testing site until the testing process is complete; (c) fails to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test; (d) fails to permit the observation or monitoring of the driver's provision of a specimen in the case of a directly observed or monitored collection in a drug test; (e) fails to provide a sufficient breath specimen or sufficient amount of urine when directed and a determination has been made that no adequate medical explanation for the failure exists; (f) fails or declines to take an additional test as directed; (g) fails to undergo a medical examination or evaluation, as directed by the MRO or the DER; (h) fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector, fails to sign the certification on the forms); (i) fails to follow the observer's instructions, in an observed collection, to raise the driver's clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process; (j) possesses or wears a prosthetic or other device that could be used to interfere with the collection process; (k) admits to the collector or MRO that the driver adulterated or substituted the specimen; or (l) is reported by the MRO as having a verified adulterated or substituted test result. An applicant who fails to appear for a pre-employment test, who leaves the testing site before the pre-employment testing process commences, or who does not provide a urine specimen because he or she has left before it commences is not deemed to have refused to submit to testing.
11. "Safety-sensitive functions" are on-duty functions from the time the driver begins work or is required to be in readiness to work until relieved from work, and include such functions as driving, loading and unloading vehicles, or supervising or assisting in the loading or unloading of vehicles, servicing, repairing, obtaining assistance to repair, or remaining in attendance during the repair of a disabled vehicle.
12. "Screening Test Technician" (STT) means anyone who instructs and assists individuals in the alcohol testing process and operates an ASD.
13. "Stand Down" means to temporarily remove an employee from performing safety-sensitive functions after a laboratory reports a confirmed positive, an adulterated, or a substituted test result but before the MRO completes the verification process.

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14. "Substance Abuse Professional" (SAP) means a qualified person who evaluates employees who have violated a DOT drug and alcohol regulation and makes recommendations concerning education, treatment, follow-up testing, and aftercare.

C. Policy and Educational Materials

[Note: The federal regulations require that school districts provide materials to bus drivers explaining the school district's policies and procedures and the federal requirements with respect to the mandatory drug and alcohol testing of bus drivers. 49 C.F.R. § 382.601. Almost all of the required information is contained within this model policy. Additional materials to be provided to employees are described in Paragraph 2. of this Section C.]

1. The school district shall provide a copy of this policy and procedures to each driver prior to the start of its alcohol and drug testing program and to each driver subsequently hired or transferred into a position requiring driving of a CMV.
2. The school district shall provide to each driver information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or drug problem; and available methods of intervening when an alcohol or drug problem is suspected, including confrontation, referral to an employee assistance program, and/or referral to management.
3. The school district shall provide written notice to representatives of employee organizations that the information described above is available.
4. The school district shall require each driver to sign a statement certifying that he or she has received a copy of the policy and materials. This statement should be in the form of Attachment A to this policy. The school district will maintain the original signed certificate and will provide a copy to the driver if the driver so requests.

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

D. Alcohol and Controlled Substances Testing Program Manager

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

1. The program manager will coordinate the implementation, direction, and administration of the alcohol and controlled substances testing policy for bus drivers. The program manager is the principal contact for the collection site, the testing laboratory, the MRO, the BAT, the SAP, and the person submitting to the test. Employee questions concerning this policy shall be directed to the program manager.

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2. The school district shall designate a program manager and provide written notice of the designation to each driver along with this policy.

E. Specific Prohibitions for Drivers

[Note: The specific prohibitions for drivers are contained, in large part, in 49 C.F.R. §§ 382.201-382.215.]

1. Alcohol Concentration. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions while having an alcohol concentration of 0.04 or greater. Drivers who test greater than 0.04 will be taken out of service and will be subject to evaluation by a professional and retesting at the driver's expense.
2. Alcohol Possession. No driver shall be on duty or operate a CMV while the driver possesses alcohol.
3. On-Duty Use. No driver shall use alcohol while performing safety-sensitive functions.
4. Pre-Duty Use. No driver shall perform safety-sensitive functions within four (4) hours after using alcohol.
5. Use Following an Accident. No driver required to take a post-accident test shall use alcohol for eight (8) hours following the accident, or until he or she undergoes a post-accident alcohol test, whichever occurs first.
6. Refusal to Submit to a Required Test. No driver shall refuse to submit to an alcohol or controlled substances test required by post-accident, random, reasonable suspicion, return-to-duty, or follow-up testing requirements. A verified adulterated or substituted drug test shall be considered a refusal to test.
7. Use of Controlled Substances. No driver shall report for duty or remain on duty requiring the performance of safety-sensitive functions when the driver uses any controlled substance, except when the use is pursuant to instructions (which have been presented to the school district) from a licensed physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a CMV. Controlled substance includes medical cannabis, regardless of whether the driver is enrolled in the state registry program.
8. Positive, Adulterated, or Substituted Test for Controlled Substance. No driver shall report for duty, remain on duty, or perform a safety-sensitive function if the driver tests positive for controlled substances, including medical cannabis, or has adulterated or substituted a test specimen for controlled substances.
9. General Prohibition. Drivers are also subject to the general policies and procedures of the school district which prohibit the possession, transfer, sale, exchange, reporting to work under the influence of drugs or alcohol, and consumption of drugs or alcohol while at work or while on school district premises or operating any school district vehicle, machinery, or equipment.

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F. Other Alcohol-Related Conduct

[Note: Consequences for drivers engaging in alcohol-related conduct are described in the federal regulations. 49 C.F.R. § 382.505.]

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

G. Prescription Drugs

A driver shall inform his or her supervisor if at any time the driver is using a controlled substance pursuant to a physician's prescription. The physician's instructions shall be presented to the school district upon request. Use of a prescription drug shall be allowed if the physician has advised the driver that the prescribed drug will not adversely affect the driver's ability to safely operate a CMV. Use of medical cannabis is prohibited notwithstanding the driver's enrollment in the patient registry.

H. Testing Requirements

1. Pre-Employment Testing

[Note: 49 C.F.R. § 382.301 details the requirements for pre-employment testing.]

