

Regular School Board Meeting of ISD 857

Monday, August 12, 2024 6:00 PM

Board & Public in HS Library/Remote viewing via ZOOM, 100 County Road 25 ,
Lewiston, MN 55952

I. Call Meeting to Order

II. Pledge of Allegiance.

III. Quorum Call

**David Baer
Sara Daley
Jenny Koverman
Daniel Kreidermacher
Bree Maki
Dave Pringle
Sarah Sommer**

IV. Approve the August 12, 2024 Meeting Agenda

V. Open Forum

Guideline: Three minutes per speaker; 15 minutes maximum. Complaints about personnel or individuals are prohibited. No Board action is taken during the Open Forum. This is the only time during the Board meeting that audience participation is allowed unless scheduled prior.

VI. Information from Grade 5-12 Band Teacher Mr. Brian Hamilton

VII. Consent Agenda

- A. Board Meeting Minutes: July 8, 2024**
- B. Financial Reports a. Board Bills July 2024**
- c. Multiyear Guideline July 2024**
- e. Wire Payments July 2024**

Accept resignation of Lacey Zietlow as JV Softball coach.

Approve hire of Josh Randall as JV Softball coach.

Approve hire of Dylan Weninger at JV Girls Basketball Coach.

Approve hire of Jeff Mueller as a JH football coach.

Approve hire of Ben Overing as a JH football

coach.

Approve hire of Amy Kelly as a JH Volleyball coach.

Approve hire of Keira Knabel as a JH Volleyball coach.

Accept resignation of Dick Montgomery and Kayli Zezulka and Co-Head Track Coaches.

Thank you to Daley Farms for paying \$1954.96 to pay for grade 4 and grade 5 students' milk for snack in the 2023-2024 school year.

Thank you to many area businesses for their sponsorship of HUDL and our high school athletics for a total of \$13,000 (to date):

- Lewiston Auto: \$5000
- PlastiCert: \$5000
- Riverside Integrated Solutions: \$1000
- Hoff Funeral Home; \$500
- Peoples State Bank: \$500
- AgPartners: \$500
- Kwik Trip: \$500

VIII. Thank you to the Booster Club for their donation of \$15,000.00 to support the supplies/equipment costs of our athletic programs in 2024-2025.

Thank you to the Booster Club for their donation of \$2500.00 to go towards the expenses of a speaker system replacement in the varsity gym (also being funded by other donations and Title IV).

Thank you to the Cardinal Foundation for the grant of \$3463.65 to purchase 34 colored graphing calculators and graphing paper.

Thank you to Speltz Concrete, the LA Youth Baseball Club and other anonymous donors for financing all of the expenses to put concrete in the boys' baseball batting cage area, and putting rubber mats in front of the dugout. Thank you for helping lessen the mud in these areas.

Approve designation of Carly Steele, Sarah Gruett and Sami Lombard as daily teacher or paraprofessional substitutes as employees of Teachers on Call. Ms. Lombard will be a longterm sub as a district employee starting approximately September 7th for approximately 10 weeks.

Approve hire of Emily Brouwer, paraprofessional, at the rate of \$15.45 per hour.

Approve hire of Aaron Camacho, paraprofessional at the rate of \$15.15 per hour.

Approve the wage adjustment of Tom Kiral, Steven Mayfield, Lacey Zietlow to \$15.30 per hour to reflect their years of paraprofessional service in the district. (Base rate of pay for paraprofessionals with no related experience is \$15.00/hour.)

Approve hire of Megan Kuhn, 0.55 FTE Special Education teacher August 26th - January 24th at MA20/Step 10 in accordance with the EdMN/L-A 2023-2025 Master Agreement.

Approve hire of Kiley Puetz, 1.0 FTE 5th grade teacher, at MA/Step 13 in accordance with the EdMN/L-A 2023-2025 Master Agreement.

Notice of Potential Disclosure of Student Records

Approve FMLA Leave for Valerie Hettenbach starting approximately September 7, 2024 for approximately 10 weeks.

Approve FMLA Leave for Maddie Gasca-Hernandez starting approximately October 3rd, 2024 for approximately ten weeks.

Approve lane change for Connie Sikkink from MA10/Step 14 to MA20/Step 15 effective with the 2024-2025 contract in accordance with the 2023-2025 EdMN/L-A Master Agreement.

Approve hire of Sam Barnes. paraprofessional, at rate of \$15.30/hour.

Approve hire of Breanna Hahn, paraprofessional at rate of \$15.15/hour.

Accept donation of \$50.00 from David and Della Mulvihill and \$25.00 from Michael and Jane Voelker in honor of the memory of Joan Mayer.

- IX. Policies and Forms on 1st/Final Reading (reflect 2024 Statute Changes)
 - A. 102 Equal Educational Opportunity (adds legislative change to "discrimination" definition)
 - B. Policy 207 Public Hearings (removes address

requirement)
C. 413 Harassment and Violence (Updates 'Familial Status definition)
D. 416 Drug and Alcohol Testing (adds "oral fluid testing")
E. 418 Drug Free Workplace/School (adds protection for persons in MN Patient Registry Program)
F. 419 Tobacco-Free Environment (adds smudging as a permissible activity)
G. 425 Staff Development and Mentoring (adds paraprofessional training provisions)
H. 507 Corporal Punishment and Prone Restraint (adds reasonable force language, corrects legal reference)
I. 512 School-Sponsored Student Publications and Activities (adds student journalist law)
J. 515 Protection and Privacy of Student Records (Adds explanatory note for directory information)
K. 516 Student Medication (adds new statutory provisions; rearranges section for clarity)
N. 521 Student Disability Nondiscrimination (updates statutory definition of 'disability')
L. Policy 522 Title IX (US Dept of Education - effective date Aug 1, 2024)
M. 532 Use of Peace Officers and Crisis Teams to Remove IEP students (adds school resource officer language)
N. 535 Service Animals in Schools (adds protections for persons with disabilities)
O. 601 School District Curriculum and Instruction and Goals (Removes WBWF)
P. 602 Organization of School Calendar and School Day (Updates Note to align with revised MN Law)
Q. 722 Public Data Requests and 722F Form (no change- required to be reviewed annually)

X. 2024-2025 Employee Handbook

XI. 2024-2025 Elementary Parent Handbook

XII. 2024-2025 High School Student Handbook

XIII. 2024-2025 Coaches Handbook

XIV. Consideration of St. John's School contracting with L-A School District or adding St. John's as an additional food service site.

XV. Accept resignation of Jenny Koverman, School Board member effective August 16, 2024 when she moves out of the school district's boundaries.

XVI. Discussion regarding filling the School Board vacancy until the January 2025 Organizational Meeting.

XVII. Discussion of Referendum Information Outreach Plans

XVIII. PK-5 Principal's Report

XIX. L-A High School Principal's Report

XX. Superintendent's Report and Report from Dashir

XXI. Board Committee Reports

XXII. Upcoming Meeting Schedule

Beverages with the Board: August 14, 28 (Back to School Night)- 5:00 - 7:00pm, Crossings Center

All School Reunion. August 17th at The Crossings Center

Staff Lunch and Activities, August 22, 11:30am, The Crossings Center

Back to School Breakfast and Program, August 26th, 7:30am

Finance Committee Meeting, August 27th, September 24 at 9:00am

Regular Board Meeting, September 9th, Oct 14, Nov 12 (Tues), 6:00pm

Health and Safety Committee, 7:15am, September 18th (remote or HS Conference Room)

Community Education/EC Advisory Committee September 16, 4:00pm (remote)

Systems Accountability Committee, September 16, 5:30pm, HS Library

District Policy Review Committee September 26, 7:00am (remote)

XXIII. Motion to enter closed session to discuss the possible sale of real estate property.

XXIV. Motion to open the meeting to the public.

XXV. **Adjourn**

MINUTES OF THE LEWISTON-ALTURA REGULAR SCHOOL BOARD MEETING
ISD #857
July 8, 2024

A regular meeting of the School Board of Independent School District #857 was held on June 10, 2024 at 6:00pm in the High School Library. Members present were Bree Maki, Daniel Kreidermacher, David Baer, Sara Daley, Dave Pringle and Sarah Sommer. Jenny Koverman was absent.

Chair Maki called the meeting to order at 6:00pm. The Pledge of Allegiance was recited.

Motion by Sommer and seconded by Pringle to approve the meeting agenda. MCU.

For the Open Forum, David Baer, speaking as Lewiston American Legion Post Commander, thanked Mr. Scheck for his support and assistance in having Zane Nelson and Mason Zietlow attend the American Legion's Boys State and Natalie Buege attend American Legion's Auxiliary Girls State. This is an excellent leadership building opportunity for students and was paid for by the Lewiston Post.

Motion by Sommer, seconded by Daley to approve the Consent Agenda. MCU.

Motion by Pringle, seconded by Baer to approve a Resolution Approving a Purchase Agreement for the Sale of the Property Located in Warren Township of on County Road 120, PID 160000770 to Thomas Mueller. On a roll call vote: Ayes: were Maki, Kreidermacher, Baer, Daley, Pringle and Sommer. Nays: None. Resolution approved.

Motion by Kreidermacher, seconded by Daley to approve a Resolution Relating to Revoking the Existing Referendum Revenue Authorization of the School District, Approving a New Authorization, Authorizing the Issuance of School Building Bonds and Calling an Election Thereon with modification to the building bond referendum ballot wording to replace 'CTE' with 'Career and Technical Education (CTE)' and to replace 'ADA' with 'Americans with Disabilities Act (ADA)' . Baer made a motion for an Amendment to the motion to require that the district receive an itemized list of exact costs for items that would be done if the building bond referendum passes. The amendment died to lack of a second. On a roll call vote for the Resolution: Ayes: were Maki, Kreidermacher, Baer, Daley, Pringle and Sommer. Nays: None. Resolution approved.

The Board discussed strategies and upcoming opportunities to engage with and inform district residents about the referendum.

Motion by Baer, seconded by Sommer to approve a Resolution to Approve the District's FY26 Long Term Facilities Maintenance Plan (LTFM) 10 year plan. On a roll call vote: Ayes: were Maki, Kreidermacher, Baer, Daley, Pringle and Sommer. Nays: None. Resolution approved.

Baer, Pringle and Kreidermacher were appointed to serve on the District Finance Committee with Superintendent Carman and Business Manager Schreiber. The committee will meet on the third Tuesday of the month at 9:00am, starting August 27th.

2024-2025 fees were proposed. There was no public comment on the fees. Baer moved, seconded by Sommer to approve the fees. MCU.

There was discussion on the possibility of capping open enrollment at grades 4, 8, 9. No action was taken.

Greg Bonow presented information on behalf of a group of alumni who want to form a Lewiston – Altura Hall of Fame for Athletics. The Board expressed support of this ad hoc committee with the understanding that this committee is separate from the district and will not cost the district any money. The Board agreed to have the Nomination Form on our web page and to work with administration on a display to honor the awardees in the high school.

Motion by Baer and seconded by Sommer to approve Policy 501 School Weapons, Policy 707 Transportation of Public School Students, Policy 707.1 Transportation Pick-Up Policy and Policy 710 Extra-Curricular Transportation on a final reading to align with statute changes. MCU.

A summary of the superintendent's evaluation conducted on June 10, 2024 in closed session was read by Board Chair Maki.

Superintendent Carman presented updates on the 2023-2025 Strategic Plan.

Superintendent Carman presented updates and updates from Dan Buege on facilities and grounds.

The upcoming meeting schedule was reviewed.

Motion by Baer, seconded by Sommer to adjourn the meeting at 8:04pm. MCU.

Dave Pringle, Clerk

FROM THE MN DEPARTMENT OF EDUCATION

Notice of Potential Disclosure of Student Records

On May 14, 2024, Chief Judge Schiltz preliminarily approved a class action settlement between the Minnesota Department of Education (MDE) and a group of students and/or their guardians represented by Minnesota Disability Law Center regarding compensatory education services for a group of Minnesota students described below:

All children (a) who are receiving or received special instruction and services pursuant to the Individuals with Disabilities Education Act and Minnesota Special Instruction laws from a local educational agency in Minnesota, (b) who became 21 years old after July 1, 2019, or will become 21 during the pendency of this action, (c) whose special instruction and services ended, or will end, on July 1 after their 21st birthday pursuant to Minn. Stat. § 125A.03(b), (d) whose special instruction and services ended, or will end, before they complete the graduation requirements to receive a regular high school diploma as defined in 34 C.F.R. 300.102(a)(3)(iv).

In accordance with that court order, MDE must disclose certain information about some former students in Minnesota whose birthdates are between July 1, 1998, through June 30, 2001, and who received special education services between July 1, 2019, and July 1, 2022, to the Claims Administrator: Continental DataLogix LLC. The Claims Administrator will use that information to identify former students who may fit the description above, and allow those former students to apply for compensatory education services. MDE plans to provide the Claims Administrator with the following information:

- Names of former students: (i) whose birthdates are between July 1, 1998, to June 30, 2001, (ii) who received special education services from a Minnesota school district or local education agency sometime between July 1, 2019, and July 1, 2022, and (iii) whose special education instructions or services were ended before the student turned 22 years old
- Birthdates of those same former students
- The name of the school district last attended by those same former students
- The last date of those same former students' status at the school

Those former students will be notified by the Claims Administrator of their eligibility and provided with a claims form. Any former student who fits the description in the first bullet point above and who does not want MDE to share the information described above with the Claims Administrator, must inform MDE that they object to MDE's disclosure. Please email kosettlement.MDE@state.mn.us for instructions on how to object and to let MDE know that it should not provide that information. All objections should be received by MDE before Monday, July 15, 2024.

Additional information about this settlement is available at <https://education.mn.gov>.

Additional inquiries can be made to MDE's Data Practices Compliance Official, Adam Heuett, at the email above, or at 651-582-8267.

Lewiston-Altura Public Schools Board Bills July 2024

Batch	Co	Bank	Pymt No	Check No	Pay Type	Grp	Code	Rcd	Vendor	Print	Recon	Void	Currency	Pmt/Void Date	Amount		
P2501C	0857	001	67520	76251	Check	1	6115		Associated Bank Green Bay, N.A.	Yes	No	No	USD	07/03/2024	50,087.50		
			67506	76252	Check	1	01451		BUREAU OF EDUCATION & RESEARCH	Yes	No	No	USD	07/03/2024	295.00		
			67507	76253	Check	1	1114		Century Link	Yes	No	No	USD	07/03/2024	230.43		
			67517	76254	Check	1	4322		COMPanion Corporation	Yes	No	No	USD	07/03/2024	3,120.00		
			67526	76255	Check	1	7091		Dalco Enterprises	Yes	No	No	USD	07/03/2024	8,415.25		
			67523	76256	Check	1	6496		EDUCATORS BENEFIT CONSULTANTS	Yes	No	No	USD	07/03/2024	136.08		
			67518	76257	Check	1	5072	R1		FRONTLINE TECHNOLOGIES GROUP LI	Yes	No	No	USD	07/03/2024	7,050.88	
			67524	76258	Check	1	6847			General Sprinkler Corporation	Yes	No	No	USD	07/03/2024	390.00	
			67527	76259	Check	1	7219			HIAWATHA VALLEY MENTAL HEALTH	Yes	No	No	USD	07/03/2024	2,718.36	
			67519	76260	Check	1	5693			IXI Learning Inc	Yes	No	No	USD	07/03/2024	8,563.00	
			67516	76261	Check	1	3282			Kennedy & Graven Chartered	Yes	No	No	USD	07/03/2024	2,039.50	
			67514	76262	Check	1	3009			MASP	Yes	No	No	USD	07/03/2024	40.00	
			67508	76263	Check	1	12420			MASSP	Yes	No	No	USD	07/03/2024	640.00	
			67509	76264	Check	1	12495			MINNESOTA SCHOOL BOARDS ASSOC	Yes	No	No	USD	07/03/2024	7,693.00	
			67510	76265	Check	1	12540			MISSISSIPPI WELDERS SUPPLY COMP	Yes	No	No	USD	07/03/2024	163.20	
			67521	76266	Check	1	6222			PowerSchool Group LLC	Yes	No	No	USD	07/03/2024	7,090.00	
			67515	76267	Check	1	3184	Remit			Rochester Telecom Systems, Inc	Yes	No	No	USD	07/03/2024	5.09
			67525	76268	Check	1	6973			rSchool Today/VNN	Yes	No	No	USD	07/03/2024	1,345.00	
			67511	76269	Check	1	18397			SOUTHEAST SERVICE COOPERATIVE	Yes	No	No	USD	07/03/2024	1,750.00	
			67522	76270	Check	1	6223			Teachers' Curriculum Institute (TCI)	Yes	No	No	USD	07/03/2024	289.00	
67513	76271	Check	1	2157			TRUGREEN	Yes	No	No	USD	07/03/2024	5,500.00				
P251CK	0857	001	67540	76273	Check	1	7213		BELANGER, KENNETH	Yes	No	No	USD	07/11/2024	50.00		
			67531	76274	Check	1	2671	R1		CDW-Government	Yes	No	No	USD	07/11/2024	72,000.00	
			67537	76275	Check	1	6496			EDUCATORS BENEFIT CONSULTANTS	Yes	No	No	USD	07/11/2024	136.08	
			67536	76276	Check	1	6158			Innovative Therapy Solutions, LLC	Yes	No	No	USD	07/11/2024	6,255.00	
			67535	76277	Check	1	6018			Kiecker, Jackie	Yes	No	No	USD	07/11/2024	1,380.00	
			67532	76278	Check	1	3038			Lewiston Hardware, LLC	Yes	No	No	USD	07/11/2024	77.95	
			67534	76279	Check	1	4877			MINNESOTA Public Employees Insuran	Yes	No	No	USD	07/11/2024	34,883.44	
			67538	76280	Check	1	6815			Robertson Ryan & Associates, Inc.	Yes	No	No	USD	07/11/2024	7,748.61	
			67529	76281	Check	1	18332			SEMCAC Transportation	Yes	No	No	USD	07/11/2024	552.00	
			67539	76282	Check	1	6958			Twig Education Inc	Yes	No	No	USD	07/11/2024	3,981.78	
67533	76283	Check	1	3996	R1			Voyager Sopris Learning	Yes	No	No	USD	07/11/2024	377.30			
67530	76284	Check	1	1932				WINONA HEATING & VENTILATING Co.	Yes	No	No	USD	07/11/2024	12,857.00			
P2501	0857	001	67557	76285	Check	1	7128		Affinity Plus Credit Union	Yes	No	No	USD	07/15/2024	25.00		
			67553	76286	Check	1	5594			ALTRA FEDERAL CREDIT UNION	Yes	No	No	USD	07/15/2024	25.00	
			67555	76287	Check	1	6406			Ameritas Life Insurance Corp	Yes	No	No	USD	07/15/2024	79.92	
			67551	76288	Check	1	4951			Bremer Bank	Yes	No	No	USD	07/15/2024	375.00	
			67552	76289	Check	1	5100			DELTA DENTAL OF MINNESOTA	Yes	No	No	USD	07/15/2024	1,190.95	
			67554	76290	Check	1	6265			HOME FEDERAL SAVINGS BANK	Yes	No	No	USD	07/15/2024	100.00	
			67556	76291	Check	1	6461			ISD 857 - Flex Plan Checking	Yes	No	No	USD	07/15/2024	577.11	
			67548	76292	Check	1	17090			MADISON NATIONAL LIFE	Yes	No	No	USD	07/15/2024	461.87	