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

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

- b. Tests shall be conducted only after the applicant has received a conditional offer of employment.
- c. In order to be hired, the applicant must test negative and must sign an agreement in the form of Attachment B to this policy, authorizing former employers to release to the school district all information on the applicant's alcohol tests with results of blood alcohol concentration of 0.04 or higher, or verified positive results for controlled substances, including medical cannabis, or refusals to be tested (including verified adulterated or substituted drug test results), or any other violations of DOT agency drug and alcohol testing regulations, or, if the applicant violated the testing regulations, documentation of the applicant's successful completion of DOT return-to-duty requirements (including follow-up tests), within the preceding two (2) years.

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

- d. The applicant also must be asked whether he or she has tested positive, or refused to test, on any pre-employment drug or alcohol test administered by an employer to which the employee, during the last two (2) years, applied for, but did not obtain, safety-sensitive transportation work covered by DOT testing rules.

2. Post-Accident Testing

[Note: 49 C.F.R. § 382.303 governs post-accident testing of drivers.]

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

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3. Random Testing

[Note: 49 C.F.R. § 382.305 governs random testing of drivers.]

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

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

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

4. Reasonable Suspicion Testing

[Note: 49 C.F.R. § 382.307 governs reasonable suspicion testing of drivers.]

- a. The school district shall require a driver to submit to an alcohol test and/or controlled substances, including medical cannabis, test when a supervisor or school district official, who has been trained in accordance with the regulations, has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances, including medical cannabis, on duty or within four (4) hours before coming on duty. The test shall be done as soon as practicable following the observation of the behavior indicative of the use of controlled substances or alcohol.

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- b. The reasonable suspicion determination must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech, or body odors. The required observations for reasonable suspicion of a controlled substances violation may include indications of the chronic and withdrawal effects of controlled substances.
- c. Alcohol testing shall be administered within two (2) hours following a determination of reasonable suspicion. If it is not done within two (2) hours, the school district shall prepare and maintain a record explaining why it was not promptly administered and continue to attempt to administer the alcohol test within eight (8) hours. If an alcohol test is not administered within eight (8) hours following the determination of reasonable suspicion, the school district shall cease attempts to administer the test and state in the record the reasons for not administering the test.
- d. The supervisor or school district official who makes observations leading to a controlled substances reasonable suspicion test shall make and sign a written record of the observations within twenty-four (24) hours of the observed behavior or before the results of the drug test are released, whichever is earlier.

[Note: 49 C.F.R. §§ 382.309, 40.23(d), and 40.305 govern return-to-duty testing.]

- 5. Return-To-Duty Testing. A driver found to have violated this policy shall not return to work until an SAP has determined the employee has successfully complied with prescribed education and/or treatment and until undergoing return-to-duty tests indicating an alcohol concentration of less than 0.02 and a confirmed negative result for the use of controlled substances.

[Note: 49 C.F.R. §§ 382.311, 40.307, and 40.309 govern follow-up testing.]

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

[Note: Consequences for refusals to submit to required drug and alcohol tests are addressed generally in 49 C.F.R. §§ 40.191, 40.261, and 382.211. They are more specifically addressed in 49 C.F.R. §§ 382.501-382.507 and in 49 U.S.C. § 521(b).]

- a. A driver or driver applicant may refuse to submit to drug and alcohol testing.
- b. Refusal to submit to a required drug or alcohol test subjects the driver or driver applicant to the consequences specified in federal regulations as well as the civil and/or criminal penalty provisions of 49 U.S.C. §

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521(b). In addition, a refusal to submit to testing establishes a presumption that the driver or driver applicant would test positive if a test were conducted and makes the driver or driver applicant subject to discipline or disqualification under this policy.

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

I. Testing Procedures

1. Drug Testing

[Note: The Federal Drug Testing Custody and Control Form (CCF) must be used to document every urine collection required by the DOT drug testing program. 49 C.F.R. § 40.45.]

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

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seventy-two (72) hours from the time of notification in which to request a test of the split specimen at the donor's expense. No split specimen testing is done for an invalid result.

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

2. Alcohol Testing

[Note: The DOT Alcohol Testing Form (ATF) must be used for every DOT alcohol test. 49 C.F.R. § 40.225]

- a. The federal alcohol testing regulations require testing to be administered by a BAT using an EBT or an STT using an ASD. EBTs and ASDs can be used for screening tests but only EBTs can be used for confirmation tests.

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- b. Any test result less than 0.02 alcohol concentration is considered a "negative" test.
- c. If the donor is unable to provide sufficient saliva for an ASD, the DER will immediately arrange to use an EBT. If the donor attempts and fails to provide an adequate amount of breath, the school district will direct the donor to obtain a written evaluation from a licensed physician to determine if the donor's inability to provide a breath sample is genuine or constitutes a refusal to test.
- d. If the screening test results show alcohol concentration of 0.02 or higher, a confirmatory test conducted on an EBT will be required to be performed between fifteen (15) and thirty (30) minutes after the completion of the screening test.
- e. Alcohol tests are reported directly to the DER.

J. Driver/Driver Applicant Rights

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

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

- 2. The school district will not discharge a driver who, for the first time, receives a confirmed positive drug or alcohol test UNLESS:
 - a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with the SAP; and
 - b. The employee refuses to participate in the recommended program, or fails to successfully complete the program as evidenced by withdrawal before its completion or by a positive test result on a confirmatory test after completion of the program.
 - c. This limitation on employee discharge does not bar discharge of an employee for reasons independent of the first confirmed positive test result.

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K. Testing Laboratory

The testing laboratory for controlled substances will be [***name, address, telephone number***], which is a laboratory certified by the Department of Health and Human Services – SAMHSA to perform controlled substances testing pursuant to federal regulations.

L. Confidentiality of Test Results

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

M. Recordkeeping Requirements and Retention of Records

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

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

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

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

Information obtained from previous employers	3 years
Collection records	2 years
Negative and cancelled drug tests	1 year
Alcohol tests with less than 0.02 concentration	1 year
Education and training records	indefinite

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

N. Training

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

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performance indicators of probable misuse of alcohol and use of controlled substances. The training will be used by the supervisors to make determinations of reasonable suspicion.

O. Consequences of Prohibited Conduct and Enforcement

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

2. Referral, Evaluation, and Treatment

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

[Note: Subparagraphs b. and c., below, are based on the provisions of 49 C.F.R. § 40.289.]

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

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

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

- c. Drivers are responsible for payment for SAP evaluations and services unless a collective bargaining agreement or employee benefit plan provides otherwise.
- d. Drivers who engage in prohibited conduct also are required to comply with follow-up testing requirements.

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3. Disciplinary Action

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

P. Other Testing

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

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

IV. DRUG AND ALCOHOL TESTING FOR OTHER EMPLOYEES

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

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

1. General Limitations

- a. The school district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug or alcohol testing, unless the testing is done pursuant to this drug and alcohol testing policy; and is conducted by a testing laboratory which participates in one of the programs listed in Minn. Stat. § 181.953, Subd. 1.

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- b. The school district will not request or require an employee or job applicant whose position does not require a commercial driver's license to undergo drug and alcohol testing on an arbitrary and capricious basis.

2. Job Applicant Testing

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

3. Random Testing

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

4. Reasonable Suspicion Testing

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

- a. is under the influence of drugs or alcohol;
- b. has violated the school district's written work rules prohibiting the use, possession, sale, or transfer of drugs or alcohol while the employee is working or while the employee is on the school district's premises or operating the school district's vehicles, machinery, or equipment;
- c. has sustained a personal injury, as that term is defined in Minn. Stat. § 176.011, Subd. 16, or has caused another employee to sustain a personal injury; or
- d. has caused a work-related accident or was operating or helping to operate machinery, equipment, or vehicles involved in a work-related accident.

5. Treatment Program Testing

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

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dependency treatment program.

6. Routine Physical Examination Testing

The school district may request or require any employee to undergo drug and alcohol testing as part of a routine physical examination provided the drug or alcohol test is requested or required no more than once annually and the employee has been given at least two weeks' written notice that a drug or alcohol test may be requested or required as part of the physical examination.

B. No Legal Duty to Test

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

C. Definitions

1. "Drug" means a controlled substance as defined in Minnesota Statutes, including medical cannabis, regardless of enrollment in the state registry program.
2. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" mean analysis of a body component sample according to the standards established under one of the programs listed in Minn. Stat. § 181.953, Subd. 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested.
3. "Other Employees" means any persons, independent contractors, or persons working for an independent contractor who perform services for the school district for compensation, either full time or part time, in whatever form, except for persons whose positions require a commercial driver's license, and includes both professional and nonprofessional personnel. Persons whose positions require a commercial driver's license are primarily governed by the provisions of the school district's drug and alcohol testing policy relating to school bus drivers (Section III.). To the extent that the drug and alcohol testing of persons whose positions require a commercial driver's license is not mandated by federal law and regulations, such testing shall be governed by Section IV. of this policy and the drivers shall fall within this definition of "other employees."
4. "Job applicant" means a person, independent contractor, or person working for an independent contractor who applies to become an employee of the school district in a position that does not require a commercial driver's license, and includes a person who has received a job offer made contingent on the person's passing drug or alcohol testing. Job applicants for positions requiring a commercial driver's license are governed by the provisions of the school district's drug and alcohol testing policy relating to school bus drivers (Section III.).
5. "Positive test result" means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minn. Stat. § 181.953, Subd. 1.

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6. "Random selection basis" means a mechanism for selection of employees that:
 - a. results in an equal probability that any employee from a group of employees subject to the selection mechanism will be selected; and
 - b. does not give the school district discretion to waive the selection of any employee selected under the mechanism.
7. "Reasonable suspicion" means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.
8. "Safety-sensitive position" means a job, including any supervisory or management position, in which an impairment caused by drug or alcohol usage would threaten the health or safety of any person.

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

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

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

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

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

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

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

E. Reliability and Fairness Safeguards

1. Pretest Notice

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

2. Notice of Test Results

Within three (3) working days after receipt of a test result report from the

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testing laboratory, the school district shall inform in writing an employee or job applicant who has undergone drug or alcohol testing of a negative test result on an initial screening test or of a negative or positive test result on a confirmatory test.

3. Notice of and Right to Test Result Report

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

4. Notice of and Right to Explain Positive Test Result

- a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide him or her with notice of the test results and, at the same time, written notice of the right to explain the results and to submit additional information.
- b. The school district may request that the employee or job applicant indicate any over-the-counter or prescription medication that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.
- c. The employee may present verification of enrollment in the medical cannabis patient registry as part of the employee's explanation.
- d. Within three (3) working days after notice of a positive test result on a confirmatory test, an employee or job applicant may submit information (in addition to any information already submitted) to the school district to explain that result.

5. Notice of and Right to Request Confirmatory Retests

- a. If an employee or job applicant has a positive test result on a confirmatory test, the school district shall provide him or her with notice of the test results and, at the same time, written notice of the right to request a confirmatory retest of the original sample at his or her expense.
- b. An employee or job applicant may request a confirmatory retest of the original sample at his or her own expense after notice of a positive test result on a confirmatory test. Within five (5) working days after notice of the confirmatory test result, the employee or job applicant shall notify the school district in writing of his or her intention to obtain a confirmatory retest. Within three (3) working days after receipt of the notice, the school district shall notify the original testing laboratory that the employee or job applicant has requested the laboratory to conduct the confirmatory retest or to transfer the sample to another laboratory licensed under Minn. Stat. § 181.953, Subd. 1 to conduct the confirmatory retest. The original testing laboratory shall ensure

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that appropriate chain-of-custody procedures are followed during transfer of the sample to the other laboratory. The confirmatory retest must use the same drug or alcohol threshold detection levels as used in the original confirmatory test. If the confirmatory retest does not confirm the original positive test result, no adverse personnel action based on the original confirmatory test may be taken against the employee or job applicant.

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

Attachments E and F to this policy provide the Notices described in Paragraphs 2. through 6. of this Section E.