Lewiston-Altura Public Schools Board Bills July 2024

Batch	Co	Bank	Pymt No	Check No	Pay Type	Grp	Code	Rcd	Vendor	Print	Recon	Void	Currency	Pmt/Void Date	Amount
P2501	0857	001	67550	76293	Check	1	4786	R1	Merchants Bank	Yes	No	No	USD	07/15/2024	450.00
			67558	76294	Check	1	7203		WCF - CARDINAL FOUNDATION	Yes	No	No	USD	07/15/2024	93.00
			67549	76295	Check	1	3545		Winona National Bank	Yes	No	No	USD	07/15/2024	160.00
P251CK	0857	001	67576	76296	Check	1	3474		AAA Awards	Yes	No	No	USD	07/18/2024	120.70
			67577	76297	Check	1	3660		ACT	Yes	No	No	USD	07/18/2024	1,082.75
			67570	76298	Check	1	2671	R1	CDW-Government	Yes	No	No	USD	07/18/2024	10,560.00
			67571	76299	Check	1	2707		City of Lewiston	Yes	No	No	USD	07/18/2024	805.58
			67565	76300	Check	1	1366		CUSTOM ALARM	Yes	No	No	USD	07/18/2024	615.00
			67584	76301	Check	1	7089		Dashir Management Services, Inc	Yes	No	No	USD	07/18/2024	15,880.30
			67568	76302	Check	1	2262		EAGLE BLUFF ELC	Yes	No	No	USD	07/18/2024	5,939.43
			67572	76303	Check	1	2952		Eastwood Golf Course	Yes	No	No	USD	07/18/2024	75.00
			67580	76304	Check	1	6465		Ehlers	Yes	No	No	USD	07/18/2024	9,237.50
			67573	76305	Check	1	3174		Excel Images Inc.	Yes	No	No	USD	07/18/2024	273.25
			67569	76306	Check	1	2524	R1	GRAINGER	Yes	No	No	USD	07/18/2024	223.36
			67581	76307	Check	1	6891		Harter's Trash & Recycling Inc	Yes	No	No	USD	07/18/2024	1,516.63
			67574	76308	Check	1	3210		HBC	Yes	No	No	USD	07/18/2024	1,700.59
			67562	76309	Check	1	09110		JOSTENS	Yes	No	No	USD	07/18/2024	14.45
			67575	76310	Check	1	3282		Kennedy & Graven Chartered	Yes	No	No	USD	07/18/2024	250.00
			67583	76311	Check	1	7044		LARKIE, JOHN ROLLINS	Yes	No	No	USD	07/18/2024	65.00
			67563	76312	Check	1	11260		LEWISTON JOURNAL	Yes	No	No	USD	07/18/2024	322.40
			67579	76313	Check	1	5865	R1	Loffler Companies -- 131511	Yes	No	No	USD	07/18/2024	257.40
			67578	76314	Check	1	4712		MINNESOTA UNEMPLOYMENT INSURAI	Yes	No	No	USD	07/18/2024	3,148.51
			67582	76315	Check	1	6946		Northern Hills Golf Course	Yes	No	No	USD	07/18/2024	25.00
			67564	76316	Check	1	1292		PLUNKETTS	Yes	No	No	USD	07/18/2024	1,523.82
			67567	76317	Check	1	1930		PROJECT FINE	Yes	No	No	USD	07/18/2024	68.75
			67566	76318	Check	1	17077		REGION V COMPUTER SERVICES	Yes	No	No	USD	07/18/2024	3,322.50
			67585	76319	Check	1	7244		RP MAT CLUB	Yes	No	No	USD	07/18/2024	100.00
			67586	76320	Check	1	6222		PowerSchool Group LLC	Yes	No	No	USD	07/22/2024	0.09
			67587	76321	Check	1	2671	R1	CDW-Government	Yes	No	No	USD	07/22/2024	2,500.00
			67597	76322	Check	1	2183		B & S Rentals Inc.	Yes	No	No	USD	07/24/2024	480.00
			67603	76323	Check	1	7091		Dalco Enterprises	Yes	No	No	USD	07/24/2024	75.18
			67602	76324	Check	1	7089		Dashir Management Services, Inc	Yes	No	No	USD	07/24/2024	15,825.38
			67595	76325	Check	1	11260		LEWISTON JOURNAL	Yes	No	No	USD	07/24/2024	56.00
			67596	76326	Check	1	12315		M & M LAWN & LEISURE	Yes	No	No	USD	07/24/2024	299.99
			67601	76327	Check	1	5956		MiEnergy Cooperative	Yes	No	No	USD	07/24/2024	12,182.73
			67604	76328	Check	1	7241		MISSION FILTRATION	Yes	No	No	USD	07/24/2024	4,535.06
			67598	76329	Check	1	3263		North Central Truck Equipment	Yes	No	No	USD	07/24/2024	864.29
			67600	76330	Check	1	5804		St. Charles Park/Recreation Dept.	Yes	No	No	USD	07/24/2024	150.00
			67599	76331	Check	1	4448		VERIZON WIRELESS	Yes	No	No	USD	07/24/2024	321.40
			67605	76332	Check	1	6950		Lexia	Yes	No	No	USD	07/24/2024	1,372.00
			67624	76333	Check	1	3831	R1	BLICK ART MATERIALS	Yes	No	No	USD	07/30/2024	1,135.85

Lewiston-Altura Public Schools Board Bills July 2024

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P251CK	0857	001	67620	76334	Check	1	06170		GEYER INSTRUCTIONAL PRODUCTS	Yes	No	No	USD	07/30/2024	83.95
			67625	76335	Check	1	4085		IEA, INC	Yes	No	No	USD	07/30/2024	114.38
			67631	76336	Check	1	7155		MIERAU MARIE	Yes	No	No	USD	07/30/2024	243.08
			67626	76337	Check	1	4877		MINNESOTA Public Employees Insuran	Yes	No	No	USD	07/30/2024	34,206.84
			67621	76338	Check	1	12447		MREA	Yes	No	No	USD	07/30/2024	1,743.00
			67629	76339	Check	1	6514		Peterson, Christine	Yes	No	No	USD	07/30/2024	1,940.00
			67622	76340	Check	1	17058		Read Naturally Inc.	Yes	No	No	USD	07/30/2024	2,116.00
			67623	76341	Check	1	19062		THREE RIVERS CONFERENCE	Yes	No	No	USD	07/30/2024	1,639.85
			67628	76342	Check	1	6367		TriState Tournaments	Yes	No	No	USD	07/30/2024	1,556.00
			67630	76343	Check	1	6833		Turnitin, LLC	Yes	No	No	USD	07/30/2024	2,359.80
			67627	76344	Check	1	6012		VOCABULARY SPELLING CITY	Yes	No	No	USD	07/30/2024	121.00
	0857	001	67646	76345	Check	1	7128		Affinity Plus Credit Union	Yes	No	No	USD	07/31/2024	25.00
			67641	76346	Check	1	5594		ALTRA FEDERAL CREDIT UNION	Yes	No	No	USD	07/31/2024	25.00
			67643	76347	Check	1	6406		Ameritas Life Insurance Corp	Yes	No	No	USD	07/31/2024	79.92
			67639	76348	Check	1	4951		Bremer Bank	Yes	No	No	USD	07/31/2024	375.00
			67640	76349	Check	1	5100		DELTA DENTAL OF MINNESOTA	Yes	No	No	USD	07/31/2024	1,190.95
			67642	76350	Check	1	6265		HOME FEDERAL SAVINGS BANK	Yes	No	No	USD	07/31/2024	100.00
			67644	76351	Check	1	6461		ISD 857 - Flex Plan Checking	Yes	No	No	USD	07/31/2024	577.11
			67633	76352	Check	1	1663		LACRESCENT HIGH SCHOOL	Yes	No	No	USD	07/31/2024	0.00
			67634	76353	Check	1	17090		MADISON NATIONAL LIFE	Yes	No	No	USD	07/31/2024	461.87
			67635	76354	Check	1	17090		MADISON NATIONAL LIFE	Yes	No	No	USD	07/31/2024	505.89
			67636	76355	Check	1	17090		MADISON NATIONAL LIFE	Yes	No	No	USD	07/31/2024	505.89
			67638	76356	Check	1	4786	R1	Merchants Bank	Yes	No	No	USD	07/31/2024	450.00
			67645	76357	Check	1	6711		Paper101	Yes	No	No	USD	07/31/2024	10,474.24
			67647	76358	Check	1	7203		WCF - CARDINAL FOUNDATION	Yes	No	No	USD	07/31/2024	93.00
			67637	76359	Check	1	3545		Winona National Bank	Yes	No	No	USD	07/31/2024	160.00
Bank Total: 001														\$409,471.96	
Report Total:														\$409,471.96	

Lewiston-Altura Public Schools Multi Year Guide Obj Series

Sequence: Fd, O/S, Org, Pro, Crs, Fin

Description	202313			202413			202501		
	Budget 23REV	Year to Date	%	Budget 2REV	Year to Date	%	Budget 25ADP	Year to Date	%
01 General									
100 Salaries & Wages	5,121,079.56	4,988,043.03	97%	4,694,589.00	4,894,163.93	104%	4,835,891.00	654,873.19	14%
200 Employee Benefits	1,383,286.32	1,334,937.35	97%	1,344,727.00	1,292,415.10	96%	1,182,974.00	181,965.22	15%
300 Purchased Services	1,529,536.00	1,706,698.68	112%	1,846,828.00	1,831,981.99	99%	1,817,326.00	91,924.88	5%
400 Supplies & Materials	518,595.32	474,908.07	92%	520,672.00	447,062.91	86%	314,145.00	140,374.67	45%
500 Capital Expenditures	361,981.75	376,675.59	104%	410,776.00	290,346.56	71%	396,231.00	0.00	0%
700 Debt Service	0.00	0.00	0%	2,500.00	2,500.00	100%	2,500.00	0.00	0%
800 Other Expenditures	49,224.00	82,872.79	168%	54,476.00	38,817.44	71%	43,360.00	13,080.34	30%
01 General	8,963,702.95	8,964,135.51	100%	8,874,568.00	8,797,287.93	99%	8,592,427.00	1,082,218.30	13%
02 Food Service									
100 Salaries & Wages	191,695.00	203,229.14	106%	189,368.00	185,521.64	98%	215,881.00	27,863.38	13%
200 Employee Benefits	0.00	69,467.75	0%	69,801.00	62,079.68	89%	64,851.00	9,820.22	15%
300 Purchased Services	11,150.00	8,520.75	76%	11,700.00	4,901.83	42%	5,400.00	0.00	0%
400 Supplies & Materials	235,000.00	292,100.21	124%	323,309.00	258,503.95	80%	306,809.00	(1,954.96)	(1%)
500 Capital Expenditures	4,300.00	4,209.15	98%	15,000.00	34,123.68	227%	0.00	0.00	0%
800 Other Expenditures	3,000.00	2,956.00	99%	2,000.00	1,829.35	91%	2,000.00	0.00	0%
02 Food Service	445,145.00	580,483.00	130%	611,178.00	546,960.13	89%	594,941.00	35,728.64	6%
04 Community Education									
100 Salaries & Wages	328,035.92	322,481.41	98%	313,960.00	303,294.67	97%	329,395.00	49,572.06	15%
200 Employee Benefits	67,490.37	63,151.73	94%	66,136.00	72,046.02	109%	78,717.00	11,273.58	14%
300 Purchased Services	16,210.00	11,454.32	71%	11,850.00	3,245.68	27%	3,600.00	331.00	9%
400 Supplies & Materials	34,807.29	36,209.60	104%	38,878.00	24,972.96	64%	30,878.00	2,328.73	8%
04 Community Education	446,543.58	433,297.06	97%	430,824.00	403,559.33	94%	442,590.00	63,505.37	14%
06 Bldg Construction									
300 Purchased Services	0.00	0.00	0%	0.00	0.00	0%	0.00	390.00	0%
06 Bldg Construction	0.00	0.00	0%	0.00	0.00	0%	0.00	390.00	0%
07 Debt									
700 Debt Service	498,150.00	498,575.00	100%	507,425.00	507,425.00	100%	721,325.00	59,325.00	8%
07 Debt	498,150.00	498,575.00	100%	507,425.00	507,425.00	100%	721,325.00	59,325.00	8%
30 Student Activity									
300 Purchased Services	79,415.50	66,566.47	84%	72,400.00	72,066.07	100%	80,500.00	9,287.92	12%

**Lewiston-Altura Public Schools
Multi Year Guide Obj Series**

Sequence: Fd, O/S, Org, Pro, Crs, Fin

Description	202313			202413			202501		
	Budget 23REV	Year to Date	%	Budget 2REV	Year to Date	%	Budget 25ADP	Year to Date	%
30 Student Activity									
400 Supplies & Materials	48,842.13	42,501.90	87%	61,850.00	70,972.91	115%	69,850.00	3,668.55	5%
500 Capital Expenditures	15,000.00	1,744.74	12%	0.00	0.00	0%	0.00	0.00	0%
800 Other Expenditures	1,506.00	1,506.00	100%	500.00	545.95	109%	500.00	0.00	0%
30 Student Activity	144,763.63	112,319.11	78%	134,750.00	143,584.93	107%	150,850.00	12,956.47	9%
Report Totals:	10,498,305.16	10,588,809.68	101%	10,558,745.00	10,398,817.32	98%	10,502,133.00	1,254,123.78	12%

Lewiston-Altura Public Schools July 2024 Wire Payments

Bank	Batch	Pmt No	Check No	Pay Type	Grp	Code	Rcd	Vendor	Tax Class	Print	Recon	Pay/Void		Amount
												Void	Date	
001	P2501P	67528		Wire	1	5546		VISA		No	No	No	07/10/2024	487.00
001	P2501	67541		Wire	1	1053		MINNESOTA ELECTRONIC FUNDS		No	No	No	07/15/2024	6,709.09
001	P2501	67542		Wire	1	1054		FEDERAL TAXES		No	No	No	07/15/2024	42,758.35
001	P2501	67543		Wire	1	18600		MINNESOTA TEACHERS RETIREMENT AS		No	No	No	07/15/2024	27,036.77
001	P2501	67544		Wire	1	18610		Public Employers Retirement Association		No	No	No	07/15/2024	5,857.84
001	P2501	67545		Wire	1	4373		ING		No	No	No	07/15/2024	2,213.34
001	P2501	67546		Wire	1	6283		MinnWest Bank Group		No	No	No	07/15/2024	255.33
001	P2501	67547		Wire	1	6496		EDUCATORS BENEFIT CONSULTANTS	LLC - Partnership	No	No	No	07/15/2024	6,622.92
001	P2501P	67559		Wire	1	5546		VISA		No	No	No	07/16/2024	2,489.56
001	P251CK	67560		Wire	1	7243		Department of Treasury Internal Revenue		No	No	No	07/16/2024	116.99
001	P501AM	67561		Wire	1	3128	R1	Amazon Capital Services		No	No	No	07/17/2024	365.38
001	PME501	67594		Wire	1	3571		MINNESOTA ENERGY RESOURCES	Other	No	No	No	07/24/2024	1,193.45
001	P2502	67606		Wire	1	1053		MINNESOTA ELECTRONIC FUNDS		No	No	No	07/31/2024	5,337.06
001	P2502	67607		Wire	1	1054		FEDERAL TAXES		No	No	No	07/31/2024	34,544.29
001	P2502	67608		Wire	1	18600		MINNESOTA TEACHERS RETIREMENT AS		No	No	No	07/31/2024	24,426.58
001	P2502	67609		Wire	1	18610		Public Employers Retirement Association		No	No	No	07/31/2024	3,410.09
001	P2502	67610		Wire	1	4373		ING		No	No	No	07/31/2024	2,113.34
001	P2502	67611		Wire	1	6283		MinnWest Bank Group		No	No	No	07/31/2024	30.00
001	P2502	67612		Wire	1	6496		EDUCATORS BENEFIT CONSULTANTS	LLC - Partnership	No	No	No	07/31/2024	5,348.75
001	P2502	67613		Wire	1	1053		MINNESOTA ELECTRONIC FUNDS		No	No	No	07/31/2024	1,501.03
001	P2502	67614		Wire	1	1054		FEDERAL TAXES		No	No	No	07/31/2024	8,968.11
001	P2502	67615		Wire	1	18600		MINNESOTA TEACHERS RETIREMENT AS		No	No	No	07/31/2024	3,586.62
001	P2502	67616		Wire	1	18610		Public Employers Retirement Association		No	No	No	07/31/2024	2,228.62
001	P2502	67617		Wire	1	4373		ING		No	No	No	07/31/2024	100.00
001	P2502	67618		Wire	1	6283		MinnWest Bank Group		No	No	No	07/31/2024	225.33
001	P2502	67619		Wire	1	6496		EDUCATORS BENEFIT CONSULTANTS	LLC - Partnership	No	No	No	07/31/2024	1,274.17
001	P251CK	67632		Wire	1	5631	R1	BSN Sports, LLC		No	No	No	07/30/2024	1,550.23
													Bank Total:	\$190,750.24
													Report Total:	\$190,750.24

Adopted: _____

MSBA/MASA Model Policy 102

Orig. 1995

Revised: _____

Rev. 2024~~3~~

102 EQUAL EDUCATIONAL OPPORTUNITY

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

I. PURPOSE

The purpose of this policy is to ensure that equal educational opportunity is provided for all students of the school district.

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to provide equal educational opportunity for all students. The school district does not ~~unlawfully~~ discriminate on the basis of one or more of the following: race, color, creed, religion, national origin, sex, marital status, parental status, status with regard to public assistance, disability, sexual orientation, including gender identity and expression, or age. The school district also makes reasonable accommodation for students with disabilities.
- B. The school district prohibits harassment and discrimination of any individual based on any of the protected classifications listed above. For information about the types of conduct that constitute violation of the school district's policy on harassment and violence and the school district's procedures for addressing such complaints, refer to the school district's policy on harassment and violence (Policy 413).
- C. The school district prohibits discrimination of students with a disability, within the intent of Section 504 of the Rehabilitation Act of 1973 ("Section 504"), who need services, accommodations, or programs in order to receive a free appropriate public education. For information as to protections that may apply pursuant to Section 504 and the school district's corresponding procedures for addressing disability discrimination complaints, refer to the school district's policy on student disability nondiscrimination (Policy 521).
- D. The school district prohibits sexual harassment discrimination of any individual on the basis of sex in its education programs or activities. For information as to the protections that apply pursuant to Title IX and school district's corresponding procedures and processes for addressing sexual harassment and discrimination, refer to the school district's policy on Title IX sex nondiscrimination (Policy 522).
- E. The school district shall provide equal opportunity for members of each sex and to members of all races and ethnicities to participate in its athletic program. In determining whether equal opportunity to participate in athletic programs is available for the purposes of this law, at least the following factors shall be considered to the extent that they are applicable to a given situation: whether the opportunity for males and females to participate in the athletic program reflects the demonstrated interest in athletics of the males and females in the student body of the educational institution; whether the opportunity for members of all races and ethnicities to participate in the athletic program reflects the demonstrated interest in athletics of members of all races and ethnicities in the student body of the educational institution; whether the variety and selection of sports and levels of competition effectively accommodate the demonstrated interests of members of each sex; whether the variety and selection of sports and levels of

competition effectively accommodate the demonstrated interests of members of all races and ethnicities; the provision of equipment and supplies; scheduling of games and practice times; assignment of coaches; provision of locker rooms; practice and competitive facilities; and the provision of necessary funds for teams of one sex.

- F. This policy applies to all areas of education including academics, coursework, co-curricular and extracurricular activities, or other rights or privileges of enrollment.
- G. Every school district employee shall be responsible for complying with this policy.
- H. Any student, parent, or guardian having a question regarding this policy should discuss it with the appropriate school district official as provided by policy. In the absence of a specific designee, an inquiry or a complaint should be referred to the superintendent.

Legal References: Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)
Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. § 1681 *et seq.* (Title IX of the Education Amendments of 1972)
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

Cross References: MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination Policy, Grievance Procedure and Process)

Adopted: _____

MSBA/MASA Model Policy 207

Orig. 1995

Revised: _____

Rev. 202422

207 PUBLIC HEARINGS

I. PURPOSE

The school board recognizes the importance of obtaining public input on matters properly before the school board during a public hearing. The purpose of this policy is to establish procedures to efficiently receive public input.

II. GENERAL STATEMENT OF POLICY

For the school board to efficiently receive public input on matters properly before the school board, the school board establishes the procedures set forth in this policy are established.

III. PROCEDURES

A. Public Hearings

Public hearings are required by law concerning certain issues, including but not limited to, school closings (Minnesota Statutes, section 123B.51), education district establishment (Minnesota Statutes, section 123A.15), and agreements for secondary education (Minnesota Statutes, section 123A.30). Additionally, other public hearings may be held by the school board on school district matters at the school board's discretion.

B. Notice of Public Hearings

Public notice of a public hearing required by law shall be given as provided by the enabling legislation. Public notice of other hearings shall be given in the manner required for a regular meeting if held in conjunction with a regular meeting, in the manner required for a special meeting if held in conjunction with a special meeting, or as otherwise determined by the school board.

C. Public Participation

The school board retains the right to require that those in attendance at a public hearing indicate their desire to address the school board and complete and file with the clerk of the school board an appropriate request card prior to commencement of the hearing if the school board utilizes this procedure. In that case, any request to address the school board after the commencement of the hearing will be granted only at the school board's discretion.

1. **Format of Request:** If required by the school board, a written request of an individual or a group to address the school board shall contain the name ~~and address~~ of the person or group seeking to address the school board. It shall also contain the name of the group represented, if any, and a brief statement of the subject to be covered or the issue to be addressed.

[NOTE: The word 'address' is removed here to align this provision with the removal of 'address' from Model Policy 206.]