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

1. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of a positive test result from an initial screening test that has not been verified by a confirmatory test.
2. In the case of a positive test result on a confirmatory test, the employee shall be subject to discipline which includes, but is not limited to, immediate suspension without pay and immediate discharge, pursuant to the provisions of this policy.
3. The school district may not discharge an employee for whom a positive test result on a confirmatory test was the first such result for the employee on a drug or alcohol test requested by the school district, unless the following conditions have been met:
 - a. The school district has first given the employee an opportunity to participate in, at the employee's own expense or pursuant to coverage under an employee benefit plan, either a drug or alcohol counseling or rehabilitation program, whichever is more appropriate, as determined by the school district after consultation with a certified chemical abuse counselor or a physician trained in the diagnosis and treatment of chemical dependency; and
 - b. The employee has either refused to participate in the counseling or rehabilitation program or has failed to successfully complete the program, as evidenced by withdrawal from the program before its completion or by a positive test result on a confirmatory test after completion of the program.
4. Notwithstanding Paragraph 1., the school district may temporarily suspend the tested employee or transfer that employee to another position at the same rate of pay pending the outcome of the confirmatory test and, if requested, the confirmatory retest, provided the school district believes that it is reasonably necessary to protect the health or safety of the employee, co-employees or the public. An employee who has been suspended without pay must be reinstated with back pay if the outcome of the confirmatory test or requested confirmatory retest is negative.

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5. The school district may not discharge, discipline, discriminate against, request, or require rehabilitation of an employee on the basis of medical history information or the employee's status as a patient enrolled in the medical cannabis registry program revealed to the school district, unless the employee was under an affirmative duty to provide the information before, upon, or after hire, or failing to do so would violate federal law or regulations or cause the school district to lose money or licensing-related benefit under federal law or regulations.

6. The school district may not discriminate against any employee in termination, discharge, or any term of condition of employment or otherwise penalize an employee based upon an employee registered patient's positive drug test for

cannabis components or metabolites, unless the employee used, possessed, or was impaired by medical cannabis on school district property during the hours of employment.

7. An employee must be given access to information in his or her personnel file relating to positive test result reports and other information acquired in the drug and alcohol testing process and conclusions drawn from and actions taken based on the reports or other acquired information.

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

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

H. Chain-of-Custody Procedures

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

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

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I. Privacy, Confidentiality and Privilege Safeguards

1. Privacy Limitations

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

2. Confidentiality Limitations

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

3. Exceptions to Privacy and Confidentiality Disclosure Limitations

Notwithstanding Paragraphs 1. and 2., evidence of a positive test result on a confirmatory test may be: (1) used in an arbitration proceeding pursuant to a collective bargaining agreement, an administrative hearing under Minn. Stat. Ch. 43A or other applicable state or local law, or a judicial proceeding, provided that information is relevant to the hearing or proceeding; (2) disclosed to any federal agency or other unit of the United States government as required under federal law, regulation or order, or in accordance with compliance requirements of a federal government contract; and (3) disclosed to a substance abuse treatment facility for the purpose of evaluation or treatment of the employee.

4. Privilege

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

J. Notice of Testing Policy to Affected Employees

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

V. POSTING

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

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- Legal References:***
- Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
 - Minn. Stat. Ch. 43A (State Personnel Management)
 - Minn. Stat. § 152.22 (Medical Cannabis; Definitions)
 - Minn. Stat. § 152.23 (Medical Cannabis; Limitations)
 - Minn. Stat. § 152.32 (Protections for Registry Program Participation)
 - Minn. Stat. §§ 181.950-181.957 (Drug and Alcohol Testing in the Workplace)
 - Minn. Stat. § 221.031 (Motor Carrier Rules)
 - 49 U.S.C. § 31306 (Omnibus Transportation Employee Testing Act of 1991)
 - 49 U.S.C. § 521(b) (Civil and Criminal Penalties for Violations)
 - 49 C.F.R. Parts 40 and 382 (Department of Transportation Rules Implementing Omnibus Transportation Employee Testing Act of 1991)
- Cross-References:***
- Rushford-Peterson School District Policy 403
(Discipline, Suspension, and Dismissal of School District Employees)
 - Rushford-Peterson School District Policy 406 (Public and Private Personnel Data)
 - Rushford-Peterson School District Policy 417 (Chemical Use and Abuse)
 - Rushford-Peterson School District Policy 418 (Drug-Free Workplace/Drug-Free School)

SENIORITY LIST					
RUSHFORD-PETERSON SCHOOLS					
2021-2022 SCHOOL YEAR					
NO.	NAME	STATUS	SENIORITY DATE	CURRENT VALID CERTIFICATION	LICENSE EXPIRATION DATE
1	Mary Wolter	C	08/28/86	Elementary Ed 1-6	2022
2	Teresa Brown	C	09/08/87	Physical Education K-12	2025
				Adaptive P.E. Pre K-12	2025
3	Gary Wade	C	08/31/89	Elementary Ed 1-6	2022
				Coaching 7-12	2022
				Physical Education K-12	2022
4	Michael Honken	C	08/30/95	Coaching 7-12	2026
				Social Studies All 7-12	2026
5	Nina Torkelson	C	08/28/96	Elementary Ed 1-6	2025
				Mild-Mod Ment Hdcp K-12	2025
				Mod to Severe Ment Hdcp K-12	2025
				Teacher/Coord Work Experienced Hdcp	2025
				Autism Spectrum Disorders K-12	2025
6	Shari Michel	C	08/31/98	English Language 7-12	2024
				Speech 7-12	2024
7	Crystal Bieberdorf	C	08/30/99	Spanish 7-12	2022
				Elementary Ed 1-6	2022
				Elementary Spanish 1-6	2022
8	Brenda Bergan	C	08/27/02	Specific Learning Disabilities K-12	2022
9	Jennifer Helgemoe	C	08/26/03	Secondary Guidance & Counseling 7-12	2023
				Health Education K-12	2023
10	Erin Thompson	C	09/01/04	Consumer & homemaking/Family Life-High School	2023
				School Counselor K-12	2023
11	Kristen Kelly	C	09/01/04	Elementary Education K-6	2024
				Pre-primary Age 3-K	2024
12	Daniel Mlsna	C	09/01/05	Social Studies All 5-12	2026
13	Forrest Musselman	C	01/19/07	English/Language Arts 7-12	2023
14	Rebecca Halverson Lind	C	08/28/07	Pre-primary Age 3-K	2025
				Elementary Education K-6	2025
15	Emily Johnson	C	08/28/07	Pre-primary Age 3-K	2026
				Elementary Education K-6	2026
16	Jason Dahl	C	08/28/07	Elementary Education 1-6	2024
				Mathematics 5-8	2024
17	Lucas Rye	C	11/26/07	Communication Arts/Literature 5-8	2025
				Elementary Education K-6	2025
18	David Lind	C	08/26/08	Elementary Education 1-6	2023

19	Shannon Kopperud	C	08/26/08	Elementary Education 1-6	2025
20	Emily Charlebois	C	08/26/08	Elementary Education K-6	2022
				Pre-primary Age 3-K	2022
				Learning Disabilities K-12	2022
21	Tracy Knutson	C	09/01/09	English/Language Arts 7-12	2024
22	Margaret Marklowitz	C	09/01/09	Elementary Education K-6	2022
				Social Studies Middle School	2022
				Reading K-12	2022
23	Colby Lind	C	08/30/10	Agricultural Ed 5-12	2026
				Teacher Coordinator Wrk based learning 9-12	2026
24	Jessica Burt	C	09/22/10	Elementary Education K-6	2024
				Mathematics 5-8	2024
25	Lacey Drinkall	C	08/27/12	Elementary Education	2025
				Early Childhood Education B - Grade 3	2025
				Pre-primary Age 3-K	2025
26	Jeremy Tesch	C	08/27/12	Science 5-8	2026
				Life Sciences 9-12	2026
27	Samantha Cunningham	C	08/26/13	Visual Arts K-12	2025
28	Tami Tinderholt	C	08/26/13	Elementary Ed K-6	2026
				Early Childhood Education B - Grade 3	2026
				Pre-primary Age 3-K	2026
29	Daniel Bieberdorf	C	08/26/13	Elementary Ed K-6	2024
				Mathematics 5-8	2024
30	Nikki Schultz	C	08/26/13	Physical Education K-12	2025
				Learning Disabilities K-12	2025
				Developmental Disabilities K-12	2025
				Developmental/Adapted Physical Ed. PreK-12	2025
31	Tracy Smith	C	08/26/13	Elementary Ed K-6	2026
				Speech-Language Pathologist PreK-12	2022
				Early Childhood Education B - Grade 3	2026
				Pre-primary Age 3-K	2026
32	Kelly Jo Smith	C	09/09/13	School Social Worker	2024
33	Alison Kjos	C	12/02/13	Pre-Kindergarten	2024
34	Dena Mathison	C	.8/25/2014	Mathematics 5-12	2022
35	Chris Drinkall	C	08/25/14	Elementary Ed K-6	2026
36	Jade Olstad	C	12/22/14	Elementary Ed K-6	2025
37	Jordan Aug	C	08/31/15	Social Studies 5-12	2025
38	Lisa Boyum	C	08/31/15	Elementary Ed K-6	2026
39	Carissa George	C	08/31/15	Elementary Ed K-6	2024
				Learning Disabilities K-12	2024
				Early Childhood Education B - Grade 3	2024
				Pre-primary Age 3-K	2024

40	Joseph Hatch	C	08/31/15	Mathematics 5-12	2026
41	Adam George	C	08/29/16	Instrumental and Classroom Music K-12	2022
42	Kimberly King	C	08/28/17	Elementary Ed 1-6	2025
				Reading K-12	2025
				ESL K-12	2021
43	Amber Meisch	C	08/28/17	Elementary Education K-6	2022
				Emotional Behavior Disorders K-12	2022
				Learning Disabilities K-12	2022
				Science 5-8	2022
44	Michael Mulholland	C	08/28/17	Chemistry 9-12	2023
45	Tracy Agrimson	C	08/27/18	Elementary Education K-6	2025
				Early Childhood Special Education B - Age 6	2025
				Early Childhood Education B - Grade 3	2025
				Pre-primary Age 3-K	2025
46	Joel Hinke	C	08/27/18	Business 5-12	2023
47	Meredith Johnson	C	08/27/18	Elementary Education K-6	2022
48	Benjamin Mahlke	C	08/27/18	Vocal and Classroom Music K-12	2026
49	Hannah Pape	C	08/27/18	Elementary Education K-6	2026
50	Jonathan Theuer	C	08/27/18	Elementary Education K-6	2023
51	Aspen Blom	P	08/26/19	Developmental Disabilities K-12	2022
52	John Loney	C	08/26/19	Elementary Education 1-6	2025
				Coaching 7-12	2025
				Emotional Behavior Disorders K-12	2025
53	Jacob Kramer	P	08/31/20	Life Science 9-12	2023
54	Alex Smothers	P	08/31/20	Social Studies 5-12	2022
55	Darin Helgand	P	08/30/21	Elementary Education K-6	2023
				Emotional Behavior Disorders K-12	2023
				Science 5-8	2023
56	Elizabeth Landherr	P	08/30/21	Vocal and Classroom Music K-12	2023
				Instrumental and Classroom Music K-12	2023
57	Clay Olstad	P	08/30/21	Elementary Education K-6	2025
				Mathematics 5-8	2025
				Professional Admin Principl K-12	2025
58	Courtney Thorman	P	8/30/201	Agriculture Education 7-12	2024

**EXTRACT OF MINUTES OF MEETING OF SCHOOL BOARD
OF INDEPENDENT SCHOOL DISTRICT NO. 239**

Pursuant to due call and notice thereof, a regular meeting of the School Board of Independent School District No. 239, Rushford-Peterson, was held on the 15th day of November, 2021, at 5:30 p.m.

The following members were present:

Board Member _____ introduced the following resolution and moved for its adoption:

**RESOLUTION ESTABLISHING COMBINED POLLING PLACES
FOR MULTIPLE PRECINCTS AND
DESIGNATING HOURS DURING WHICH THE POLLING
PLACES WILL REMAIN OPEN FOR VOTING
FOR SCHOOL DISTRICT ELECTIONS NOT HELD
ON THE DAY OF A STATEWIDE ELECTION**

BE IT RESOLVED by the School Board of Independent School District No.239, State of Minnesota, as follows:

1. Pursuant to Minnesota Statutes, Section 205A.11, the precincts and polling places for school district elections are those precincts or parts of precincts located within the boundaries of the school district which have been established by the cities or towns located in whole or in part within the school district. The board hereby confirms those precincts and polling places so established by those municipalities.