2. Time Limitation: The school board retains the discretion to limit the time for each presentation as needs dictate.
3. Groups: The school board retains the discretion to require that any group of persons who desire to address the school board designate one representative or spokesperson. If the school board requires designation of a representative or spokesperson, no other person in the group will be recognized to address the school board, except as the school board otherwise determines.
4. Privilege to Speak: A school board member should direct remarks or questions through the chair. Only those speakers recognized by the chair will be allowed to speak. Comments by others are out of order. Individuals who interfere with or interrupt speakers, the school board, or the proceedings may be directed to leave.
5. Personal Attacks: Personal attacks by anyone addressing the school board are unacceptable. Persistence in such remarks by an individual shall terminate that person's privilege to address the school board.
6. Limitations on Participation: Depending upon the number of persons in attendance seeking to be heard, the school board reserves the right to impose such other limitations and restrictions as necessary to provide an orderly, efficient, and fair opportunity to be heard.

Legal References:

Minn. Stat. § 123A.15 (Establishing Education Districts)

Minn. Stat. § 123A.30 (Agreements for Secondary Education)

Minn. Stat. § 123B.51 (School houses and Sites; Uses for School and Nonschool Purposes; Closings)

Cross References:

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

Adopted: _____

MSBA/MASA Model Policy 207

Orig. 1995

Revised: _____

Rev. 202422

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C. Public Participation

The school board retains the right to require that those in attendance at a public hearing indicate their desire to address the school board and complete and file with the clerk of the school board an appropriate request card prior to commencement of the hearing if the school board utilizes this procedure. In that case, any request to address the school board after the commencement of the hearing will be granted only at the school board's discretion.

1. **Format of Request:** If required by the school board, a written request of an individual or a group to address the school board shall contain the name ~~and address~~ of the person or group seeking to address the school board. It shall also contain the name of the group represented, if any, and a brief statement of the subject to be covered or the issue to be addressed.

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6. Limitations on Participation: Depending upon the number of persons in attendance seeking to be heard, the school board reserves the right to impose such other limitations and restrictions as necessary to provide an orderly, efficient, and fair opportunity to be heard.

Legal References:

Minn. Stat. § 123A.15 (Establishing Education Districts)
 Minn. Stat. § 123A.30 (Agreements for Secondary Education)
 Minn. Stat. § 123B.51 (School houses and Sites; Uses for School and Nonschool Purposes; Closings)

Cross References:

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

Adopted: _____

MSBA/MASA Model Policy 413

Orig. 1995

Revised: _____

Rev. 2024~~3~~

413 HARASSMENT AND VIOLENCE

[NOTE: ~~State law (Minnesota Statutes, section 121A.03)~~ requires that school districts adopt a sexual, religious, and racial harassment and violence policy that conforms with the Minnesota Human Rights Act, Minnesota Statutes, chapter 363A (MHRA). This policy complies with that statutory requirement and addresses the other classifications protected by the MHRA and/or federal law. While the recommendation is that school districts incorporate the other protected classifications, in addition to sex, religion, and race, into this policy, they are not specifically required to do so by Minnesota Statutes, section 121A.03. The Minnesota Department of Education (MDE) is required to maintain and make available a model sexual, religious, and racial harassment policy in accordance with Minnesota Statutes, section 121A.03. MDE's policy differs from that of MSBA and imposes greater requirements upon school districts than required by law. For that reason, MSBA recommends the adoption of its model policy by school districts. Each school board must submit a copy of the policy the board has adopted to the Commissioner of MDE.]

I. PURPOSE

The purpose of this policy is to maintain a learning and working environment free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability (Protected Class).

II. GENERAL STATEMENT OF POLICY

- A. The policy of the school district is to maintain a learning and working environment free from harassment and violence on the basis of Protected Class. The school district prohibits any form of harassment or violence on the basis of Protected Class.
- B. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel harasses a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel through conduct or communication based on a person's Protected Class, as defined by this policy. (For purposes of this policy, school district personnel include school board members, school employees, agents, volunteers, contractors, or persons subject to the supervision and control of the district.)
- C. A violation of this policy occurs when any student, teacher, administrator, or other school district personnel inflicts, threatens to inflict, or attempts to inflict violence upon any student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel based on a person's Protected Class.
- D. The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence based on a person's Protected Class, and to discipline or take appropriate action against any student, teacher, administrator, or other school district personnel found to have violated this policy.

III. DEFINITIONS

- A. "Assault" is:
1. an act done with intent to cause fear in another of immediate bodily harm or death;
 2. the intentional infliction of or attempt to inflict bodily harm upon another; or
 3. the threat to do bodily harm to another with present ability to carry out the threat.
- B. "Harassment" prohibited by this policy consists of physical or verbal conduct, including, but not limited to, electronic communications, relating to an individual's or group of individuals' race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, including gender identity or expression, or disability, when the conduct:
1. has the purpose or effect of creating an intimidating, hostile, or offensive working or academic environment;
 2. has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance; or
 3. otherwise adversely affects an individual's employment or academic opportunities.

[NOTE: In 2023, the Minnesota legislature amended the definition of "sexual orientation" in the Minnesota Human Rights Act as reflected in subpart 6 below. A charter school board may choose whether to retain the phrase "including gender identity or expression" in light of the legislative amendment.]

- C. "Immediately" means as soon as possible but in no event longer than 24 hours.
- D. Protected Classifications; Definitions
1. "Disability" means, with respect to an individual who
 - a. a physical sensory or mental impairment that materially limits one or more major life activities of such individual;
 - b. has a record of such an impairment; or
 - c. is regarded as having such an impairment.
 2. "Familial status" means the condition of one or more minors ~~being domiciled with having legal status or custody with:~~
 - a. ~~their~~ minor's parent or parents or the minor's legal guardian or guardians; or
 - b. the designee of the parent or parents or guardian or guardians with the written permission of the parent or parents or guardian or guardians. Familial status also means residing with and caring for one or more individuals who lack the ability to meet essential requirements for physical health, safety, or self-care because the individual or individuals are unable to receive and evaluate information or make or communicate decisions. The protections afforded against harassment or discrimination on the basis of family status apply to any person who is pregnant or is in the process of securing legal custody of an individual who has not attained the age of majority.

[NOTE: The 2024 Minnesota legislature revised the definition of "familial status"].

3. "Marital status" means whether a person is single, married, remarried, divorced, separated, or a surviving spouse and, in employment cases, includes protection against harassment or discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse.
4. "National origin" means the place of birth of an individual or of any of the individual's lineal ancestors.
5. "Sex" includes, but is not limited to, pregnancy, childbirth, and disabilities related to pregnancy or childbirth.
6. "Sexual orientation" means to whom someone is, or is perceived of as being, emotionally, physically, or sexually attracted to based on sex or gender identity. A person may be attracted to men, women, both, neither, or to people who are genderqueer, androgynous, or have other gender identities.

[NOTE: The 2023 Minnesota legislature redefined 'sexual orientation' in the Minnesota Human Rights Act.]

7. "Status with regard to public assistance" means the condition of being a recipient of federal, state, or local assistance, including medical assistance, or of being a tenant receiving federal, state, or local subsidies, including rental assistance or rent supplements.
- E. "Remedial response" means a measure to stop and correct acts of harassment or violence, prevent acts of harassment or violence from recurring, and protect, support, and intervene on behalf of a student who is the target or victim of acts of harassment or violence.

F. Sexual Harassment; Definition

1. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:
 - a. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or an education; or
 - b. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
 - c. that conduct or communication has the purpose or effect of substantially interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or educational environment.
2. Sexual harassment may include, but is not limited to:
 - a. unwelcome verbal harassment or abuse;
 - b. unwelcome pressure for sexual activity;
 - c. unwelcome, sexually motivated, or inappropriate patting, pinching, or

physical contact, other than necessary restraint of student(s) by teachers, administrators, or other school district personnel to avoid physical harm to persons or property;

- d. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's employment or educational status;
- e. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status; or
- f. unwelcome behavior or words directed at an individual because of sexual orientation, including gender identity or expression.

G. Sexual Violence; Definition

- 1. Sexual violence is a physical act of aggression or force or the threat thereof that involves the touching of another's intimate parts or forcing a person to touch any person's intimate parts. Intimate parts, as defined in Minnesota Statutes, section 609.341, includes the primary genital area, groin, inner thigh, buttocks, or breast, as well as the clothing covering these areas.
- 2. Sexual violence may include, but is not limited to:
 - a. touching, patting, grabbing, or pinching another person's intimate parts
 - b. coercing, forcing, or attempting to coerce or force the touching of anyone's intimate parts;
 - c. coercing, forcing, or attempting to coerce or force sexual intercourse or a sexual act on another; or
 - d. threatening to force or coerce sexual acts, including the touching of intimate parts or intercourse, on another.

H. Violence; Definition

Violence prohibited by this policy is a physical act of aggression or assault upon another or group of individuals because of, or in a manner reasonably related to an individual's Protected Class.

IV. REPORTING PROCEDURES

- A. Any person who believes he or she has been the target or victim of harassment or violence on the basis of Protected Class by a student, teacher, administrator, or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator, or other school district personnel or group of students, teachers, administrators, or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct that may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

- B. The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available from the school district office, but oral reports shall be considered complaints as well.
- C. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.
- D. In Each School Building. The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receives a report of harassment or violence prohibited by this policy shall inform the building report taker immediately. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its procedures, practices, consequences, and sanctions are fairly and fully implemented and shall serve as a primary contact on policy and procedural matters.
- E. A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.
- F. Upon receipt of a report, the building report taker must notify the school district human rights officer immediately, without screening or investigating the report. The building report taker may request, but may not insist upon, a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the building report taker to the human rights officer. If the report was given verbally, the building report taker shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein may result in disciplinary action against the building report taker.
- G. In the District. The school board hereby designates _____ as the school district human rights officer(s) to receive reports or complaints of harassment or violence prohibited by this policy. If the complaint involves a human rights officer, the complaint shall be filed directly with the superintendent.¹
- H. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers.
- I. Submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment.

¹ In some school districts the superintendent may be the human rights officer. If so, an alternative individual should be designated by the school board.

- J. Use of formal reporting forms is not mandatory.
- K. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law.
- L. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.
- M. Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited.
- N. False accusations or reports of violence or harassment against another person are prohibited.
- O. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion.

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

Consequences for other individuals engaging in prohibited acts of violence or harassment may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts.

V. INVESTIGATION

- A. By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy, shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district.
- B. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- C. In determining whether alleged conduct constitutes a violation of this policy, the school district should consider the surrounding circumstances, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all the facts and surrounding circumstances.
- D. In addition, the school district may take immediate steps, at its discretion, to protect the target or victim, the complainant, and students, teachers, administrators, or other

school district personnel pending completion of an investigation of alleged harassment or violence prohibited by this policy.

- E. The alleged perpetrator of the act(s) of harassment or violence shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.
- F. The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

VI. SCHOOL DISTRICT ACTION

- A. Upon completion of an investigation that determines a violation of this policy has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law, and applicable school district policies and regulations.
- B. The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the targets or victims and alleged perpetrators of harassment or violence, the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.
- C. In order to prevent or respond to acts of harassment or violence committed by or directed against a child with a disability, the school district shall, where determined appropriate by the child's individualized education program (IEP) or Section 504 team, allow the child's IEP or Section 504 plan to be drafted to address the skills and proficiencies the child needs as a result of the child's disability to allow the child to respond to or not to engage in acts of harassment or violence.

VII. RETALIATION OR REPRISAL

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

VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

These procedures do not deny the right of any individual to pursue other avenues of recourse

which may include filing charges with the Minnesota Department of Human Rights or another state or federal agency, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

IX. HARASSMENT OR VIOLENCE AS ABUSE

- A. Under certain circumstances, alleged harassment or violence may also be possible abuse under Minnesota law. If so, the duties of mandatory reporting under Minnesota Statutes, chapter 260E may be applicable.
- B. Nothing in this policy will prohibit the school district from taking immediate action to protect victims of alleged harassment, violence, or abuse.

X. DISSEMINATION OF POLICY AND TRAINING

- A. This policy shall be conspicuously posted throughout each school building in areas accessible to students and staff members.
- B. This policy shall be given to each school district employee and independent contractor who regularly interacts with students at the time of initial employment with the school district.
- C. This policy shall appear in the student handbook.
- D. The school district will develop a method of discussing this policy with students and employees.
- E. The school district may implement violence prevention and character development education programs to prevent and reduce policy violations. Such programs may offer instruction on character education including, but not limited to, character qualities such as attentiveness, truthfulness, respect for authority, diligence, gratefulness, self-discipline, patience, forgiveness, respect for others, peacemaking, resourcefulness, and/or sexual abuse prevention.
- F. This policy shall be reviewed at least annually for compliance with state and federal law.

Legal References: Minn. Stat. § 120B.232 (Character Development Education)
Minn. Stat. § 120B.234 (Child Sexual Abuse Prevention Education)
Minn. Stat. § 121A.03, Subd. 2 (Sexual, Religious, and Racial Harassment and Violence Policy)
Minn. Stat. § 121A.031 (School Student Bullying Policy)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
Minn. Stat. § 609.341 (Definitions)
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments of 1972)
29 U.S.C. § 621 *et seq.* (Age Discrimination in Employment Act)
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act of 1973)
42 U.S.C. § 1983 (Civil Action for Deprivation of Rights)
42 U.S.C. § 2000d *et seq.* (Title VI of the Civil Rights Act of 1964)
42 U.S.C. § 2000e *et seq.* (Title VII of the Civil Rights Act)
42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

Cross References: MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
MSBA/MASA Model Policy 401 (Equal Employment Opportunity)
MSBA/MASA Model Policy 402 (Disability Nondiscrimination Policy)

MSBA/MASA Model Policy 403 (Discipline, Suspension, and Dismissal of School District Employees)
MSBA/MASA Model Policy 406 (Public and Private Personnel Data)
MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 514 (Bullying Prohibition Policy)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 521 (Student Disability Nondiscrimination)
MSBA/MASA Model Policy 522 (Title IX Sex Nondiscrimination, Grievance Procedures and Process)
MSBA/MASA Model Policy 524 (Internet Acceptable Use and Safety Policy)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 526 (Hazing Prohibition)
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

Adopted: _____

MSBA/MASA Model Policy 416

Orig. 1995

Revised: _____

Rev. 2024~~3~~ (Dec.)

416 DRUG, ALCOHOL, AND CANNABIS TESTING

[NOTE: Drug, alcohol, and cannabis testing of school bus drivers and **driver applicants is mandatory under federal law. The mandatory testing is described under Part III. of the policy. Drug and alcohol testing of other employees or drug and alcohol testing of school bus drivers beyond that mandated by federal law is optional and can be done under state law only if a policy containing provisions, such as the provisions of Part IV. of this policy, is adopted. Cannabis testing of school employees and school bus drivers shall conform to federal and Minnesota law. To preserve the right to request or require school district employees who are not bus drivers and applicants to undergo cannabis testing or 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, alcohol, and cannabis use in society in general, and the public schools in particular. The school board further recognizes the important contribution that the public schools have in shaping the youth of today into the adults of tomorrow.
- B. The school board believes that a work environment free of drug, alcohol, and cannabis use will be not only safer, healthier, and more productive but also more conducive to effective learning. To provide such an environment, the purpose of this policy is to provide authority so that the school board may require all employees and/or job applicants to submit to drug, alcohol, and cannabis testing in accordance with the provisions of this policy and as provided in federal law and Minnesota Statutes, sections 181.950-181.957.

II. GENERAL STATEMENT OF POLICY

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

prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of drugs that are not medically prescribed are prohibited from entering or remaining on school district property.

- D. The use, possession, sale, purchase, transfer, or dispensing of alcohol or cannabis is prohibited on school district property (which includes school district vehicles), while operating school district vehicles or equipment, and at any school-sponsored program or event. Use of alcohol or cannabis is also prohibited throughout the school or work day, including lunch or other breaks, whether or not the employee is on or off school district property. Employees under the influence of alcohol or cannabis are prohibited from entering or remaining on school district property.
- E. Any employee who violates this section shall be subject to discipline that includes, but is not limited to, immediate suspension without pay and immediate discharge.
- F. The school district may discipline, discharge, or take other adverse personnel action against an employee for cannabis flower, cannabis product, lower-potency hemp edible, or hemp-derived consumer product use, possession, impairment, sale, or transfer while an employee is working, on school district premises, or operating a school district vehicle, machinery, or equipment as follows:
 - 1. if, as the result of consuming cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product, the employee does not possess that clearness of intellect and control of self that the employee otherwise would have;
 - 2. if cannabis testing verifies the presence of cannabis flower, a cannabis product, a lower-potency hemp edible, or a hemp-derived consumer product following a confirmatory test;
 - 3. as provided in the school district's written work rules for cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products and cannabis testing, provided that the rules are in writing and in a written policy that contains the minimum information required by [Minnesota Statutes](#), section 181.952; or
 - 4. as otherwise authorized or required under state or federal law or regulations, or if a failure to do so would cause the school district to lose a monetary or licensing-related benefit under federal law or regulations.

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

A. General Statement of Policy

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

B. Definitions

- 1. "Actual Knowledge" means actual knowledge by the school district that a driver has used alcohol or controlled substances based on: (a) direct observation of

the employee's use (not observation of behavior sufficient to warrant reasonable suspicion testing); (b) information provided by a previous employer; (c) a traffic citation; or (d) an employee's admission, except when made in connection with a qualified employee self-admission program.

2. "Alcohol Screening Device" (ASD) means a breath or saliva device, other than an Evidential Breath Testing Device (EBT), that is approved by the National Highway Traffic Safety Administration and placed on its Conforming Products List for such devices.
3. "Breath Alcohol Technician" (BAT) means an individual who instructs and assists individuals in the alcohol testing process and who operates the EBT.
4. "Commercial Motor Vehicle" (CMV) includes a vehicle that is designed to transport 16 or more passengers, including the driver.
5. "Designated Employer Representative" (DER) means an employee authorized by the school district to take immediate action to remove employees from safety-sensitive duties, or cause employees to be removed from these covered duties, and to make required decisions in the testing and evaluation process. The DER receives test results and other communications for the school district.
6. "Department of Transportation" (DOT) means United States Department of Transportation.
7. "Direct Observation" means observation of alcohol or controlled substances use and does not include observation of employee behavior or physical characteristics sufficient to warrant reasonable suspicion testing.
8. "Driver" is any person who operates a CMV, including full-time, regularly employed drivers, casual, intermittent, or occasional drivers, leased drivers, and independent owner-operator contractors.
9. "Evidential Breath Testing Device" (EBT) means a device approved by the National Highway Traffic Safety Administration for the evidentiary testing of breath for alcohol concentration and placed on its Conforming Products List for such devices.
10. "Licensed Medical Practitioner" means a person who is licensed, certified, and/or registered, in accordance with applicable Federal, State, local, or foreign laws and regulations, to prescribe controlled substances and other drugs.
11. "Medical Review Officer" (MRO) means a licensed physician responsible for receiving and reviewing laboratory results generated by the school district's drug testing program and for evaluating medical explanations for certain drug tests.
12. "Refusal to Submit" (to an alcohol or controlled substances test) means that a driver: (a) fails to appear for any test within a reasonable time, as determined by the school district, consistent with applicable DOT regulations, after being directed to do so; (b) fails to remain at the testing site until the testing process is complete; (c) fails to provide a urine specimen or an adequate amount of saliva or breath for any DOT drug or alcohol test; (d) fails to permit the observation or monitoring of the driver's provision of a specimen in the case of a directly observed or monitored collection in a drug test; (e) fails to provide a sufficient breath specimen or sufficient amount of urine when directed and a

determination has been made that no adequate medical explanation for the failure exists; (f) fails or declines to take an additional test as directed by the school district or the collector; (g) fails to undergo a medical examination or evaluation, as directed by the MRO or the DER; (h) fails to cooperate with any part of the testing process (e.g., refuses to empty pockets when so directed by the collector, behaves in a confrontational way that disrupts the collection process, fails to wash hands after being directed to do so by the collector, fails to sign the certification on the forms); (i) fails to follow the observer's instructions, in an observed collection, to raise the driver's clothing above the waist, lower clothing and underpants, and to turn around to permit the observer to determine if the driver has any type of prosthetic or other device that could be used to interfere with the collection process; (j) possesses or wears a prosthetic or other device that could be used to interfere with the collection process; (k) admits to the collector or MRO that the driver adulterated or substituted the specimen; or (l) is reported by the MRO as having a verified adulterated or substituted test result. An applicant who fails to appear for a pre-employment test, who leaves the testing site before the pre-employment testing process commences, or who does not provide a urine specimen because he or she has left before it commences is not deemed to have refused to submit to testing.