2. Pursuant to Minnesota Statutes, Section 205A.11, the board may establish a combined polling place for several precincts for school district elections not held on the day of a statewide election. The following combined polling places is established to serve the precincts specified for all school district special and general elections not held on the same day as a statewide election:

Combined Polling Place: City of Rushford Village Hall
43038 State Hwy 30
Rushford, MN 55971

This combined polling place serves all territory in Independent School District No.239 located in FILLMORE COUNTY: Amherst Township, Arendahl Township, Holt Township, Norway Township, City of Peterson, Pilot Mound Township, Preble Township, City of Rushford and City of Rushford Village; HOUSTON COUNTY: Black Hammer Township, Money Creek Township and Yucatan Township; WINONA COUNTY: Hart Township, Saratoga Township and Wiscoy Township.

*3. Pursuant to Minnesota Statutes, Section 205A.09, the polling places will remain open for voting for school district elections not held on the same day as a statewide election between the hours of 7:00 o'clock a.m. and 8:00 o'clock p.m.

4. The clerk is directed to file a certified copy of this resolution with the county auditors of each of the counties in which the school district is located, in whole or in part, within thirty (30) days after its adoption.

5. As required by Minnesota Statutes, Section 204B.16, Subdivision 1a, the clerk is hereby authorized and directed to give written notice of new polling place locations to each affected household with at least one registered voter in the school district whose school district polling place location has been changed. The notice must be a nonforwardable notice mailed at least twenty-five (25) days before the date of the first election to which it will apply. A notice that is returned as undeliverable must be forwarded immediately to the appropriate county auditor, who shall change the registrant's status to "challenged" in the statewide registration system.

The motion for the adoption of the foregoing resolution was duly seconded by Board Member _____ 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.



Superintendent's Report

November 15, 2021

"Always Our Best"



Vision: Empowering all for lifelong learning

Mission: Creating an educational community where lifelong learning is valued, excellence is expected, and all are prepared for the future.

OSHA COVID-19 Emergency Temporary Standard (ETS) -

On November 5, 2021, the federal Occupational Safety and Health Administration (OSHA) has issued a COVID-19 Vaccine or Testing Emergency Standard (ETS) effective December 5, 2021, that requires employers with 100 or more employees to require employee vaccination or regular testing and masking. In Minnesota, the Minnesota OSHA agency (MN-OSHA) has 30 days to adopt the ETS or "just as effective measures."

Many questions have arisen and the situation is evolving daily. Court challenges have been filed that may delay implementation and/or affect provisions in the ETS. MN-OSHA must complete its process.

R-P does have over 100 part time and/or full time employees and will need to follow this Federal Emergency Temporary Standard.

We will continue to closely monitor the situation and will provide additional information as it becomes available.

The timeline may be altered, but for now the requirement is to have a policy in place by December 5th and to implement this by January 4th.

Special Education Needs and Community Education -

The district has a need to hire additional teacher time within our special education program. Special education teachers are difficult to find and this is especially true when looking to fill part time and/or mid-year positions.

We will advertise for a full time special education teacher with the hope that a mid-year graduate might be interested. If this does not work out then we will continue advertising and look to the 2022-23 school year.

While the special education need is not at a full time level, it does work nicely with a staff realignment for community education.

We will discuss this in more detail at the meeting.

Substitute Paraprofessional Pay Rate -

We have recently adjusted driver and substitute teacher pay and it has been suggested that we also consider substitute paraprofessional pay.

Substitutes are paid at the same rate as beginning paraprofessionals. Some of our paraprofessionals do not take health insurance and paying our substitute more than our starting employees would be problematic.

My recommendation is to wait on changes until it can be negotiated with the Education Support Staff during our next negotiations.

Superintendent Error On School Calendar -

I counted days incorrectly when finalizing this year's school calendar. My error occurred by not counting December 23rd as a school day. The error resulted in one extra day of school appearing on the calendar.

We will correct this error by ending the 2nd trimester on March 9th, moving the Teacher Workshop to March 10th, and R-P staff and students will not have school on March 11th.

Apparently, double, triple and quadruple checking calendars is not always enough.

Elementary School Board Report
November 15, 2021
Mrs. Shepard
Respect. Integrity. Excellence.

Elementary Classroom Updates- written by classroom teachers

Angela Shepard-

Conference Attendance-

EC- 30/33, K- 37/41, 1st-35/37, 2nd-41/43, 3rd- 32/38, 4th-28/41, 5th-34/44

Intervention-32/60, SPED- 17/26, PE-15

Elementary Music Concert- December 2nd @ 7:00 in the HS gym

Early Childhood- Emily Johnson, Alison Kjos

The month of October brought a lot of fun to the preschool classes! The Rushford Fire department brought their fire truck to the EC parking lot and let the preschoolers explore the inside and outside of the fire truck. They gave each preschooler a goodie bag and a red fire helmet!! The beautiful weather allowed us to play outside on the playground each day for 20 minutes or more! It was great to see all the parents for conferences and let them see all the art projects in the classroom too!

Kindergarten- Krissy Kelly, Lacey Drinkall

Kindergarten has been busy blending words and reading! We have begun to explore teen numbers and have been talking about Thanksgiving and things we are thankful for!

1st- Becky Lind, Jessica Burt

October has been a fun month in first grade! We've been reading lots of fun stories and learning various blends and digraphs. In grammar we've been learning types of sentences; as well as nouns, verbs, and adjectives. We also enjoy writing in our journals each week. In science, social studies, and health we've learned about healthy foods, fire safety, and living things.

2nd- Shannon Kopperud, Carissa George, Clay Olstad

We have hit the ground running this month! We are learning about adding double-digit numbers and using our base knowledge with our math facts to help. We are continuing our journey building our sounds working through r-controlled phonics. We are wrapping up our personal narratives and starting our friendly letters in writing. In science, we are learning about the human body. In social studies, we are working through maps, being a good citizen, and laws/rules. Overall life is good and we are continuing to get better each day!