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

C. Policy and Educational Materials

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

1. The school district shall provide a copy of this policy and procedures to each driver prior to the start of its alcohol and drug testing program and to each driver subsequently hired or transferred into a position requiring driving of a CMV.

2. The school district shall provide to each driver information required under Title 49 of the Code of Federal Regulations, including information concerning the effects of alcohol and controlled substances use on an individual's health, work, and personal life; signs and symptoms of an alcohol or controlled substance problem (the driver's or a coworker's); and available methods of intervening when an alcohol or controlled substance problem is suspected, including confrontation, referral to an employee assistance program, and/or referral to management.
3. The school district shall provide written notice to representatives of employee organizations that the information described above is available.
4. The school district shall require each driver to sign a statement certifying that the driver received a copy of the policy and materials. This statement should be in the form of Attachment A to this policy. The school district will maintain the original signed certificate and will provide a copy to the driver if the driver so requests.

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

D. Alcohol and Controlled Substances Testing Program Manager

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

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

E. Specific Prohibitions for Drivers

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

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

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

F. Other Alcohol-Related Conduct

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

No driver found to have an alcohol concentration of 0.02 or greater but less than 0.04 shall perform safety-sensitive functions for at least 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 the policies of the school district.

G. Prescription Drugs/Cannabinoid Products

A driver shall inform the driver's supervisor if at any time the driver is using a controlled substance pursuant to a physician's prescription. The physician's instructions shall be presented to the school district upon request. Use of a prescription drug shall be allowed if the physician has advised the driver that the prescribed drug will not adversely affect

the driver's ability to safely operate a CMV. Use of medical cannabis is prohibited notwithstanding the driver's enrollment in the patient registry. Use of nonintoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for cannabis. MROs will verify a drug test confirmed as positive, even if a driver claims to have only used nonintoxicating cannabinoids or edible cannabinoid product.

H. Testing Requirements

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

1. Pre-Employment Testing

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

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

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

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

[NOTE: Federal regulations require school districts to inquire about, obtain, and review alcohol and controlled substances information from prior employers pursuant to a driver's written authorization, prior to the time a driver performs safety-sensitive functions, if feasible. 49 Code of Federal Regulations, section 382.413, and 49 Code of Federal Regulations, section 40.25. If not feasible, school districts must not permit the employee to perform safety-sensitive functions for more

than thirty (30) days from the date a safety-sensitive function was performed unless the school districts make good faith efforts to obtain the information and to make a record of those efforts to be retained in the driver's qualification file.]

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

2. Post-Accident Testing

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

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

following the accident or a post-accident controlled substances test is not administered within thirty-two (32) hours following the accident, the school district shall cease attempts to administer the test, and prepare and maintain on file a record stating the reasons for not administering the test.

- g. The school district shall report drug and alcohol program violations to the Clearinghouse as required under federal law.

3. Random Testing

[NOTE: 49 Code of Federal Regulations, section 382.305 governs random testing of drivers.]

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

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

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

4. Reasonable Suspicion Testing

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

- a. The school district shall require a driver to submit to an alcohol test and/or controlled substances, including medical cannabis, test when a supervisor or school district official, who has been trained in accordance

with the regulations, has reasonable suspicion to believe that the driver has used alcohol and/or controlled substances, including medical cannabis, on duty, within four (4) hours before coming on duty, or just after the period of the work day. The test shall be done as soon as practicable following the observation of the behavior indicative of the use of controlled substances or alcohol.

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

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

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

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

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

[NOTE: Consequences for refusals to submit to required drug and alcohol tests are addressed generally in 49 Code of Federal Regulations, sections 40.191, 40.261, and 382.211. They are more specifically

addressed in 49 Code of Federal Regulations, sections 382.501-382.507 and in 49 United States Code, section 521(b).]

- a. A driver or driver applicant may refuse to submit to drug and alcohol testing.
- b. Refusal to submit to a required drug or alcohol test subjects the driver or driver applicant to the consequences specified in federal regulations as well as the civil and/or criminal penalty provisions of 49 United States Code, section 521(b). In addition, a refusal to submit to testing establishes a presumption that the driver or driver applicant would test positive if a test were conducted and makes the driver or driver applicant subject to discipline or disqualification under this policy.
- c. A driver applicant who refuses to submit to testing shall be disqualified from further consideration for the conditionally offered position.
- d. An employee who refuses to submit to testing shall not be permitted to perform safety-sensitive functions and will be considered insubordinate and subject to disciplinary action, up to and including dismissal. If an employee is offered an opportunity to return to a DOT safety-sensitive duty, the employee will be evaluated by an SAP and must submit to a return-to-duty test prior to being considered for reassignment to safety-sensitive functions.
- e. Drivers or driver applicants who refuse to submit to required testing will be required to sign Attachment D to this policy.

I. Testing Procedures

1. Drug Testing

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

- a. Drug testing is conducted by analyzing a donor's urine specimen. Split urine samples will be collected in accordance with federal regulations. The donor will provide a urine sample at a designated collection site. The collection site personnel will then pour the sample into two sample bottles, labeled "primary" and "split," seal the specimen bottles, complete the chain of custody form, and prepare the specimen bottles for shipment to the testing laboratory for analysis. The specimen preparation shall be conducted in sight of the donor.
- b. If the donor is unable to provide the appropriate quantity of urine, the collection site person shall instruct the individual to drink up to forty (40) ounces of fluid distributed reasonably through a period of up to three (3) hours to attempt to provide a sample. If the individual is still unable to provide a complete sample, the test shall be discontinued and the school district notified. The DER shall refer the donor for a medical evaluation to determine if the donor's inability to provide a specimen is genuine or constitutes a refusal to test. For pre-employment testing, the school district may elect to not have a referral made, and revoke the employment offer.

- c. Drug test results are reported directly to the MRO by the testing laboratory. The MRO reports the results to the DER. If the results are negative, the school district is informed and no further action is necessary. If the test result is confirmed positive, adulterated, substituted, or invalid, the MRO shall give the donor an opportunity to discuss the test result. The MRO will contact the donor directly, on a confidential basis, to determine whether the donor wishes to discuss the test result. The MRO shall notify each donor that the donor has seventy-two (72) hours from the time of notification in which to request a test of the split specimen at the donor's expense. No split specimen testing is done for an invalid result.
- d. If the donor requests an analysis of the split specimen within seventy-two (72) hours of having been informed of a confirmed positive test, the MRO shall direct, in writing, the laboratory to provide the split specimen to another Department of Health and Human 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 Code of Federal Regulations, section 40.225.]

- a. The federal alcohol testing regulations require testing to be administered by a BAT using an EBT or an STT using an ASD. EBTs and ASDs can be used for screening tests but only EBTs can be used for confirmation tests.
- b. Any test result less than 0.02 alcohol concentration is considered a "negative" test.
- c. If the donor is unable to provide sufficient saliva for an ASD, the DER will immediately arrange to use an EBT. If the donor attempts and fails to provide an adequate amount of breath, the school district will direct the donor to obtain a written evaluation from a licensed physician to determine if the donor's inability to provide a breath sample is genuine or constitutes a refusal to test.
- d. If the screening test results 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 Minnesota Statutes section 221.031, subdivision 10. Nevertheless, school districts may decide to comply with the state law requirements for various reasons (such as to treat all school district employees equally since employees subject to testing only under state law are accorded these additional rights). Consultation with the school district's legal counsel is recommended.]

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

after completion of the program.

- c. This limitation on employee discharge does not bar discharge of an employee for reasons independent of the first confirmed positive test result.

K. Testing Laboratory

The testing laboratory for controlled substances will be [***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 Minnesota Statutes, chapter 13. Any information concerning the individual’s test results and records shall not be released without written permission of the individual, except as provided for by regulation or law.

M. 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 Code of Federal Regulations, sections 382.401 et seq. and 40.331. The DOT publishes a guide to the recordkeeping requirements of mandatory drug and alcohol testing for persons with a commercial driver’s license as part of its Alcohol & Drugs: DOT Compliance Manual.]

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

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

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

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

3. Personal Information

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

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

N. Training

The school district shall ensure all persons designated to supervise drivers receive training. The designated employees shall receive at least sixty (60) minutes of training on alcohol misuse and at least sixty (60) minutes of training on controlled substances use. The training shall include physical, behavioral, speech, and performance indicators of probable misuse of alcohol and use of controlled substances. The training will be used by the supervisors to make determinations of reasonable suspicion.

O. Consequences of Prohibited Conduct and Enforcement

1. Removal. The school district shall remove a driver who has engaged in prohibited conduct from safety-sensitive functions. A driver shall not be permitted to return to safety-sensitive functions until and unless the return-to-duty requirements of federal DOT regulations have been completed.
2. Referral, Evaluation, and Treatment
 - a. A driver or driver applicant who has engaged in prohibited conduct shall be provided a listing of SAPs readily available to the driver or applicant and acceptable to the school district.

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

- b. If the school district offers a driver an opportunity to return to a DOT safety-sensitive duty following a violation, the driver must be evaluated by an SAP and the driver is required to successfully comply with the SAP's evaluation recommendations (education, treatment, follow-up 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.

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 cannabis testing or drug and alcohol testing other than that required by federal law. For example, drivers may be requested or required to undergo cannabis testing or drug and alcohol testing on an annual basis as part of a routine physical examination. Such additional testing of

drivers will be conducted only in accordance with the provisions of this policy and as provided in Minnesota Statutes, sections 181.950-181.957. For purposes of such additional, non-mandatory testing, drivers fall within the definition of "other employees" covered by Section IV. of this policy.

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

Q. Report to Clearinghouse

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

R. Annual Clearinghouse Query

1. The school district must conduct a query of the Clearinghouse record at least once per year for information for all employees subject to controlled substance and alcohol testing related to CMV operation to determine whether information exists in the Clearinghouse about those employees. In lieu of a full query, the school district may obtain the individual driver's consent to conduct a limited query to satisfy the annual query requirement. The limited query will tell the employer whether there is information about the driver in the Clearinghouse but will not release that information to the employer. If the limited query shows that information exists in the Clearinghouse about the driver, the school district must conduct a full query within twenty-four (24) hours or must not allow the driver to continue to perform any safety-sensitive function until the employee conducts the full query and the results confirm the driver's Clearinghouse record contains no prohibitions showing the driver has a verified positive, adulterated or substitute controlled substance test, no alcohol confirmation test with a concentration of 0.04 or higher, refuses to submit to a test, or was reported to have used alcohol on duty, before duty, following an accident or otherwise used a controlled substance in violation of the regulations except where the driver completed the SAP evaluation, referral and education/treatment process as required by the regulations. The school district shall comply with the query requirements set forth in 49 Code of Federal Regulations 382.701.
2. The school district may not access an individual's Clearinghouse record unless the school district (1) obtains the individual's prior written or electronic consent for access to the record; and (2) submits proof of the individual's consent to the Clearinghouse. The school district must retain the consent for three (3) years from the date of the last query. The school district shall retain for three (3) years a record of each request for records from the Clearinghouse and the information received pursuant to the request.
3. The school district shall protect the individual's privacy and confidentiality of each Clearinghouse record it receives. The school district shall ensure that information contained in a Clearinghouse record is not divulged to a person or entity not directly involved in assessing and evaluating whether a prohibition

applies with respect to the individual to operate a CMV for the school district.

4. The school district may use an individual's Clearinghouse record only to assess and evaluate whether a prohibition applies with respect to the individual to operate a CMV for the school district.

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

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

A. Definitions

1. "Cannabis testing" means the analysis of a body component sample according to the standards established under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1, for the purpose of measuring the presence or absence of cannabis flower, as defined in Minnesota Statutes, section 342.01, subdivision 16, cannabis products, as defined in section 342.01, subdivision 20, lower-potency hemp edibles as defined in section 342.01, subdivision 50, hemp-derived consumer products as defined in section 342.01, subdivision 37, or cannabis metabolites in the sample tested. The definitions in this section apply to cannabis testing unless stated otherwise.
2. "Confirmatory test" and "confirmatory retest" mean a drug or alcohol test that uses a method of analysis allowed under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.
3. "Drug" means a controlled substance as defined in Minnesota Statutes, section 152.01, subdivision 4, but does not include marijuana, tetrahydrocannabinols, cannabis flower as defined in section 342.01, subdivision 16, cannabis products as defined in section 342.01, subdivision 20, lower-potency hemp edibles as defined in section 342.01, subdivision 50, and hemp-derived consumer products as defined in section 342.01, subdivision 37.
4. "Drug and Alcohol Testing," "Drug or Alcohol Testing," and "Drug or Alcohol Test" mean analysis of a body component sample by a testing laboratory that meets one of the criteria listed in Minnesota Statutes, section 181.953, subdivision 1, for the purpose of measuring the presence or absence of drugs, alcohol, or their metabolites in the sample tested. "Drug and alcohol testing," "drug or alcohol testing," and "drug or alcohol test" do not include cannabis or cannabis testing, unless stated otherwise.
5. "Employee" means a person, independent contractor, or person working for an independent contractor who performs services for compensation, in whatever form, for an employer.
6. "Initial screening test" means a drug or alcohol test or cannabis test which uses a method of analysis under one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.

7. "Job Applicant" means a person, independent contractor, or person working for an independent contractor who applies to become an employee of the 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).

8. "Oral fluid test" means analysis of a saliva sample for the purpose of measuring the presence of the same substances as drug and alcohol testing and cannabis testing that:

a. can detect drugs, alcohol, cannabis, or their metabolites in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1; and

b. does not require the services of a testing laboratory under section 181.953, subdivision 1.

[NOTE: The 2024 Minnesota legislature added oral fluid tests.]

9. "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 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."

10. "Positive Test Result" means a finding of the presence of drugs, alcohol, or their metabolites in the sample tested in levels at or above the threshold detection levels contained in the standards of one of the programs listed in Minnesota Statutes, section 181.953, subdivision 1.

11. "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.

12. "Reasonable Suspicion" means a basis for forming a belief based on specific facts and rational inferences drawn from those facts.

13. "Safety-Sensitive Position" means a job, including any supervisory or management position, in which an impairment caused by drug, alcohol, or cannabis usage would threaten the health or safety of any person.

B. Circumstances Under Which Cannabis Testing or Drug or Alcohol Testing May Be Requested or Required; Exceptions

1. General Limitations

- a. The school district ~~may~~**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 or cannabis testing, unless the testing is done pursuant to this policy; and **either (1)** is conducted by a testing laboratory that meets one of the criteria listed in Minnesota Statutes, section 181.953, subdivision 1; **or (2) complies with the oral fluid test procedures under section 181.953, subdivision 5a.**

[NOTE: The 2024 Minnesota legislature amended this provision.]

- 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 or cannabis testing on an arbitrary and capricious basis.

2. Cannabis Testing Exceptions

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

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

3. Job Applicant Testing

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

- a. The school district must not request or require a job applicant to

undergo cannabis testing solely for the purpose of determining the presence or absence of cannabis as a condition of employment unless otherwise required by state or federal law.

- b. Unless otherwise required by state or federal law, the school district must not refuse to hire a job applicant solely because the job applicant submits to a cannabis test or a drug and alcohol test authorized by Minnesota law and the results of the test indicate the presence of cannabis.
- c. The school district must not request or require an employee or job applicant to undergo cannabis testing on an arbitrary or capricious basis.
- d. Cannabis testing authorized under paragraph (d) must comply with the safeguards for testing employees provided in Minnesota Statutes, sections 181.953 and 181.954.

4. Oral fluid testing

- a. When drug and alcohol testing or cannabis testing is otherwise authorized under Minnesota Statutes, section 181.951, the school district may request an employee or job applicant to undergo oral fluid testing according to the procedures under Minnesota Statutes, section 181.953, subdivision 5a as an alternative to using the services of a testing laboratory under Minnesota Statutes, section 181.953, subdivision 1.
- b. The employee must be informed of the test result at the time of the oral fluid test. Within 48 hours of an oral fluid test that indicates a positive test result or that is inconclusive or invalid, the employee or job applicant may request drug or alcohol testing or cannabis testing at no cost to the employee or job applicant using the services of a testing laboratory under Minnesota Statutes, section 181.953, subdivision 1, and according to the existing laboratory testing standards in subdivisions 1 to 5. The rights, notice, and limitations in Minnesota Statutes, section 181.953, subdivision 6, paragraph (b), and subdivisions 7 to 8 and 10 to 11 apply to an employee or job applicant and a laboratory test conducted pursuant to this paragraph.
- c. If the laboratory test under paragraph (b) above indicates a positive result, any subsequent confirmatory retest, if requested by the employee or job applicant, must be conducted following the retest procedures provided in Minnesota Statutes, section 181.953, subdivision 6, paragraph (c), and subdivision 9 at the employee's or job applicant's own expense.
- d. Nothing in this subdivision is intended to modify the existing requirements for drug and alcohol testing or cannabis testing in the workplace under Minnesota Statutes, sections 181.950 to 18.957, unless stated otherwise.

[NOTE: The 2024 Minnesota legislature enacted this provision.]

5. Random Testing

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

6. Reasonable Suspicion Testing

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

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

7. Treatment Program Testing

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

8. Routine Physical Examination Testing

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

C. No Legal Duty to Test

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

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

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

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

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

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

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

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

E. Reliability and Fairness Safeguards

1. Pretest Notice

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

2. Notice of Test Results

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

3. Notice of and Right to Test Result Report

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

4. Notice of and Right to Explain Positive Test Result

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

- b. The school district may request that the employee or job applicant indicate any over-the-counter or prescription medication that the individual is currently taking or has recently taken and any other information relevant to the reliability of, or explanation for, a positive test result.
- c. The employee may present verification of enrollment in the medical cannabis patient registry or of enrollment in a Tribal medical cannabis program as part of the employee's explanation.
- d. Use of nonintoxicating cannabinoids or edible cannabinoid products is not a legitimate medical explanation for a confirmed positive test result for cannabis. MROs will verify a drug test confirmed as positive, even if an employee claims to have only used nonintoxicating cannabinoids or edible cannabinoid product.
- e. Within three (3) working days after notice of a positive test result on a confirmatory test, an employee or job applicant may submit information (in addition to any information already submitted) to the school district to explain that result.

5. Notice of and Right to Request Confirmatory Retests

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

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

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

was impaired by medical cannabis on school district property during the hours of employment.

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

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

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

H. Chain-of-Custody Procedures

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

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

I. Privacy, Confidentiality and Privilege Safeguards

1. Privacy Limitations

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

2. Confidentiality Limitations

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

3. Exceptions to Privacy and Confidentiality Disclosure Limitations

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

4. Privilege

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

J. Notice of Testing Policy to Affected Employees

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

V. POSTING

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

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

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

MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 418 (Drug-Free Workplace/Drug-Free School)

Adopted: _____

MSBA/MASA Model Policy 418

Orig. 1995

Revised: _____

Rev. 2024

418 DRUG-FREE WORKPLACE/DRUG-FREE SCHOOL

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

- A. "Alcohol" includes any alcoholic beverage containing more than one-half of one percent alcohol by volume.
- B. "Controlled substances" include narcotic drugs, hallucinogenic drugs, amphetamines, barbiturates, marijuana, anabolic steroids, or any other controlled substance as defined in Schedules I through V of the Controlled Substances Act, 21 United States Code, section 812, including analogues and look-alike drugs.
- C. "Edible cannabinoid product" means any product that is intended to be eaten or consumed as a beverage by humans, contains a cannabinoid in combination with food ingredients, and is not a drug.
- D. "Nonintoxicating cannabinoid" means substances extracted from certified hemp plants that do not produce intoxicating effects when consumed by injection, inhalation,

ingestion, or by any other immediate means.

- E. "Medical cannabis" means any species of the genus cannabis plant, or any mixture or preparation of them, including whole plant extracts and resins, and is delivered in the form of: (1) liquid, including, but not limited to, oil; (2) pill; (3) vaporized delivery method with use of liquid or oil but which does not require the use of dried leaves or plant form; (4) combustion with use of dried raw cannabis; or (5) any other method approved by the Commissioner of the Minnesota Department of Health ("Commissioner").
- F. "Possess" means to have on one's person, in one's effects, or in an area subject to one's control.
- G. "School location" includes any school building or on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.
- H. "Sell" means to sell, give away, barter, deliver, exchange, distribute or dispose of to another, or to manufacture; or to offer or agree to perform such an act, or to possess with intent to perform such an act.
- I. "Toxic substances" includes: (1) glue, cement, aerosol paint, containing toluene, benzene, xylene, amyl nitrate, butyl nitrate, nitrous oxide, or containing other aromatic hydrocarbon solvents, but does not include glue, cement, or paint contained in a packaged kit for the construction of a model automobile, airplane, or similar item; (2) butane or a butane lighter; or (3) any similar substance declared to be toxic to the central nervous system and to have a potential for abuse, by a rule adopted by the Commissioner.
- I. "Use" means to sell, buy, manufacture, distribute, dispense, be under the influence of, or consume in any manner, including, but not limited to, consumption by injection, inhalation, ingestion, or by any other immediate means.