3rd- Hannah Pape, Jade Olstad

Our third graders have been working hard this month and are learning many new things. We have started learning multiplication which the students have really enjoyed. We have also been talking about different types of nouns and how sound works in science. We are just about to finish up our first book club groups so students will be working together to make a project having to do with their books in the next couple weeks.

4th- Jon Theuer, Meredith Johnson

Wowza 4th grade is cruising into winter! Are we ready for it, not really, but hey it's all good! In math we are trudging through multiplication of single digit and double digit numbers. It is hard but we are putting on our working boots and getting it done! We start long division soon, please send positive vibes our way!

In reading we are wrapping up our second unit on stories and poems from around the world. We've learned about figurative language, theme, fables, dramas, folktales, and other stories from other cultures. We did literature group activities last week, and will be learning about poetry and writing our own poems this week!

In Science we have been learning about electricity and magnets. In social studies we are learning about various landforms and physical landscapes of North America. We look forward to our Veteran's day program, and the upcoming holidays!

5th- Dave Lind, Emily Charlebois

In fifth grade ELA we are continuing our literary unit on doing the right thing and studying irregular and regular plural nouns, possessive nouns, and action and linking verbs. In social studies we are talking about the original 13 colonies and working our way up to the Revolutionary War.

In math we are working on fractions and in science, genetics and heredity.

K-5 Intervention- Margaret Marklowitz, Mary Wolter-For Grades 3 - 5 Intervention we continue to work on building reading, writing and math skills to support their classroom learning., Chris Drinkall

Title- Tami Tinderholt

Title 1: Title 1 is going smoothly. Groups are busy learning reading and math skills and progress is being made:-)

PE- K-3 – Teresa Brown

In grades k-2 we have worked on using a short handled implement, the scoop, and performing various tossing and catching activities. We have also been using the transverse climbing wall. Working on our upper and lower body strength, communication skills with spotter, problem solving when deciding what pathway to use to travel across the wall and safety. We have been incorporating cross curricular activities such as nutrition and eating the colors of the rainbow, money, and spelling. We have started using the scooter boards and the different ways to manipulate the scooter board and safety when using a scooter board.

Third grade has been playing large group games working on the benchmark 3.4.3.1 which is working cooperatively with classmates in large group activities. We have also had our angle ball unit working on the benchmarks of 3.2.1.4; Identifying offensive and defensive tactics used in chasing and fleeing games. We have also worked on the benchmark 3.2.1.6; Identifying distance and direction tactics used in target games. Our latest unit is Nitroball working on the benchmark 3.2.1.5; identifying offensive and defensive tactics used in net games.

PE- 4th-5th- Nikki Schultz

4th and 5th grade finished the soccer and speedball units. We are enjoying the nice weather and playing outside games such as capture the flag and Texas Kickball. When the weather does not cooperate we are inside learning and playing angle ball.

Special Education –Aspen Hartmann, Amber Meisch

We have been working in a small group setting on utilizing strategies and skills with reading, writing, and math to increase students' success within their general education classroom.

Middle/High School Board Report

November 15, 2021

Mr. Timm

Respect – Integrity - Excellence

GOAL 1: Personalize learning for all students in pursuit of their academic excellence.

The Academic Letter Winners Assembly will be held on November 17th. Congratulations to the 34 current students who will be recognized that day. In addition, we recognized 17 students from the class of 2021 last spring. We had a total of 51 students (27%) who achieved a 3.670 GPA during the 2020-2021 School Year. Below are the 34 we will recognize on Wednesday.

Seniors: Zenessa Anderson, Malachi Bunke, Thomas Ekern, Andrew Hoiness, Emarie Jacobson, Inyka Johnson, Hannah Lutz, Ellyson Malone, Breena Pehler, Paula Porquez, Aaron Prinsen, Tyler Rislov, Justin Ruberg, Carson Thompson, Olivia Thompson

Juniors: Jane Doerr, Isabella Eide, Kenna Gallion, Hannah Highum, Linsey Meyer, Brielle Rasmussen, Kaylee Ruberg, Ella Woxland

Sophomores: Elizabeth Ekern, Tel Fahrendholz, Tayler Helgemoe, Lauren Honken, Aubrey Ingvalson, Ceona Johnson, Rebecca Magin, Ashlyn Miller, Ryan Prinsen, Sadie Rasmussen, Kristina Stensgard

GOAL 2: Develop well-rounded students in the areas of character, community & academics.

The following students participated in the Three River Honors Band and Choir which was held at Caledonia High School on November 8th. They spend the day learning from other directors and concluded the day with a Band and Choir Concert in the evening. Congratulations to them on their accomplishments!

Band:

Zenessa Anderson
Grace Buchanan
Emarie Jacobson
Olivia Thompson

Choir:

Inyka Johnson
Hannah Lutz

The All-School Play “Peter Pan and Wendy” will be held this November 18, 19, and 20. All shows will take place at 7:00PM. Director Musselman and the cast and crew have put a lot of time and effort into their rehearsals.

Congratulations to Emarie Jacobson and Carson Thompson on being selected as the Rushford-Peterson Trip A recipients. Both students will now be advanced to the section competition with a chance to be a State Triple A recipient. Each MSHSL school can nominate one senior boy and girl who have demonstrated outstanding abilities in Academics, Arts and Athletics

	Our Senior High Knowledge Bowl (grades 10-12) start their season on December 15th. We have 21 students out for the team, the 21 students allow us to compete as 4 different teams. Below are the team members: Aaron Prinsen Zane Schroeder Carson Thompson Jacob Mensink Kristina Stensgard Emarie Jacobson Adam Loney Shane Rask Zenassa Anderson Lauren Honken Ryan Prinsen Aubrey Ingvalson Tel Fahrendholz Payton Smith Bowen Woodard Cassandra Boyum Ellie Ekern Cenona Johnson Rylan Schneider Olivia Thompson Hannah Higum In collaboration with our SE MN Perkins Consortium, we have three students taking part in a “Student Ambassador Program” this year. The pilot program connects high school students with like-minded peers and professionals. The students will meet a minimum virtually seven times with a professional in the area. Site tours and additional meetings are also potentially part of the program. Below are the three students and the areas they are connecting in: - Ellyson Malone – Partnering with Claudia Hicks (Events Coordinator), Mayo Clinic Health System Events - Alex Ronnenberg – Partnering with Jeremy Thompson (Training Coordinator), Local Union 6 Plumbers and Pipefitters - Jackson Dvorak – partnering with Eric Halverson (Financial Planner), Edward Jones
GOAL 4: Promote and provide positive school and community culture that engages all stakeholders.	A big thank you to our National Honor Society Members for putting together the Veterans Day Program that was held at our school on November 11th. We had our entire student body along with community members and veterans attend the event. Former School Board Member and current DIA Captain Dean Mierau was our guest speaker.