IV. EXCEPTIONS

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

D. The school district may not refuse to enroll or otherwise penalize a patient or person enrolled in the Minnesota Patient Registry Program as a pupil solely because the patient or person is enrolled in the registry program, unless failing to do so would violate federal law or regulations or cause the school to lose a monetary or licensing-related benefit under federal law or regulations.

[NOTE: The 2024 Minnesota legislature amended this law to add this protection.]

V. PROCEDURES

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

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

B. Employees who have a prescription from a physician for medical treatment with a controlled substance, except medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products, are permitted to possess such controlled substance and associated necessary paraphernalia, such as an inhaler or syringe. The employee must inform his or her supervisor. The employee may be required to provide a copy of the prescription.

C. Each employee shall be provided with written notice of this Drug-Free Workplace/Drug-Free School policy and shall be required to acknowledge that he or she has received the policy.

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

D. Employees are subject to the school district's drug and alcohol testing policies and procedures.

E. Members of the public are not permitted to possess controlled substances, intoxicating cannabinoids, or edible cannabinoid products in a school location except with the express permission of the superintendent.

F. No person is permitted to possess or use medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products on a school bus or van; or on the grounds

of any preschool or primary or secondary school; or on the grounds of any child care facility. This prohibition includes (1) vaporizing or combusting medical cannabis on any form of public transportation where the vapor or smoke could be inhaled by a minor child or in any public place, including indoor or outdoor areas used by or open to the general public or place of employment; and (2) operating, navigating, or being in actual physical control of any motor vehicle or working on transportation property, equipment or facilities while under the influence of medical cannabis, nonintoxicating cannabinoids, or edible cannabinoid products.

- G. Possession of alcohol on school grounds pursuant to the exceptions of Minnesota Statutes section 624.701, subdivision 1a, shall be by permission of the school board only. The applicant shall apply for permission in writing and shall follow the school board procedures for placing an item on the agenda.

VI. SCHOOL PROGRAMS

- A. Starting in the 2026-2027 school year, the school district must implement a comprehensive education program on cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, for students in middle school and high school. The program must include instruction on the topics listed in Minnesota Statutes, section 120B.215, subdivision 1 and must:
 - 1. respect community values and encourage students to communicate with parents, guardians, and other trusted adults about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl; and
 - 2. refer students to local resources where students may obtain medically accurate information about cannabis use and substance use, including but not limited to the use of fentanyl or mixtures containing fentanyl, and treatment for a substance use disorder.
- B. School district efforts to develop, implement, or improve instruction or curriculum as a result of the provisions of this section must be consistent with Minnesota Statutes, sections 120B.10 and 120B.11.
- C. Notwithstanding any law to the contrary, the school district shall have a procedure for a parent, a guardian, or an adult student 18 years of age or older to review the content of the instructional materials to be provided to a minor child or to an adult student pursuant to this article. The district must allow a parent or adult student to opt out of instruction under this article with no academic or other penalty for the student and must inform parents and adult students of this right to opt out.

VI. ENFORCEMENT

- A. Students
 - 1. Students may be required to participate in programs and activities that provide education against the use of alcohol, tobacco, marijuana, smokeless tobacco products, electronic cigarettes, and nonintoxicating cannabinoids, and edible cannabinoid products.
 - 2. Students may be referred to drug or alcohol assistance or rehabilitation programs; school based mental health services, mentoring and counseling, including early identification of mental health symptoms, drug use and violence and appropriate referral to direct individual or group counselling service. which may be provided by school based mental health services providers; and/or

referral to law enforcement officials when appropriate.

3. A student who violates the terms of this policy shall be subject to discipline in accordance with the school district's discipline policy. Such discipline may include suspension or expulsion from school.

B. Employees

1. As a condition of employment in any federal grant, each employee who is engaged either directly or indirectly in performance of a federal grant shall abide by the terms of this policy and shall notify his or her supervisor in writing of his or her conviction of any criminal drug statute for a violation occurring in any of the places listed above on which work on a school district federal grant is performed, no later than five (5) calendar days after such conviction. Conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.
2. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, termination, or discharge as deemed appropriate by the school board.
3. In addition, any employee who violates the terms of this policy may be required to satisfactorily participate in a drug and/or alcohol abuse assistance or rehabilitation program approved by the school district. Any employee who fails to satisfactorily participate in and complete such a program is subject to nonrenewal, suspension, or termination as deemed appropriate by the school board.
4. Sanctions against employees, including nonrenewal, suspension, termination, or discharge shall be pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies.

C. The Public

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

Legal References: Minn. Stat. § 120B.215 (Education on Cannabis Use and Substance Use)
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.40-§ 121A.56 (Pupil Fair Dismissal Act)
Minn. Stat. § 151.72 (Sale of Certain Cannabinoid Products)
Minn. Stat. § 152.01, Subd. 15a (Definitions)
Minn. Stat. § 152.0264 (Cannabis Sale Crimes)
Minn. Stat. § 152.22, Subd. 6 (Definitions; Medical Cannabis)
Minn. Stat. § 152.23 (Limitations; Medical Cannabis)
Minn. Stat. § 169A.31 (Alcohol-Related School Bus or Head Start Bus Driving)
Minn. Stat. § 340A.101 (Definitions; Alcoholic Beverage)
Minn. Stat. § 340A.403 (3.2 Percent Malt Liquor Licenses)
Minn. Stat. § 340A.404 (Intoxicating Liquor; On-Sale Licenses)
Minn. Stat. § 342.09 (Personal Adult Use of Cannabis)
Minn. Stat. § 342.56 (Limitations)
Minn. Stat. § 609.684 (Abuse of Toxic Substances)
Minn. Stat. § 624.701 (Alcohol in Certain Buildings or Grounds)

20 U.S.C. § 7101-7122 (Student Support and Academic Enrichment Grants)
21 U.S.C. § 812 (Schedules of Controlled Substances)
41 U.S.C. §§ 8101-8106 (Drug-Free Workplace Act)
21 C.F.R. §§ 1308.11-1308.15 (Controlled Substances)
34 C.F.R. Part 84 (Government-Wide Requirements for Drug-Free Workplace)

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

Adopted: _____

MSBA/MASA Model Policy 419

Orig. 1995

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Rev. 2024~~3~~

419 TOBACCO-FREE ENVIRONMENT; POSSESSION AND USE OF TOBACCO, TOBACCO-RELATED DEVICES, AND ELECTRONIC DELIVERY DEVICES; VAPING AWARENESS AND PREVENTION INSTRUCTION

[NOTE: School districts are not required by statute to have a policy addressing these issues. However, Minnesota Statutes, section 144.416 requires that entities that control public places must make reasonable efforts to prevent smoking in public places, including the posting of signs or any other means which may be appropriate. Additionally, Minnesota Statutes, section 120B.238 requires that vaping prevention instruction be provided as set forth in this policy.]

I. PURPOSE

The purpose of this policy is to maintain a learning and working environment that is tobacco free.

II. GENERAL STATEMENT OF POLICY

- A. A violation of this policy occurs when any student, teacher, administrator, other school personnel of the school district, or person smokes or uses tobacco, tobacco-related devices, or carries or uses an activated electronic delivery device in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls. In addition, this prohibition includes vehicles used, in whole or in part, for work purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- B. A violation of this policy occurs when any elementary school, middle school, or secondary school student possesses any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school. This prohibition extends to all facilities, whether owned, rented, or leased, and all vehicles that a school district owns, leases, rents, contracts for, or controls and includes vehicles used, in whole or in part, for school purposes, during hours of school operation, if more than one person is present. This prohibition includes all school district property and all off-campus events sponsored by the school district.
- C. The school district will act to enforce this policy and to discipline or take appropriate action against any student, teacher, administrator, school personnel, or person who is found to have violated this policy.

[NOTE: The following language is not required by law, but is recommended by MSBA for inclusion in this policy.]

- D. *The school district will not solicit or accept any contributions or gifts of money, curricula, materials, or equipment from companies that directly manufacture and are identified with tobacco products, tobacco-related devices, or electronic delivery devices. The school district will not promote or allow promotion of tobacco products or electronic delivery devices on school property or at school-sponsored events.*

III. DEFINITIONS

- A. "Electronic delivery device" means any product containing or delivering nicotine, lobelia, or any other substance, whether natural or synthetic, intended for human consumption that can be used by a person to simulate smoking in the delivery of nicotine or any other substance through inhalation of aerosol or vapor from the product. Electronic delivery devices includes but is not limited to devices manufactured, marketed, or sold as electronic cigarettes, electronic cigars, electronic pipe, vape pens, modes, tank systems, or under any other product name or descriptor. Electronic delivery device includes any component part of a product, whether or not marketed or sold separately. Electronic delivery device excludes drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- B. "Heated tobacco product" means a tobacco product that produces aerosols containing nicotine and other chemicals which are inhaled by users through the mouth.
- C. "Tobacco" means cigarettes and any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component, part, or accessory of a tobacco product, including, but not limited to, cigars; cheroots; stogies; perique; granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco; snuff; snuff flour; cavendish; plug and twist tobacco; fine cut and other chewing tobacco; shorts; refuse scraps, clippings, cuttings and sweepings of tobacco; and other kinds and forms of tobacco. Tobacco excludes any drugs, devices, or combination products, as those terms are defined in the Federal Food, Drug, and Cosmetic Act, that are authorized for sale by the United States Food and Drug Administration.
- D. "Tobacco-related devices" means cigarette papers or pipes for smoking or other devices intentionally designed or intended to be used in a manner which enables the chewing, sniffing, smoking, or inhalation of vapors aerosol or vapor of tobacco or tobacco products. Tobacco-related devices include components of tobacco-related devices which may be marketed or sold separately.
- E. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, pipe, or any other lighted or heated product containing, made, or derived from nicotine, tobacco, marijuana, or other plant, whether natural or synthetic, that is intended for inhalation. Smoking includes carrying or using an activated electronic delivery device.
- F. "Vaping" means using an activated electronic delivery device or heated tobacco product.

IV. EXCEPTIONS

- A. A violation of this policy does not occur when an Indian adult lights tobacco on school district property as a part of a traditional Indian spiritual or cultural ceremony. An American Indian student may carry a medicine pouch containing loose tobacco intended as observance of traditional spiritual or cultural practices. An Indian is a person who is a member of an Indian tribe as defined under Minnesota law.
- B. A violation of this policy does not occur when an adult nonstudent possesses a tobacco or nicotine product that has been approved by the United States Food and Drug Administration for sale as a tobacco-cessation product, as a tobacco-dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose. Nothing in this exception authorizes smoking or use of tobacco, tobacco-related devices, or electronic delivery devices on school property or at off-campus events sponsored by the school district.

C. An American Indian student or staff member may use tobacco, sage, sweetgrass, and cedar to conduct individual or group smudging in a public school. The process for conducting smudging is determined by the building or site administrator. Smudging must be conducted under the direct supervision of an appropriate staff member, as determined by the building or site administrator.

V. VAPING PREVENTION INSTRUCTION

- A. The school district must provide vaping prevention instruction at least once to students in grades 6 through 8.
- B. The school district may use instructional materials based upon the Minnesota Department of Health's school e-cigarette toolkit or may use other smoking prevention instructional materials with a focus on vaping and the use of electronic delivery devices and heated tobacco products. The instruction may be provided as part of the school district's locally developed health standards.

[NOTE: In addition, school districts may choose to require (a) evidence-based vaping prevention instruction to students in grades 9 through 12; and/or (b) a peer-to-peer education program to provide vaping prevention instruction.]

VI. ENFORCEMENT

- A. All individuals on school premises shall adhere to this policy.
- B. Students who violate this tobacco-free policy shall be subject to school district discipline procedures.
- C. School district administrators and other school personnel who violate this tobacco-free policy shall be subject to school district discipline procedures.
- D. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota or federal law, and school district policies.
- E. Persons who violate this tobacco-free policy may be referred to the building administration or other school district supervisory personnel responsible for the area or program at which the violation occurred.
- F. School administrators may call the local law enforcement agency to assist with enforcement of this policy. Smoking or use of any tobacco product in a public school is a violation of the Minnesota Clean Indoor Air Act and/or the Freedom to Breathe Act of 2007 and is a petty misdemeanor. A court injunction may be instituted against a repeated violator.
- G. No persons shall be discharged, refused to be hired, penalized, discriminated against, or in any manner retaliated against for exercising any right to a smoke-free environment provided by the Freedom to Breathe Act of 2007 or other law.

VII. DISSEMINATION OF POLICY

- A. This policy shall appear in the student handbook.
- B. The school district will develop a method of discussing this policy with students and

employees.

Legal References: Minn. Stat. § 120B.238 (Vaping Awareness and Prevention)
[Minn. Stat. § 121A.08 \(Smudging Permitted\)](#)
Minn. Stat. §§ 144.411-144.417 (Minnesota Clean Indoor Air Act)
Minn. Stat. § 609.685 (Sale of Tobacco to Persons Under Age 21)
2007 Minn. Laws Ch. 82 (Freedom to Breathe Act of 2007)

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

Adopted: _____

MSBA/MASA Model Policy 425

Orig. 2001

Revised: _____

Rev. 2024~~3~~

425 STAFF DEVELOPMENT AND MENTORING

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

I. PURPOSE

The purpose of this policy is to establish a staff development program and structure to carry out planning and reporting on staff development that supports improved student learning.

II. ADVISORY STAFF DEVELOPMENT COMMITTEE AND SITE PROFESSIONAL DEVELOPMENT TEAMS

A. The school board will establish an Advisory Staff Development Committee to develop a Staff Development Plan, assist Site Professional Development Teams in developing a site plan consistent with the goals of the Staff Development Plan, and evaluate staff development efforts at the site level.

1. The majority of the membership of the Advisory Staff Development Committee shall consist of teachers representing various grade levels, subject areas, and special education. The Committee also will include nonteaching staff, parents, and administrators.
2. Members of the Advisory Staff Development Committee shall be appointed by the school board. Committee members shall serve a two-year term* based upon nominations by board members, teachers, and paraprofessionals. The school board shall appoint replacement members of the Advisory Staff Development Committee as soon as possible following the resignation, death, serious illness, or removal of a member from the Committee.

B. The school board will establish the Site Professional Development Teams.

1. Members of the Site Professional Development Teams will be appointed by the school board. Team members shall serve a two-year term* based upon nominations by board members, teachers, and paraprofessionals. The school board shall appoint replacement members of the Site Professional Development Teams as soon as possible following the resignation, death, serious illness, or removal of a member from the Team.
2. The majority of the Site Professional Development Teams shall be teachers representing various grade levels, subject areas, and special education.

III. DUTIES OF THE ADVISORY STAFF DEVELOPMENT COMMITTEE

A. The Advisory Staff Development Committee will develop a Staff Development Plan that will be reviewed and subject to approval by the school board twice a year.*

* This time period may be changed to accommodate individual school district needs.

- B. The Staff Development Plan must contain the following elements:
1. Staff development outcomes that are consistent with the education outcomes as may be determined periodically by the school board;

[NOTE: The board-determined education outcomes for your district could be inserted here.]

2. The means to achieve the Staff Development outcomes;
 3. The procedures for evaluating progress at each school site toward meeting educational outcomes consistent with relicensure requirements under Minnesota Statutes, section 122A.187;
 4. Ongoing staff development activities that contribute toward continuous improvement in achievement of the following goals:
 - a. Improve student achievement of state and local education standards in all areas of the curriculum, including areas of regular academic and applied and experiential learning, by using research-based best practices methods;
 - b. Effectively meet the needs of a diverse student population, including at-risk children, children with disabilities, English learners, and gifted children, within the regular classroom, applied and experiential learning settings, and other settings;
 - c. Provide an inclusive curriculum for a racially, ethnically, linguistically, and culturally diverse student population that is consistent with state education diversity rule and the district's education diversity plan;
 - d. Improve staff collaboration and develop mentoring and peer coaching programs for teachers new to the school or district;
 - e. Effectively teach and model violence prevention policy and curriculum that address early intervention alternatives, issues of harassment, and teach nonviolent alternatives for conflict resolution;
 - f. Effectively deliver digital and blended learning and curriculum and engage students with technology; and
 - g. Provide teachers and other members of site-based management teams with appropriate management and financial management skills.
 5. The Staff Development Plan also must:
 - a. Support stable and productive professional communities achieved through ongoing and schoolwide progress and growth in teaching practice;
 - b. Emphasize coaching, professional learning communities, classroom action research, and other job-embedded models;
-

- c. Maintain a strong subject matter focus premised on students' learning goals consistent with Minnesota Statutes, section 120B.125;
 - d. Ensure specialized preparation and learning about issues related to teaching English learners and students with special needs by focusing on long-term systemic efforts to improve educational services and opportunities and raise student achievement; and
 - e. Reinforce national and state standards of effective teaching practice.
6. Staff development activities must:
- a. Focus on the school classroom and research-based strategies that improve student learning;
 - b. Provide opportunities for teachers to practice and improve their instructional skills over time;
 - c. Provide opportunities for teachers to use student data as part of their daily work to increase student achievement;
 - d. Enhance teacher content knowledge and instructional skills, including to accommodate the delivery of digital and blended learning and curriculum and engage students with technology;
 - e. Align with state and local academic standards;
 - f. Provide opportunities to build professional relationships, foster collaboration among principals and staff who provide instruction, and provide opportunities for teacher-to-teacher mentoring;
 - g. Align with the plan, if any, of the district or site for an alternative teacher professional pay system;
 - h. Provide teachers of English learners, including English as a second language, and content teachers with differentiated instructional strategies critical for ensuring students long-term academic success, the means to effectively use assessment data on the academic literacy, oral academic language, and English language development of English learners, and skills to support native and English language development across the curriculum; and
 - i. Provide opportunities for staff to learn about current workforce trends, the connections between workforce trends and postsecondary education, and training options, including career and technical education options.
7. Staff development activities may include curriculum development and curriculum training programs and activities that provide teachers and other members of site-based teams training to enhance team performance.
8. The school district may implement other staff development activities required by law and activities associated with professional teacher compensation models.

[NOTE: To the extent the school board offers K-12 teachers the opportunity for more staff development training under Minnesota Statutes, section 122A.40, Subdivisions. 7 and 7a, or Minnesota Statutes, section 122A.41, subdivisions. 4 and 4a, such additional days of staff development should include peer mentoring, peer gathering, continuing education, professional development, or other training which enable teachers to achieve the staff development outcomes enumerated above in Section III.B.4.]

- C. The Advisory Staff Development Committee will assist Site Professional Development Teams in developing a site plan consistent with the goals and outcomes of the Staff Development Plan.
- D. The Advisory Staff Development Committee will evaluate staff development efforts at the site level and will report to the school board on a quarterly basis* the extent to which staff at the site have met the outcomes of the Staff Development Plan.
- E. In addition to developing a Staff Development Plan, the Staff Development Advisory Committee also must develop teacher mentoring programs for teachers new to the profession or school district, including teaching residents, teachers of color, teachers who are American Indian, teachers in license shortage areas, teachers with special needs, or experienced teachers in need of peer coaching. Teacher mentoring programs must be included in or aligned with the school district's teacher evaluation and peer review processes under Minnesota Statutes, sections 122A.40, subdivision 8 or 122A.41, subdivision 5.
- F. The Advisory Staff Development Committee shall assist the school district in preparing any reports required by the Minnesota Department of Education (MDE) relating to staff development or teacher mentoring including, but not limited to, the reports referenced in Section VII. below.

IV. DUTIES OF THE SITE PROFESSIONAL DEVELOPMENT TEAM

- A. Each Site Professional Development Team shall develop a site plan, consistent with the goals of the Staff Development Plan. The school board will review the site plans for consistency with the Staff Development Plan twice a year.*
- B. The Site Professional Development Team must demonstrate to the school board the extent to which staff at the site have met the outcomes of the Staff Development Plan. The actual reports to the school board can be made by the Advisory Staff Development Committee to avoid duplication of effort.
- C. If the school board determines that staff development outcomes are not being met, it may withhold a portion of the initial allocation of revenue referenced in Section V. below.