	Our new school store opened up to students and the public on October 28th. The store is being led by Mr. Hinkie, Mrs. Cunningham, Mrs. Thompson, Mr. Lind and Mrs. Torkleson. Currently our hours are Tues-Thurs after school and they plan to be open on event evenings this winter. Below is a little more information on the background. The Trojan Armory is a collaborative school store dedicated to supplying students with spirit gear and learning opportunities. The Business, Visual Arts, Ag/Tech Ed, FACS, and Special Education departments have joined together to use a school store as a learning tool for our students to better prepare them for entrepreneurship and the future workforce. Accounting, marketing, and business analysis will be run by students under the guidance and supervision of Mr. Hinke. Mrs. Thompson is using advanced foods and their ServSafe Certification to create and sell baked goods after school. The ag/tech ed department is offering custom pre- order metal and wood manufacturing projects to community members under Mr. Lind. The arts department will be contributing seasonal items made through project based learning and functional ceramics through Mrs. Cunningham's Visual Arts Program. Our joint hope is that students will gain knowledge of work ethic, customer service, business management, budgeting for cost of materials and time, as well as gain experience they can apply in their future.
Miscellaneous	November 18-20 – All School Play “Peter Pan and Wendy” December 3 – End of 1st Trimester December 14 – MS/HS Band Concert December 21 – MS/HS Choir Concert

Project Kids & Kid's Club Highlights

November 2021

Project Kids Highlights:

- The school year started with 19 students on our roster. After advertising recently, we have increased to 23 students with two more serious inquiries.
- Daily average is about 11 students per day. Fridays are typically our lowest day without preschool being in the building. We've had as low as 3 students but in the last couple weeks have had more like 7 students.
- We are hopeful about starting a Childcare Management Software called ProCare. This program is available to both staff and parents and my main interest in it is that it will allow us to streamline our billing process by providing no-contact check in/out by parents which automatically rolls out into a bill. It also has options to document, upload photos, add medication documentation, put in a note, upload lunch menus, etc.. I have brought it to the Preschool teachers as well as there is an area to upload lesson plans, input immunization records, send and receive documents, allows for parent signature within the app, etc.. The first 6 months of service are free and then it is \$79/month with no maximum amount of students, parents, or staff.
- I filed for an Early Care/Wrap Around Care grant through SMIF for \$20,000. Applications are due November 16th and awards will be given February 2022. I am hopeful we can use this to pay for the software program, update toys and supplies in our classroom, compensate our wonderful staff and possibly hire another adult staff person.

Kids' Club Highlights:

- Kids' Club started the school year with 41 students on the roster and has recently increased to 49 with one student who is hoping to join the program soon. Our daily average for the morning session is 12 kids and 19 kids for the afternoon session.
- The ProCare software will also be utilized for Kids' Club.
- The SMIF grant money will also be put towards Kids' Club.

Laura VanGundy
Kids' Club & Project Kids Director
lauravangundy@r-pschools.com
507-864-7785 x1013

November ECFE/EC Screening Update 2021

ECFE:

ECFE Session 1 is complete and we are now on to Session 2 of classes. Session 2 classes started on **October 29th/November 4th**. We have an average for 10-15 kiddos each class. Project kids continue to come over Friday mornings and this is working out great. We have 4 **new** families that joined our program this year and almost all families from last year return. Heather Grigg is the teacher and Kristi Agrimson has been assisting on Thursday evenings with Alison Dvorak assisting with Friday mornings.

Our Trunk or Treat event had almost **90** kids come through! It was a great event. We are now planning for **Little Elves Workshop**. This typically runs in conjunction with Christmas in Peterson, but that event has been canceled for this year. We are planning to have a small event here at school in place of being in Peterson. This event will be held on **December 9th from 4-5:15 PM**.

Early Childhood Screening:

Our Fall Early Childhood Screening was held on November 5th. We had 13 kiddos be screened that day. Our Spring EC Screening is set for Friday, March 25th from 8:00 AM to 3:00 PM. EC Screening is led by Heather Grigg.

Heather Grigg | ECFE Coordinator

Rushford-Peterson Schools ISD #239

p: 507-864-7786 ext. 2005

e: heathergrigg@r-pschools.com



John Loney RP Activities

November Board Report

Winter Activities start dates:

Dance-10/25

GBB-11/15

Wrestling and BBB-11/22

LA/RP/H Cross Country- Are your 2021 Three Rivers Conference Champions and Section 1A Tem Champions. Tyler Rislov finished 2nd and Andrew Hoiness 3rd along with LA/RP/H's own Matt Kingsbury is the Section 1A boys coach of the year.

STATE CROSS COUNTRY- LA/RP/H boys finished 13th as a team. Tyler Rislov finished 6th!

Volleyball Plays- RP traveled to Grand Meadow and beat a very good Super Larks team 3-2. They then played the #1 seed Bethlehem Academy and lost 3-1 in some very close sets.

Football- Trojans are the Mid Southeast-Blue District Champs as well as Section 1A Champs. They are currently 11-0 and face BBE @ Crown College on 11/12/21.

Boys/Girls Basketball Shot Clock:

The MSHSL has gathered info from all member schools and will take action on the shot clock and the timeline for this (if it passes)

-12/2 MSHSL Board Meeting Action Item

Future Projects

School Branding- Before winter games/meets begin, we hope to have some new RP branding decals and designs installed in the High School Gym, Commons, and Entrance. Again, Thank-You to Brooke Mlsna and Lisa Timm (Fastenal employees) for their help and design expertise.

Just a reminder of the RP Twitter Account: @RPTrojansJLoney if you want to keep track of RP activities..

GO TROJANS!

Sincerely,

John Loney, RP Activities Director