V. STAFF DEVELOPMENT FUNDING

- A. Unless the school district is in statutory operating debt or a majority of the school board and a majority of its licensed teachers annually vote to waive the requirement to reserve basic revenue for staff development, the school district will reserve an amount equal to at least two percent of its basic revenue for: (1) teacher development and evaluation under Minnesota Statutes, section 122A.40, subdivision 8 or 122A.41, subdivision 5; (2)

* This time period may be changed to accommodate individual school district needs.

principal development and evaluation under section 123B.147, subdivision. 3; (3) professional development under section 122A.60; (4) in-service education for programs under section 120B.22, subdivision 2; and (5) teacher mentorship under section 122A.70, subdivision 1. . To the extent extra funds remain, staff development revenue may be used for development plans, including plans for challenging instructional activities and experiences under section 122A.60, and for curriculum development and programs, other in-service education, teacher's workshops, teacher conferences, the cost of substitute teachers for staff development purposes, preservice and in-service education for special education professionals and paraprofessionals, and other related costs for staff development efforts. The school district also may use the revenue reserved for staff development for grants to the school district's teachers to pay for coursework and training leading to certification as either a college in the schools teacher or a concurrent enrollment teacher. To receive a grant, the teacher must be enrolled in a program that includes coursework and training focused on teaching a core subject.

- B. The school district may, in its discretion, expend an additional amount of unreserved revenue for staff development based on its needs.
- C. Release time provided for teachers to supervise students on field trips and school activities, or independent tasks not associated with enhancing the teacher's knowledge and instructional skills, such as preparing report cards, calculating grades, or organizing classroom materials, may not be counted as staff development time that is financed with staff development reserved revenue under Minnesota Statutes, section 122A.61.

VI. PROCEDURE FOR USE OF STAFF DEVELOPMENT FUNDS

- A. On a yearly* basis, the Advisory Staff Development Committee, with the assistance of the Site Professional Development Teams, shall prepare a projected budget setting forth proposals for allocating staff development and mentoring funds reserved for each school site. Such budgets shall include, but not be limited to, projections as to the cost of building site training programs, costs of individual staff seminars, and cost of substitutes.
- B. Upon approval of the budget by the school board, the Advisory Committee shall be responsible for monitoring the use of such funds in accordance with the Staff Development Plan and budget. The requested use of staff development funds must meet or make progress toward the goals and objectives of the Staff Development Plan. All costs/expenditures will be reviewed by the school board and/or superintendent for consistency with the Staff Development Plan on a quarterly basis.*
- C. Individual requests from staff for leave to attend staff development activities shall be submitted and reviewed according to school district policy, staff procedures, contractual agreement, and the effect on school district operations. Failure to timely submit such requests may be cause for denial of the request.
- D. The school district may use staff development revenue, special grant programs established by the legislature, or another funding source to pay a stipend to a mentor who may be a current or former teacher who has taught at least three (3) years and is not on an improvement plan. Other initiatives using such funds. or funds available under Minnesota Statutes, sections 124D.861 and 124D.862, may include:

* This time period may be changed to accommodate individual school district needs.

1. additional stipends as incentives to mentors of color or who are American Indian;
2. financial supports for professional learning community affinity groups across schools within and between districts for teachers from underrepresented racial and ethnic groups to come together throughout the school year;
3. programs for induction aligned with the school district or school mentorship program during the first three (3) years of teaching, especially for teachers from underrepresented racial and ethnic groups; or
4. grants supporting licensed and nonlicensed educator participation in professional development, such as workshops and graduate courses, related to increasing student achievement for students of color and American Indian students in order to close opportunity and achievement gaps.

To the extent the school district receives a grant for any of the above purposes, it will negotiate additional retention strategies or protection from unrequested leave of absences in the beginning years of employment for teachers of color and teachers who are American Indian. Retention strategies may include providing financial incentives for teachers of color and teachers who are American Indian to work in the school or district for at least five (5) years and placing American Indian educators at sites with other American Indian educators and educators of color at sites with other educators of color to reduce isolation and increase opportunity for collegial support.

VII. PARAPROFESSIONALS, TITLE I AIDES, AND OTHER INSTRUCTIONAL SUPPORT STAFF

- A. The school district must provide a minimum of eight hours of paid orientation or professional development annually to all paraprofessionals, Title I aides, and other instructional support staff. Six of the eight hours must be completed before the first instructional day of the school year or within 30 days of hire. The school district must consult the exclusive representative for employees receiving this training before creating or planning the training required under this section.
- B. The orientation or professional development must be relevant to the employee's occupation and may include collaboration time with classroom teachers and planning for the school year.
- C. For paraprofessionals who provide direct support to students, at least 50 percent of the professional development or orientation must be dedicated to meeting the requirements of this section. Professional development for paraprofessionals may also address the requirements of Minnesota Statutes, section 120B.363, subdivision 3.
- D. A school administrator must provide an annual certification of compliance with this requirement to the MDE Commissioner.
- E. For the 2024-2025 school year only, a school may reduce the hours of training required in paragraphs (b) to (e) to a minimum of six hours and must pay for paraprofessional test materials and testing fees for any paraprofessional employed by the school district during the 2023-2024 school year who has not yet successfully completed the paraprofessional assessment or met the requirements of the paraprofessional competency grid.

[NOTE: The 2024 Minnesota legislature added these provisions. Paragraph E is in effect for the 2024-25 school year only.]

VIII. REPORTING

- A. The school district and site staff development committee shall prepare a report of the previous fiscal year's staff development activities and expenditures as part of the school district's world's best workforce comprehensive achievement and civic readiness report.
1. The report must include assessment and evaluation data indicating progress toward district and site staff development goals based on teaching and learning outcomes, including the percentage of teachers and other staff involved in instruction who participate in effective staff development activities.
 2. The report will provide a breakdown of expenditures for:
 - a. Curriculum development and curriculum training programs;
 - b. Staff development training models, workshops, and conferences; and
 - c. The cost of releasing teachers or providing substitute teachers for staff development purposes.
- The report also must indicate whether the expenditures were incurred at the district level or the school site level and whether the school site expenditures were made possible by the grants to school sites that demonstrate exemplary use of allocated staff development revenue. These expenditures must be reported using the uniform financial and accounting and reporting standards (UFARS).
3. The report will be signed by the superintendent and staff development chair.
- B. To the extent the school district receives a grant for mentorship activities described in Section V.D., by June 30 of each year after receiving a grant, the site staff development committee must submit a report to the Professional Educator Licensing and Standards Board on program efforts that describes mentoring and induction activities and assesses the impact of these programs on teacher effectiveness and retention.

Legal References: Minn. Stat. § 120A.41 (Length of School Year; Days of Instruction)
Minn. Stat. § 120A.415 (Extended School Calendar)
Minn. Stat. § 120B.125 (Planning for Students' Successful Transition to Postsecondary Education and Employment; Personal Learning Plans)
Minn. Stat. § 120B.22, Subd. 2 (Violence Prevention Education)
Minn. Stat. § 121A.642 (Paraprofessional Training)
Minn. Stat. § 122A.187 (Expiration and Renewal)
Minn. Stat. § 122A.40, Subds. 7, 7a and 8 (Employment; Contracts; Termination - Additional Staff Development and Salary)
Minn. Stat. § 122A.41, Subds. 4, 4a and 5 (Teacher Tenure Act; Cities of the First Class; Definitions - Additional Staff Development and Salary)
Minn. Stat. § 122A.60 (Staff Development Program)
Minn. Stat. § 122A.70 (Teacher Mentorship and Retention of Effective Teachers)
Minn. Stat. § 122A.61 (Reserved Revenue for Staff Development)
Minn. Stat. § 123B.147, Subd. 3 (Principals)
Minn. Stat. § 124D.861 (Achievement and Integration for Minnesota)
Minn. Stat. § 124D.862 (Achievement and Integration Revenue)
Minn. Stat. § 126C.10, Subds. 2 and 2b (General Education Revenue)
Minn. Stat. § 126C.13, Subd. 5 (General Education Levy and Aid)

Cross References: None.

Adopted: _____

MSBA/MASA Model Policy 507

Orig. 1995

Revised: _____

Rev. May 2024

507 CORPORAL PUNISHMENT AND PRONE RESTRAINT

[NOTE: The provisions of this policy substantially reflect statutory requirements. The revisions in this model policy incorporate legislative changes enacted throughout the 2024 Minnesota legislative session. School boards may have adopted some revisions in the spring, when the first set of laws were enacted.]

I. PURPOSE

The purpose of this policy is to describe limitations on the use of corporal punishment and prone restraint upon a student.

II. GENERAL STATEMENT OF POLICY

No employee or agent of the school district shall inflict corporal punishment or use prone restraint upon a student except as provided below.

III. DEFINITIONS

1. "Corporal punishment" means conduct involving:
 - a. hitting or spanking a person with or without an object; or
 - b. unreasonable physical force that causes bodily harm or substantial emotional harm.
2. "Employee or agent of the district" does not include a school resource officer as defined in Minnesota Statutes, section 626.8482, subdivision 1, paragraph (c).
3. "Prone restraint" means placing a child in a face-down position.

IV. PROHIBITIONS

1. An employee or agent of a district shall not inflict corporal punishment or cause corporal punishment to be inflicted upon a pupil to reform unacceptable conduct or as a penalty for unacceptable conduct.
2. An employee or agent of the school district shall not use prone restraint.
- ~~2. An employee or agent of a district, including a school resource officer, security personnel, or police officer contracted with a district, shall not use prone or compressive restraint except that the restrictions on prone and compressive restraints do not apply under the circumstances enumerated in Minnesota Statutes, section 609.06, subdivision 1(1). All peace officers, including those who are school resource officers or otherwise agents of a school district, may use force as reasonably necessary to carry out official duties, including, but not limited to, making arrests and enforcing orders of the court.~~
3. An employee or agent of a district, ~~including a school resource officer, security personnel, or police officer contracted with a district,~~ shall not inflict any form of physical holding that restricts or impairs a pupil's ability to breathe; restricts or impairs a pupil's ability to communicate distress; places pressure or weight on a pupil's head, throat,

neck, chest, lungs, sternum, diaphragm, back, or abdomen; or results in straddling a pupil's torso.

4. Conduct that violates this Article is not a crime under Minnesota Statutes, section 645.241, but may be a crime under Minnesota Statutes, chapter 609 if the conduct violates a provision of Minnesota Statutes, chapter 609. Conduct that violates IV.1 above is not per se corporal punishment under the statute. Nothing in this Minnesota Statutes, section 121A.58 or 125A.0941 precludes the use of reasonable force under Minnesota Statutes, section 121A.582. The use of reasonable force as set forth in Section V does not authorize conduct prohibited pursuant to Minnesota Statutes, section 125A.0942.

V. EXCEPTIONS REASONABLE FORCE

1. Reasonable force may be used upon or toward the person of another without the other's consent when the following circumstance exists or the actor reasonably believes it to exist:
 - a. when used by a teacher, school principal, school employee, school bus driver, or other agent of the school in the exercise of lawful authority, to restrain a child or pupil to prevent bodily harm or death to the child, pupil, or another.
2. Reasonable force may be used upon or toward the person of a child without the child's consent when the following circumstance exists or the actor reasonably believes it to exist:
 - a. when used by a teacher, school principal, school employee, school bus driver, other agent of the district, or other member of the instructional, support, or supervisory staff of a public school upon or toward a child or pupil when necessary to restrain the child or pupil to prevent bodily harm or death to the child, pupil. Nothing in Minnesota Statutes, section 609.379 limits any other authorization to use reasonable force including but not limited to authorizations under Minnesota Statutes, section 121A.582, subdivision 1, and section 609.06, subdivision 1.
3. A teacher, school principal, and other school staff may use reasonable force under the conditions set forth in Policy 506 (Student Discipline).

[NOTE: These revisions reflect 2024 legislative changes and are reformatted to enhance readability.]

VI. VIOLATION

Employees who violate the provisions of this policy shall be subject to disciplinary action as appropriate. Any such disciplinary action shall be made pursuant to and in accordance with applicable statutory authority, collective bargaining agreements, and school district policies. Violation of this policy may also result in civil or criminal liability for the employee.

Legal References: Minn. Stat. § 121A.58 (Corporal Punishment)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 123B.25 (Legal Actions Against Districts and Teachers)
Minn. Stat. § 125A.0941 (Definitions)
Minn. Stat. § 125A.0942 (Standards for Restrictive Procedures)
Minn. Stat. § 609.06 ~~Subd. 1 (6)(7)~~ (Authorized Use of Force)
Minn. Stat. § 609.379 (Permitted Actions)

[Minn. Stat. § 626.8482 \(School Resource Officers; Duties; Training; Model Policy\)](#)

[Minn. Stat. § 645.241 \(Punishment for Prohibited Acts\)](#)

[Op. Atty. Gen. 169f \(August 22, 2023\) \(School Pupils: Discipline\)](#)

[Op. Atty. Gen. 169f Supp. \(September 20, 2023\) \(School Pupils: Discipline\)](#)

Cross References:

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

MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)

MSBA/MASA Model Policy 415 (Mandated Reporting of Maltreatment of Vulnerable Adults)

MSBA/MASA Model Policy 506 (Student Discipline)

[MSBA/MASA Model Policy 507.5 \(School Resource Officers\)](#)

Adopted: _____

MSBA/MASA Model Policy 512

Orig. 1995

Revised: _____

Rev. 2024

512 SCHOOL-SPONSORED STUDENT PUBLICATIONS AND ACTIVITIES

I. PURPOSE

The purpose of this policy is to protect students' rights to free speech in production of ~~official school-sponsored publications~~ and activities while at the same time balancing the school district's role in supervising student publications and the operation of public schools.

II. GENERAL STATEMENT OF POLICY

[NOTE: A school district generally will wish to reserve a forum it sponsors for its intended purpose in light of the special characteristics of the school environment. By doing so, the school district will have more authority/editorial control over student expression in such a forum. Sponsorship alone may not be enough, however. If the exercise of control is challenged, courts will examine factors such as whether the school district's purpose in creating the forum was educational, whether school officials supervised the publication or activity and exercised editorial control over the contents, whether the materials were produced as part of the curriculum, and whether students received grades and academic credit for the publication or activity. If a forum is reserved, regulation of student expression as in Section IV.B. of this policy will be permissible. If a forum is not reserved, but rather is opened for public communication by tradition or designation, then only the limited regulation of speech as described in Section IV.A. of this policy will be permissible.]

- A. The school district may exercise editorial control over the style and content of student expression in school-sponsored publications and activities.
- B. Expressions and representations made by students in school-sponsored publications and activities are not expressions of official school district policy. Faculty advisors shall supervise student writers to ensure compliance with the law and school district policies.
- C. Students who believe their right to free expression has been unreasonably restricted in ~~an official student school-sponsored media publication~~ or activity may seek review of the decision by the building principal. The principal shall issue a decision no later than three (3) school days after review is requested.
 1. Students producing ~~official schoolschool-sponsored media publications~~ and activities shall be under the supervision of a faculty advisor and the school principal. ~~School-sponsored media Official publications~~ and activities shall be subject to the guidelines set forth below.
 2. ~~Official school publications~~School-sponsored media may be distributed at reasonable times and locations.

III. DEFINITIONS

- A. "Distribution" means circulation or dissemination of material by means of handing out free copies, selling or offering copies for sale, accepting donations for copies, ~~posting,~~ or displaying material, or placing materials in internal staff or student mailboxes.

~~B. "Libelous" is a false and unprivileged statement about a specific individual that tends to harm the individual's reputation or to lower that individual in the esteem of the community.~~

B. "Material and substantial disruption" of a normal school activity means:

1. Where the normal school activity is an educational program of the school district for which student attendance is compulsory, "material and substantial disruption" is defined as any disruption which interferes with or impedes the implementation of that program.
2. Where the normal school activity is voluntary in nature (including, without limitation, school athletic events, school plays and concerts, and lunch periods) "material and substantial disruption" is defined as student rioting, unlawful seizures of property, conduct inappropriate to the event, participation in a school boycott, demonstration, sit-in, stand-in, walk-out, or other related forms of activity.

In order for expression to be considered disruptive, there must exist specific facts upon which the likelihood of disruption can be forecast, including past experience in the school, current events influencing student activities and behavior, and instances of actual or threatened disruption relating to the written material in question.

C. "Minor" means any person under the age of eighteen (18).

D. "Obscene to minors" means:

1. The average person, applying contemporary community standards, would find that the material, taken as a whole, appeals to the prurient interest of minors of the age to whom distribution is requested;
2. The material depicts or describes, in a manner that is patently offensive to prevailing standards in the adult community concerning how such conduct should be presented to minors of the age to whom distribution is requested, sexual conduct such as intimate sexual acts (normal or perverted), masturbation, excretory functions, or lewd exhibition of the genitals; and
3. The material, taken as a whole, lacks serious literary, artistic, political, or scientific value for minors.

~~E. "Official school publications" means school newspapers, yearbooks, or material produced in communications, journalism, or other writing classes as a part of the curriculum.~~

E. "School activities" means any activity of students sponsored by the school including, but not limited to, classroom work, library activities, physical education classes, official assemblies and other similar gatherings, school athletic contests, band concerts, school plays and other theatrical productions, and in-school lunch periods.

F. "School-sponsored media" means material that is:

1. prepared, wholly or substantially written, published, broadcast, or otherwise disseminated by a student journalist enrolled in the school district;
2. distributed or generally made available to students in the school; and
3. prepared by a student journalist under the supervision of a student media adviser.

School-sponsored media does not include material prepared solely for distribution or transmission in the classroom in which the material is produced, or a yearbook.

G. "Student journalist" means a school district student in grades 6 through 12 who gathers, compiles, writes, edits, photographs, records, or otherwise prepares information for dissemination in school-sponsored media.

H. "Student media adviser" means a qualified teacher, as defined in Minnesota Statutes, section 122A.16, that the school district employs, appoints, or designates to supervise student journalists or provide instruction relating to school-sponsored media.

[NOTE: The 2024 Minnesota legislature enacted the new definitions above and the new language in Article IV. below.]

IV. GUIDELINES

A. Except as provided in paragraph B below, a student journalist has the right to exercise freedom of speech and freedom of the press in school-sponsored media regardless of whether the school-sponsored media receives financial support from the school or district, uses school equipment or facilities in its production, or is produced as part of a class or course in which the student journalist is enrolled. Freedom of speech includes freedom to express political viewpoints. Consistent with paragraph B below, a student journalist has the right to determine the news, opinion, feature, and advertising content of school-sponsored media. The school district must not discipline a student journalist for exercising rights or freedoms under this paragraph or the First Amendment of the United States Constitution.

B. Student expression in an official school publication, school-sponsored media, a yearbook, or school-sponsored activity is prohibited when the material:

1. is obscene to minors;
2. is libelous or slanderous;
2. is defamatory;
3. is profane, harassing, threatening, or intimidating;
4. constitutes an unwarranted invasion of privacy;
5. violates federal or state law;
6. causes a material and substantial disruption of school activities;
7. is directed to inciting or producing imminent lawless action on school premises or the violation of lawful school policies or rules, including a policy adopted in accordance with Minnesota Statutes, section 121A.03 or 121A.031;
8. advertises or promotes any product or service not permitted for minors by law;
4. encourages students to commit illegal acts or violate school regulations or substantially disrupts the orderly operation of school or school activities;
9. expresses or advocates sexual, racial, or religious harassment or violence or prejudice; or
10. is distributed or displayed in violation of time, place, and manner regulations.

C. The school district must not retaliate or take adverse employment action against a student media adviser for supporting a student journalist exercising rights or freedoms under paragraph A above or the First Amendment of the United States Constitution.

D. Notwithstanding the rights or freedoms of this Article or the First Amendment of the United States Constitution, nothing in this Article inhibits a student media adviser from teaching professional standards of English and journalism to student journalists.

~~Expression in an official school publication or school-sponsored activity is subject to editorial control by the school district over the style and content so long as the school district's actions are reasonably related to legitimate pedagogical concerns.~~ These professional standards may include, but are not limited to, the following:

1. assuring that participants learn whatever lessons the activity is designed to teach;
2. assuring that readers or listeners are not exposed to material that may be inappropriate for their level of maturity;
3. assuring that the views of the individual speaker are not erroneously attributed to the school;
4. assuring that the school is not associated with any position other than neutrality on matters of political controversy;
5. assuring that the sponsored student speech cannot reasonably be perceived to advocate conduct otherwise inconsistent with the shared values of a civilized social order;
6. assuring that the school is not associated with expression that is, for example, ungrammatical, poorly written, inadequately researched, biased or prejudiced, vulgar or profane, or unsuitable for immature audiences.

E. Time, Place, and Manner of Distribution

Students shall be permitted to distribute written materials at school as follows:

1. Time

Distribution shall be limited to the hours before the school day begins, during lunch hour and after school is dismissed.

2. Place

Written materials may be distributed in locations so as not to interfere with the normal flow of traffic within the school hallways, walkways, entry ways, and parking lots. Distribution shall not impede entrance to or exit from school premises in any way.

3. Manner

No one shall induce or coerce a student or staff member to accept a student publication.

V. POSTING

The school district must adopt a student journalist policy consistent with Minnesota Statutes, section 121A.80 and post it on the district website.

[NOTE: This model policy is crafted to fulfill the obligation stated above.]

Legal References: U. S. Const., amend. I
Morse v. Frederick, 551 U.S. 393 (2007)
Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988)
Bystrom v. Fridley High School, I.S.D. No. 14, 822 F. 2d 747 (8th Cir. 1987)
[Minn. Stat. § 121A.03 \(Model Policy\)](#)
[Minn. Stat. § 121A.031 \(School Student Bullying Policy\)](#)
[Minn. Stat. § 121A.80 \(Student Journalism; Student Expression\)](#)

Cross References: MSBA/MASA Model Policy 505 (Distribution of Nonschool-Sponsored Materials on School Premises by Students and Employees)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 904 (Distribution of Materials on School District Property by Nonschool Persons)

Adopted: _____

MSBA/MASA Model Policy 515

Orig. 1995

Revised: _____

Rev. 2024~~3~~

515 PROTECTION AND PRIVACY OF PUPIL RECORDS

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. Authorized Representative

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

B. Biometric Record

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

C. Dates of Attendance

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

D. Directory Information

1. **Under federal law, "directory information"** means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes the student's name; address; telephone listing; electronic mail address; photograph; date and place of birth; major field of study; dates of attendance; grade level; enrollment status (i.e., full-time or part-time); participation in officially recognized activities and sports; weight and height of members of athletic teams; degrees, honors and awards received; and the most recent educational agency or institution attended. It also includes the name, address, and telephone number of the student's parent(s). Directory information does not include:
 - a. a student's social security number;
 - b. a student's identification number (ID), user ID, or other unique personal identifier used by a student for purposes of accessing or communicating in electronic systems if the identifier may be used to access education records without use of one or more factors that authenticate the student's identity such as a personal identification number (PIN), password, or other factor known or possessed only by the authorized user;
 - c. a student ID or other unique personal identifier that is displayed on a student ID badge if the identifier can be used to gain access to educational records when used in conjunction with one or more factors that authenticate the student's identity, such as a PIN, password, or other factor known or possessed only by the student;
 - d. personally identifiable data which references religion, race, color, social position, or nationality; or
 - e. data collected from nonpublic school students, other than those who receive shared time educational services, unless written consent is given by the student's parent or guardian.

[NOTE: Under the federal Family Educational Rights and Privacy Act (FERPA), the federal definition of "directory information" identifies the types of information that may be specifically referenced as directory information. The federal definition applies to information requests by military recruiting officers, as set out in Article XI below.]

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

The Minnesota definition imposes additional restrictions upon the types of information that may be designated as directory information. Minnesota law prohibits schools from designating student contact information as "directory information" despite the FERPA definition. Minnesota schools should comply with Minnesota law and should not include student contact information in their definition of "directory information."

This June 2024 revision to the “directory information” section seeks to clarify the law; no substantive change is presented in this revision.]

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

[NOTE: The 2024 Minnesota legislature enacted Minnesota Statutes, section 480.40, which includes a law limiting disclosure of personal information concerning “judicial officials.” The new law includes a definition of “judicial official” that school districts can review. “Personal information” about a judicial official includes “the name of any child” and the name of any school that such a child attends if combined with an assertion that the child attends the school. School districts may not “knowingly publicly post, display, publish, sell, or otherwise make available on the Internet the personal information of any judicial official,” including in response to requests for directory information.]

E. Education Records

1. What constitutes “education records.” Education records means those records that are: (1) directly related to a student; and (2) maintained by the school district or by a party acting for the school district.
2. What does not constitute education records. The term “education records” does not include:
 - a. Records of instructional personnel that are:
 - (1) kept in the sole possession of the maker of the record;
 - (2) used only as a personal memory aid;
 - (3) not accessible or revealed to any other individual except a temporary substitute teacher; and

- (4) destroyed at the end of the school year.
- b. Records of a law enforcement unit of the school district, provided education records maintained by the school district are not disclosed to the unit, and the law enforcement records are:
 - (1) maintained separately from education records;
 - (2) maintained solely for law enforcement purposes; and
 - (3) disclosed only to law enforcement officials of the same jurisdiction.
- c. Records relating to an individual, including a student, who is employed by the school district which:
 - (1) are made and maintained in the normal course of business;
 - (2) relate exclusively to the individual in that individual's capacity as an employee; and
 - (3) are not available for use for any other purpose.

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

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

F. Education Support Services Data

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

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

G. Eligible Student

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

H. Juvenile Justice System

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

I. Legitimate Educational Interest

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

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

J. Parent

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

K. Personally Identifiable

"Personally identifiable" means that the data or information includes, but is not limited to: (a) a student's name; (b) the name of the student's parent or other family member; (c) the address of the student or student's family; (d) a personal identifier such as the student's social security number or student number or biometric record; (e) other indirect identifiers, such as the student's date of birth, place of birth, and mother's

maiden name; (f) other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or (g) information requested by a person who the school district reasonably believes knows the identity of the student to whom the education record relates.

L. Record

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

M. Responsible Authority

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

N. Student

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

O. School Official

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

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

P. Summary Data

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

Q. Other Terms and Phrases

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

IV. GENERAL CLASSIFICATION

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

V. STATEMENT OF RIGHTS

A. Rights of Parents and Eligible Students

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

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

B. Eligible Students

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

C. Students with a Disability

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

VI. DISCLOSURE OF EDUCATION RECORDS

A. Consent Required for Disclosure

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

be disclosed;

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

6. Eligible Student Consent

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

B. Prior Consent for Disclosure Not Required

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

- 1. To other school officials, including teachers, within the school district whom the school district determines have a legitimate educational interest in such records;
- 2. To a contractor, consultant, volunteer, or other party to whom the school district has outsourced institutional services or functions provided that the outside party:
 - a. performs an institutional service or function for which the school district would otherwise use employees;
 - b. is under the direct control of the school district with respect to the use and maintenance of education records; and
 - c. will not disclose the information to any other party without the prior consent of the parent or eligible student and uses the information only for the purposes for which the disclosure was made;
- 3. To officials of other schools, school districts, or post-secondary educational institutions in which the student seeks or intends to enroll, or is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer. The records shall include information about disciplinary action taken as a result of any incident in which the student possessed or used a dangerous

weapon, and with proper annual notice (see Section XIX.), suspension and expulsion information pursuant to section 7917 of the federal Every Student Succeeds Act, 20 United States Code, section 7917, *[insert the following if the school district has a policy regarding Staff Notification of Violent Behavior by Students]* and, if applicable, data regarding a student's history of violent behavior. The records also shall include a copy of any probable cause notice or any disposition or court order under Minnesota Statutes, section 260B.171, unless the data are required to be destroyed under Minnesota Statutes, section 120A.22, subdivision 7(c) or section 121A.75. On request, the school district will provide the parent or eligible student with a copy of the education records that have been transferred and provide an opportunity for a hearing to challenge the content of those records in accordance with Section XV. of this policy;

4. To authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or the Commissioner of the State Department of Education or his or her representative, subject to the conditions relative to such disclosure provided under federal law;
5. In connection with financial aid for which a student has applied or has received, if the information is necessary for such purposes as to:
 - a. determine eligibility for the aid;
 - b. determine the amount of the aid;
 - c. determine conditions for the aid; or
 - d. enforce the terms and conditions of the aid.

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

6. To state and local officials or authorities to whom such information is specifically allowed to be reported or disclosed pursuant to state statute adopted:
 - a. before November 19, 1974, if the allowed reporting or disclosure concerns the juvenile justice system and such system's ability to effectively serve the student whose records are released; or
 - b. after November 19, 1974, if the reporting or disclosure allowed by state statute concerns the juvenile justice system and the system's ability to effectively serve, prior to adjudication, the student whose records are released, provided the officials and authorities to whom the records are disclosed certify in writing to the school district that the data will not be disclosed to any other party, except as provided by state law, without the prior written consent of the parent of the student. At a minimum, the school district shall disclose the following information to the juvenile justice system under this paragraph: a student's full name, home address, telephone number, and date of birth; a student's school schedule, attendance record, and photographs, if any; and parents' names, home addresses, and telephone numbers;

7. To organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction; provided that the studies are conducted in a manner which does not permit the personal identification of parents or students by individuals other than representatives of the organization who have a legitimate interest in the information, the information is destroyed when no longer needed for the purposes for which the study was conducted, and the school district enters into a written agreement with the organization that: (a) specifies the purpose, scope, and duration of the study or studies and the information to be disclosed; (b) requires the organization to use personally identifiable information from education records only to meet the purpose or purposes of the study as stated in the written agreement; (c) requires the organization to conduct the study in a manner that does not permit personal identification of parents and students by anyone other than representatives of the organization with legitimate interests; and (d) requires the organization to destroy all personally identifiable information when information is no longer needed for the purposes for which the study was conducted and specifies the time period in which the information must be destroyed. For purposes of this provision, the term, "organizations," includes, but is not limited to, federal, state, and local agencies and independent organizations. In the event the Department of Education determines that a third party outside of the school district to whom information is disclosed violates this provision, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years;
8. To accrediting organizations in order to carry out their accrediting functions;
9. To parents of a student eighteen (18) years of age or older if the student is a dependent of the parents for income tax purposes;
10. To comply with a judicial order or lawfully issued subpoena, provided, however, that the school district makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance therewith so that the parent or eligible student may seek protective action, unless the disclosure is in compliance with a federal grand jury subpoena, or any other subpoena issued for law enforcement purposes, and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed, or the disclosure is in compliance with an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 United States Code, section 2332b(g)(5)(B), an act of domestic or international terrorism as defined in 18 [United States Code, section U.S.C. § 2331](#), or a parent is a party to a court proceeding involving child abuse and neglect or dependency matters, and the order is issued in the context of the proceeding. If the school district initiates legal action against a parent or student, it may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the school district to proceed with the legal action as a plaintiff. Also, if a parent or eligible student initiates a legal action against the school district, the school district may disclose to the court, without a court order or subpoena, the student's education records that are relevant for the school district to defend itself;
11. To appropriate parties, including parents of an eligible student, in connection with an emergency if knowledge of the information is necessary to protect the

health, including the mental health, or safety of the student or other individuals. The decision is to be based upon information available at the time the threat occurs that indicates that there is an articulable and significant threat to the health or safety of a student or other individuals. In making a determination whether to disclose information under this section, the school district may take into account the totality of the circumstances pertaining to a threat and may disclose information from education records to any person whose knowledge of the information is necessary to protect the health or safety of the student or other students. A record of this disclosure must be maintained pursuant to Section XIII.E. of this policy. In addition, an educational agency or institution may include in the education records of a student appropriate information concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community. This information may be disclosed to teachers and school officials within the school district and/or teachers and school officials in other schools who have legitimate educational interests in the behavior of the student;

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

controlled substance, alcohol, or tobacco; (2) assaultive or threatening conduct that could result in dismissal from school under the Pupil Fair Dismissal Act; (3) possession or use of weapons or look-alike weapons; (4) theft; or (5) vandalism or other damage to property. Prior to releasing this information, the principal or chief administrative officer of a school who receives such a request must, to the extent permitted by federal law, notify the student's parent or guardian by certified mail of the request to disclose information. If the student's parent or guardian notifies the school official of an objection to the disclosure within ten (10) days of receiving certified notice, the school official must not disclose the information and instead must inform the requesting member of the juvenile justice system of the objection. If no objection from the parent or guardian is received within fourteen (14) days, the school official must respond to the request for information.

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

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

Such notices from the principal must identify the student and describe the alleged offense if this information is provided in the peace officer's notice. Peace officer's record information received is private educational data received for the limited purpose of serving the educational needs of the student and protecting students and staff. The information must not be further disseminated by the counselor, teacher administrator, staff member, substitute, or volunteer except to communicate with the student or the student's parent or guardian as necessary to serve the student, to protect students and staff, or as otherwise required by law.

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

21. To the Secretary of Agriculture, or authorized representative from the Food and Nutrition Service or contractors acting on behalf of the Food and Nutrition Service, for the purposes of conducting program monitoring, evaluations, and performance measurements of state and local educational and other agencies and institutions receiving funding or providing benefits of one or more programs authorized under the National School Lunch Act or the Child Nutrition Act of 1966 for which the results will be reported in an aggregate form that does not identify any individual, on the conditions that: (a) any data collected shall be protected in a manner that will not permit the personal identification of students and their parents by other than the authorized representatives of the Secretary; and (b) any personally identifiable data shall be destroyed when the data are no longer needed for program monitoring, evaluations, and performance measurements; or
22. To an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in 25 United States Code, section 5304), who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records.
23. When requested, educational agencies or institutions may share personal student contact information and directory information for students served in special education with postsecondary transition planning and services under Minnesota Statutes, section 125A.08, paragraph (b), clause (1), whether public or private, with the Minnesota Department of Employment and Economic Development, as required for coordination of services to students with disabilities under Minnesota Statutes, sections 125A.08, paragraph (b), clause (1); 125A.023; and 125A.027.

[NOTE: The 2024 Minnesota legislature enacted this provision.]

C. Nonpublic School Students

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

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

VII. RELEASE OF DIRECTORY INFORMATION

A. Educational Data

1. Educational data designated as directory information is public data on individuals to the extent required under federal law. Directory information must be designated pursuant to the provisions of:
 - a. Minnesota Statutes, section 13.32, subdivision 5; and
 - b. 20 United States Code, ~~title 20~~, section 1232g, and 34 Code of Federal Regulations, ~~title 34~~, section 99.37, which were in effect on January 3, 2012.
2. The school district may not designate a student's home address, telephone number, email address, or other personal contact information as directory information under this section.
3. When requested, the school district must share personal contact information and directory information, whether public or private, with the Minnesota Department of Education, as required for federal reporting purposes.

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

B. Former Students

Unless a former student validly opted out of the release of directory information while the student was in attendance and has not rescinded the opt out request at any time, the school district may disclose directory information from the education records generated by it regarding the former student without meeting the requirements of Paragraph C. of this section. In addition, under an explicit exclusion from the definition of an "education record," the school district may release records that only contain

information about an individual obtained after he or she is no longer a student at the school district and that are not directly related to the individual's attendance as a student (e.g., a student's activities as an alumnus of the school district).

C. Present Students and Parents

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

1. When conducting the directory information designation and notice process required by federal law, the school district shall give parents and students notice of the right to refuse to let the district designate specified data about the student as directory information.
2. The school district shall give annual notice by any means that are reasonably likely to inform the parents and eligible students of:
 - a. the types of personally identifiable information regarding students and/or parents that the school district has designated as directory information;
 - b. the parent's or eligible student's right to refuse to let the school district designate any or all of those types of information about the student and/or the parent as directory information; and
 - c. the period of time in which a parent or eligible student has to notify the school district in writing that he or she does not want any or all of those types of information about the student and/or the parent designated as directory information.

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

32. Allow a reasonable period of time after such notice has been given for a parent or eligible student to inform the school district in writing that any or all of the information so designated should not be disclosed without the parent's or eligible student's prior written consent, except as provided in Section VI. of this policy.

43. A parent or eligible student may not opt out of the directory information disclosures to:

- a. prevent the school district from disclosing or requiring the student to disclose the student's name, ID, or school district e-mail address in a

class in which the student is enrolled; or

- b. prevent the school district from requiring a student to wear, to display publicly, or to disclose a student ID card or badge that exhibits information that may be designated as directory information and that has been properly designated by the school district as directory information.

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

D. Procedure for Obtaining Nondisclosure of Directory Information

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

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

E. Duration

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

VIII. DISCLOSURE OF PRIVATE RECORDS

A. Private Records

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

B. Private Records Not Accessible to Parent

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

at all.

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

C. Private Records Not Accessible to Student

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

D. Military-Connected Youth Identifier

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

IX. DISCLOSURE OF CONFIDENTIAL RECORDS

A. Confidential Records

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

B. Reports Under the Maltreatment of Minors Reporting Act

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

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

C. Investigative Data

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

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

c. the exhaustion or expiration of rights of appeal by either party to the civil legal action.

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

D. Chemical Abuse Records

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

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

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

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

A. The school district will release the names, addresses, electronic mail address (which shall be the electronic mail addresses provided by the school district, if available, that may be released to military recruiting officers only), and home telephone numbers of students in grades 11 and 12 to military recruiting officers and post-secondary educational institutions within sixty (60) days after the date of the request unless a parent or eligible student has refused in writing to release this data pursuant to Paragraph C. below.

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

1. may be used only for the purpose of providing information to students about military service, state and federal veterans' education benefits, and other career and educational opportunities provided by the military;
2. cannot be further disseminated to any other person except personnel of the recruiting services of the armed forces; and
3. copying fees shall not be imposed.

C. A parent or eligible student has the right to refuse the release of the name, address, electronic mail addresses (which shall be the electronic mail addresses provided by the school, if available, that may be released to military recruiting officers only) or home telephone number to military recruiting officers and post-secondary educational institutions. To refuse the release of the above information to military recruiting officers and post-secondary educational institutions, a parent or eligible student must notify the responsible authority [*designate title of individual, i.e., building principal*] in writing by [*date*] each year. The written request must include the following information:

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

XII. LIMITS ON REDISCLOSURE

A. Redisclosure

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

B. Redisclosure Not Prohibited

1. Subdivision A. of this section does not prevent the school district from disclosing personally identifiable information under Section VI. of this policy with the understanding that the party receiving the information may make further disclosures of the information on behalf of the school district provided:
 - a. The disclosures meet the requirements of Section VI. of this policy; and
 - b. The school district has complied with the record-keeping requirements

of Section XIII. of this policy.

2. Subdivision A. of this section does not apply to disclosures made pursuant to court orders or lawfully issued subpoenas or litigation, to disclosures of directory information, to disclosures to a parent or student or to parents of dependent students, or to disclosures concerning sex offenders and other individuals required to register under 42 United States Code, section 14071. However, the school district must provide the notification required in Section XII.D. of this policy if a redisclosure is made based upon a court order or lawfully issued subpoena.

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

C. Classification of Disclosed Data

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

D. Notification

The school district shall inform the party to whom a disclosure is made of the requirements set forth in this section, except for disclosures made pursuant to court orders or lawfully issued subpoenas, disclosure of directory information under Section VII. of this policy, disclosures to a parent or student, or disclosures to parents of a dependent student. In the event that the Family Policy Compliance Office determines that a state or local educational authority, a federal agency headed by an official listed in 34 Code of Federal Regulations, section 99.31(a)(3), or an authorized representative of a state or local educational authority or a federal agency headed by an official listed in section 99.31(a)(3), or a third party outside of the school district improperly rediscloses personally identifiable information from education records or fails to provide notification required under this section of this policy, the school district may not allow that third party access to personally identifiable information from education records for at least five (5) years.

XIII. RESPONSIBLE AUTHORITY; RECORD SECURITY; AND RECORD KEEPING

A. Responsible Authority

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

B. Record Security

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

C. Plan for Securing Student Records

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

the following information:

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

D. Review of Written Plan for Securing Student Records

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

E. Record Keeping

1. The principal shall, for each request for and each disclosure of personally identifiable information from the education records of a student, maintain a record, with the education records of the student, that indicates:
 - a. the parties who have requested or received personally identifiable information from the education records of the student;
 - b. the legitimate interests these parties had in requesting or obtaining the information; and
 - c. the names of the state and local educational authorities and federal officials and agencies listed in Section VI.B.4. of this policy that may make further disclosures of personally identifiable information from the student's education records without consent.
2. In the event the school district discloses personally identifiable information from an education record of a student pursuant to Section XII.B. of this policy, the record of disclosure required under this section shall also include:
 - a. the names of the additional parties to which the receiving party may disclose the information on behalf of the school district;
 - b. the legitimate interests under Section VI. of this policy which each of the additional parties has in requesting or obtaining the information; and
 - c. a copy of the record of further disclosures maintained by a state or local educational authority or federal official or agency listed in Section VI.B.4. of this policy in accordance with 34 Code of Federal Regulations, section 99.32 and to whom the school district disclosed information from an education record. The school district shall request a copy of the record of further disclosures from a state or local educational authority or federal official or agency to whom education records were disclosed

upon a request from a parent or eligible student to review the record of requests for disclosure.

3. Section XIII.E.1. does not apply to requests by or disclosure to a parent of a student or an eligible student, disclosures pursuant to the written consent of a parent of a student or an eligible student, requests by or disclosures to other school officials under Section VI.B.1. of this policy, to requests for disclosures of directory information under Section VII. of this policy, or to a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or agency has ordered that the existence or the contents of the subpoena or the information provided in response to the subpoena not be disclosed or as directed by an ex parte court order obtained by the United States Attorney General (or designee not lower than an Assistant Attorney General) concerning investigations or prosecutions of an offense listed in 18 United States Code, section 2332b(g)(5)(B) or an act of domestic or international terrorism.

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

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

XIV. RIGHT TO INSPECT AND REVIEW EDUCATION RECORDS

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

The school district shall permit the parent of a student, an eligible student, or the parent of an eligible student who is also a dependent student who is or has been in attendance in the school district to inspect or review the education records of the student, except

those records which are made confidential by state or federal law or as otherwise provided in Section VIII. of this policy.

B. Response to Request for Access

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

C. Right to Inspect and Review

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

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

D. Form of Request

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

E. Collection of Student Records

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

F. Records Containing Information on More Than One Student

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

G. Authority to Inspect or Review

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

H. Fees for Copies of Records

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

XV. REQUEST TO AMEND RECORDS; PROCEDURES TO CHALLENGE DATA

A. Request to Amend Education Records

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

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

B. Right to a Hearing

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

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

C. Conduct of Hearing

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

D. Appeal

The final decision of the designated hearing officer may be appealed in accordance with the applicable provisions of Minnesota Statutes, chapter 14 relating to contested cases.

XVI. PROBLEMS ACCESSING DATA

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

XVII. COMPLAINTS FOR NONCOMPLIANCE WITH FERPA

A. Where to File Complaints

Complaints regarding alleged violations of rights accorded parents and eligible students by FERPA, and the rules promulgated thereunder, shall be submitted in writing to the U.S. Department of Education, Student Privacy Policy Office, 400 Maryland Avenue S.W., Washington, D.C. 20202-8520.

B. Content of Complaint

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

XVIII. WAIVER

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

XIX. ANNUAL NOTIFICATION OF RIGHTS

A. Contents of Notice

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

1. That the parent or eligible student has a right to inspect and review the student's education records and the procedure for inspecting and reviewing education records;
2. That the parent or eligible student has a right to seek amendment of the student's education records to ensure that those records are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights and

the procedure for requesting amendment of records;

3. That the parent or eligible student has a right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that federal and state law and the regulations promulgated thereunder authorize disclosure without consent;
4. That the parent or eligible student has a right to file a complaint with the U.S. Department of Education regarding an alleged failure by the school district to comply with the requirements of FERPA and the rules promulgated thereunder;
5. The criteria for determining who constitutes a school official and what constitutes a legitimate educational interest for purposes of disclosing education records to other school officials whom the school district has determined to have legitimate educational interests; and
6. That the school district forwards education records on request to a school in which a student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment or transfer and that such records may include suspension and expulsion records pursuant to the federal Every Student Succeeds Act and, if applicable, a student's history of violent behavior.

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

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

C. Notification to Parents or Eligible Students Who are Disabled

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

XX. DESTRUCTION AND RETENTION OF RECORDS

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

XXI. COPIES OF POLICY

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

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. § 13.32, Subd. 5 (Directory Information)
Minn. Stat. § 13.393 (Attorneys)
Minn. Stat. Ch. 14 (Administrative Procedures Act)
Minn. Stat. § 120A.22 (Compulsory Instruction)
Minn. Stat. § 121A.40-121A.56 (The Pupil Fair Dismissal Act)
Minn. Stat. § 121A.75 (Receipt of Records; Sharing)
Minn. Stat. § 127A.852 (Military-Connected Youth Identifier)
Minn. Stat. § 144.341-144.347 (Consent of Minors for Health Services)
Minn. Stat. Ch. 256B (Medical Assistance for Needy Persons)
Minn. Stat. Ch. 256L (MinnesotaCare)
Minn. Stat. § 260B.171, Subds. 3 and 5 (Disposition Order and Peace Officer)

Records of Children)
Minn. Stat. Ch. 260E (Reporting of Maltreatment of Minors)
Minn. Stat. § 363A.42 (Public Records; Accessibility)
[Minn. Stat. § 480.40 \(Personal Information, Dissemination\)](#)
Minn. Stat. § 626.557 (Reporting of Maltreatment of Vulnerable Adults)
Minn. Rules Parts 1205.0100-1205.2000 (Data Practices)
10 U.S.C. § 503(b) and (c) (Enlistments: Recruiting Campaigns; Compilation of Directory Information)
18 U.S.C. § 2331 (Definitions)
18 U.S.C. § 2332b (Acts of Terrorism Transcending National Boundaries)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy Act)
20 U.S.C. § 6301 *et seq.* (Every Student Succeeds Act)
20 U.S.C. § 7908 (Armed Forces Recruiting Information)
20 U.S.C. § 7917 (Transfer of School Disciplinary Records)
25 U.S.C. § 5304 (Definitions – Tribal Organization)
26 U.S.C. §§ 151 and 152 (Internal Revenue Code)
42 U.S.C. § 1711 *et seq.* (Child Nutrition Act)
42 U.S.C. § 1751 *et seq.* (Richard B. Russell National School Lunch Act)
34 C.F.R. §§ 99.1-99.67 (Family Educational Rights and Privacy)
34 C.F.R. § 300.610-300.627 (Confidentiality of Information)
42 C.F.R. § 2.1 *et seq.* (Confidentiality of Drug Abuse Patient Records)
Gonzaga University v. Doe, 536 U.S. 273 309 (2002)
Dept. of Admin. Advisory Op. No. 21-008 (December 8, 2021)

Cross References: MSBA/MASA Model Policy 414 (Mandated Reporting of Child Neglect or Physical or Sexual Abuse)
MSBA/MASA Model Policy 417 (Chemical Use and Abuse)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 519 (Interviews of Students by Outside Agencies)
MSBA/MASA Model Policy 520 (Student Surveys)
MSBA/MASA Model Policy 711 (Video Recording on School Buses)
MSBA/MASA Model Policy 722 (Public Data Requests)
MSBA/MASA Model Policy 906 (Community Notification of Predatory Offenders)
MSBA School Law Bulletin "I" (School Records – Privacy – Access to Data)

Adopted: _____

MSBA/MASA Model Policy 516

Orig. 1995

Revised: _____

Rev. 20242

516 STUDENT MEDICATION AND TELEHEALTH

[NOTE: The necessary provisions for complying with Minnesota Statutes, sections 121A.22, Administration of Drugs and Medicine, 121A.221, Possession and Use of Asthma Inhalers by Asthmatic Students, and 121A.222, Possession and Use of Nonprescription Pain Relievers by Secondary Students are included in this policy. The statutes do not regulate administration of drugs and medicine for students aged 18 and over or other nonprescription medications. Please note that section 121A.22 does not require school districts to apply the administration of medication rule to drugs or medicine used off school grounds, drugs or medicines used in connection with athletics or extra-curricular activities, and drugs and medicines that are used in connection with activities that occur before or after the regular school day.]

I. PURPOSE

The purpose of this policy is to set forth the provisions that must be followed when administering nonemergency prescription medication to students at school.

II. GENERAL STATEMENT OF POLICY

The school district acknowledges that some students may require prescribed drugs or medication or telehealth during the school day. The school district's licensed school nurse, trained health clerk, principal, or teacher will administer prescribed medications, except any form of medical cannabis, in accordance with law and school district procedures.

III. DRUG AND MEDICATION REQUIREMENTS

[NOTE: The June 2024 Model Policy 516 revisions include insertion of headings and rearrangement of paragraphs so that similar content is grouped together. School boards can choose whether to make these revisions.]

A. Administration of Drugs and Medicine

1. The administration of ~~prescription~~ medication or drugs at school requires a completed signed request from the student's parent. An oral request must be reduced to writing within two school days, provided that the school district may rely on an oral request until a written request is received.
2. Drugs and medicine subject to Minnesota Statutes, 121A.22 must be administered, to the extent possible, according to school board procedures that must be developed in consultation with:
 - a. with a licensed nurse, in a district that employs a licensed nurse under Minnesota Statutes, section 148.171;
 - b. with a licensed school nurse, in a district that employs a licensed school nurse licensed under Minnesota Rules, part 8710.6100;
 - c. with a public or private health-related organization, in a district that contracts with a public or private health or health-related organization,

according to Minnesota Statutes, 121A.21; or

- d. with the appropriate party, in a district that has an arrangement approved by the Commissioner of the Minnesota Department of Education, according to Minnesota Statutes, 121A.21.

[NOTE: Paragraph III.A.2 had appeared in a different spot in previous versions of this model policy. In June 2024, the paragraph is located here and is updated to reflect 2024 legislative changes.]

3. Exclusions

[Note: The provisions of III.A.3 are optional. The school board may choose to include or exclude any of the provisions specified. These exclusions appeared in previous versions of this model policy.]

The provisions on administration of drugs and medicine above do not apply to drugs or medicine that are:

- a. purchased without a prescription;
- b. used by a pupil who is 18 years old or older;
- c. used in connection with services for which a minor may give effective consent;
- d. used in situations in which, in the judgment of the school personnel, including a licensed nurse, who are present or available, the risk to the pupil's life or health is of such a nature that drugs or medicine should be given without delay;
- e. used off the school grounds;
- f. used in connection with athletics or extracurricular activities;
- g. used in connection with activities that occur before or after the regular school day;
- h. provided or administered by a public health agency to prevent or control an illness or a disease outbreak as provided under Minnesota law;
- i. prescription asthma or reactive airway disease medications can be self-administered by a student with an asthma inhaler if:
- a. the school district has received a written authorization each school year from the pupil's parent permitting the student to self-administer the medication;
- b. the inhaler is properly labeled for that student; and
- c. the parent has not requested school personnel to administer the medication to the student.

In a school that does not have a school nurse or school nursing services, the student's parent or guardian must submit written verification from

the prescribing professional which documents that an assessment of the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting has been completed.

If the school district employs a school nurse or provides school nursing services under another arrangement, the school nurse or other appropriate party must assess the student's knowledge and skills to safely possess and use an asthma inhaler in a school setting and enter into the student's school health record a plan to implement safe possession and use of asthma inhalers.

j. epinephrine auto-injectors, consistent with Minnesota Statutes, section 121A.2205, if the parent and prescribing medical professional annually inform the pupil's school in writing that

a. the pupil may possess the epinephrine or

b. the pupil is unable to possess the epinephrine and requires immediate access to epinephrine auto-injectors that the parent provides properly labeled to the school for the pupil as needed.

k. For the purposes of Minnesota Statutes, 121A.22, special health treatments and health functions, such as catheterization, tracheostomy suctioning, and gastrostomy feedings, do not constitute administration of drugs or medicine.

l. Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy.

B. Prescription Medication

1. An "Administering Prescription Medications" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs. Prescription medication as used in this policy does not include any form of medical cannabis as defined in Minnesota Statutes, section 152.22, subdivision 6.

2. Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law and must be administered in a manner consistent with the instructions on the label.

3. The school nurse may request to receive further information about the prescription, if needed, prior to administration of the substance.

4. Prescription medications are not to be carried by the student, but will be left with the appropriate school district personnel. Exceptions to this requirement are: prescription asthma medications self-administered with an inhaler (See Paragraph III.A.3(i) above ~~Part J.5. below~~), and medications administered as noted in a written agreement between the school district and the parent or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan).

5. The school must be notified immediately by the parent or student 18 years old or older in writing of any change in the student's prescription medication administration. A new medical authorization or container label with new

pharmacy instructions shall be required immediately as well.

6. The school nurse, or other designated person, shall be responsible for the filing of the Administering Prescription Medications form in the health records section of the student file. The school nurse, or other designated person, shall be responsible for providing a copy of such form to the principal and to other personnel designated to administer the medication.
7. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP.

~~Procedures for administration of drugs and medicine at school and school activities shall be developed in consultation with a school nurse, a licensed school nurse, or a public or private health organization or other appropriate party (if appropriately contracted by the school district under Minnesota Statutes section 121A.21). The school district administration shall submit these procedures and any additional guidelines and procedures necessary to implement this policy to the school board for approval. Upon approval by the school board, such guidelines and procedures shall be an addendum to this policy.~~

[NOTE: This paragraph is moved to Paragraph III.A.3 above, where it is updated to reflect 2024 legislative changes.]

8. If the administration of a drug or medication described in this section requires the school district to store the drug or medication, the parent or legal guardian must inform the school if the drug or medication is a controlled substance. For a drug or medication that is not a controlled substance, the request must include a provision designating the school district as an authorized entity to transport the drug or medication for the purpose of destruction if any unused drug or medication remains in the possession of school personnel. For a drug or medication that is a controlled substance, the request must specify that the parent or legal guardian is required to retrieve the drug or controlled substance when requested by the school.

[NOTE: Starting in June 2024, the exceptions appear under Article III.A.3 above.]

1. ~~Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine;~~
2. ~~Emergency health procedures, including emergency administration of drugs and medicine are not subject to this policy;~~
3. ~~Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy;~~
4. ~~Drugs or medicines used at school in connection with services for which a minor may give effective consent are not governed by this policy;~~
5. ~~Drugs or medicines that are~~
6. ~~Medications:~~
 - a. ~~that are used off school grounds;~~

- ~~b. that are used in connection with athletics or extracurricular activities;
or~~
- ~~c. that are used in connection with activities that occur before or after the regular school day are not governed by this policy.~~

C. Nonprescription Medication

A secondary student may possess and use nonprescription pain relief in a manner consistent with the labeling, if the school district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The school district may revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients. Except as stated in this paragraph, only prescription medications are governed by this policy.

[NOTE: School districts should consult with licensed medical and nursing personnel to address whether nonprescription medications will be allowed at elementary schools and whether and under what conditions school personnel will participate in storing or administering nonprescription medications.]

D. Possession and Use of Epinephrine Auto-Injectors

At the start of each school year or at the time a student enrolls in school, whichever is first, a student's parent, school staff, including those responsible for student health care, and the prescribing medical professional must develop and implement an individualized written health plan for a student who is prescribed epinephrine auto-injectors that enables the student to:

1. possess epinephrine auto-injectors; or
2. if the parent and prescribing medical professional determine the student is unable to possess the epinephrine, have immediate access to epinephrine auto-injectors in close proximity to the student at all times during the instructional day.

For the purposes of this policy, "instructional day" is defined as eight hours for each student contact day.

[NOTE: Minnesota law states that "the school board of the school district must define instructional day for the purposes of Minnesota Statutes, 121A.2205." A sample definition appears above. School districts can create a definition that fits their circumstances.]

The plan must designate the school staff responsible for implementing the student's health plan, including recognizing anaphylaxis and administering epinephrine auto-injectors when required, consistent with state law. This health plan may be included in a student's Section 504 plan.

Districts and schools may obtain and possess epinephrine auto-injectors to be maintained and administered by school personnel, including a licensed nurse, to a student or other individual if, in good faith, it is determined that person is experiencing anaphylaxis regardless of whether the student or other individual has a prescription for

an epinephrine auto-injector. The administration of an epinephrine auto-injector in accordance with Minnesota Statutes, section 121A.2207 is not the practice of medicine.

Effective July 1, 2024, registered nurses may administer epinephrine auto-injectors in a school setting according to a condition-specific protocol as authorized under Minnesota Statutes, section 148.235, subdivision 8. Notwithstanding any limitation in Minnesota Statutes, sections 148.171 to 148.285, licensed practical nurses may administer epinephrine auto-injectors in a school setting according to a condition-specific protocol that does not reference a specific patient and that specifies the circumstances under which the epinephrine auto-injector is to be administered, when caring for a patient whose condition falls within the protocol.

[NOTE: The paragraph above was signed into law in May 2024. It is new model policy language.]

A district or school may enter into arrangements with manufacturers of epinephrine auto-injectors to obtain epinephrine auto-injectors at fair-market, free, or reduced prices. A third party, other than a manufacturer or supplier, may pay for a school's supply of epinephrine auto-injectors.

E. Sunscreen

A student may possess and apply a topical sunscreen product during the school day while on school property or at a school-sponsored event without a prescription, physician's note, or other documentation from a licensed health care professional. School personnel are not required to provide sunscreen or assist students in applying sunscreen.

~~L. "Parent" for students 18 years old or older is the student.~~

F. Procedure regarding unclaimed drugs or medications.

1. The school district has adopted the following procedure for the collection and transport of any unclaimed or abandoned prescription drugs or medications remaining in the possession of school personnel in accordance with this policy. Before the transportation of any prescription drug or medication under this policy, the school district shall make a reasonable attempt to return the unused prescription drug or medication to the student's parent or legal guardian. Transportation of unclaimed or unused prescription drugs or medications will occur at least annually, but may occur more frequently at the discretion of the school district.
2. If the unclaimed or abandoned prescription drug is not a controlled substance as defined under Minnesota Statutes, section 152.01, subdivision 4, or is an over-the-counter medication, the school district will either designate an individual who shall be responsible for transporting the drug or medication to a designated drop-off box or collection site or request that a law enforcement agency transport the drug or medication to a drop-off box or collection site on behalf of the school district.
3. If the unclaimed or abandoned prescription drug is a controlled substance as defined in Minnesota Statutes, section 152.01, subdivision 4, the school district or school personnel is prohibited from transporting the prescription drug to a drop-off box or collection site for prescription drugs identified under this paragraph. The school district must request that a law enforcement agency transport the prescription drug or medication to a collection bin that complies with Drug Enforcement Agency regulations, or if a site is not available, under the agency's procedure for transporting drugs.

IV. ACCESS TO SPACE FOR MENTAL HEALTH CARE THROUGH TELEHEALTH

- A. Beginning October 1, 2024, to the extent space is available, the school district must provide an enrolled secondary school student with access during regular school hours, and to the extent staff is available, before or after the school day on days when students receive instruction at school, to space at the school site that a student may use to receive mental health care through telehealth from a student's licensed mental health provider. A secondary school must develop a plan with procedures to receive requests for access to the space.
- B. The space must provide a student privacy to receive mental health care.
- C. A student may use a school-issued device to receive mental health care through telehealth if such use is consistent with the district or school policy governing acceptable use of the school-issued device.
- D. A school may require a student requesting access to space under this section to submit to the school a signed and dated consent from the student's parent or guardian, or from the student if the student is age 16 or older, authorizing the student's licensed mental health provider to release information from the student's health record that is requested by the school to confirm the student is currently receiving mental health care from the provider. Such a consent is valid for the school year in which it is submitted.

[NOTE: The Minnesota legislature enacted Article IV in the spring 2024.]

Legal References: Minn. Stat. § 13.32 (Educational Data)
Minn. Stat. § 121A.21 (School Health ServicesHiring of Health Personnel)
Minn. Stat. § 121A.216 (Access to Space for Mental Health Care through Telehealth)
Minn. Stat. § 121A.22 (Administration of Drugs and Medicine)
Minn. Stat. § 121A.2205 (Possession and Use of Epinephrine Auto-Injectors; Model Policy)
Minn. Stat. § 121A.2207 (Life-Threatening Allergies in Schools; Stock Supply of Epinephrine Auto-Injectors)
Minn. Stat. § 121A.221 (Possession and Use of Asthma Inhalers by Asthmatic Students)
Minn. Stat. § 121A.222 (Possession and Use of Nonprescription Pain Relievers by Secondary Students)
Minn. Stat. § 121A.223 (Possession and Use of Sunscreen)
Minn. Stat. § 148.171 (Definitions; Title)
Minn. Stat. § 151.212 (Label of Prescription Drug Containers)
Minn. Stat. § 152.01 (Definitions)
Minn. Stat. § 152.22 (Definitions)
Minn. Stat. § 152.23 (Limitations)
Minn. Rule 8710.6100 (School Nurse)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)

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

Adopted: _____

MSBA/MASA Model Policy 521

Orig. 1995

Revised: _____

Rev. 2024~~2~~

521 STUDENT DISABILITY NONDISCRIMINATION

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

I. PURPOSE

The purpose of this policy is to protect students with disabilities from discrimination on the basis of disability and to identify and evaluate learners who, within the intent of Section 504 of the Rehabilitation Act of 1973 (Section 504), need services, accommodations, or programs in order that such learners may receive a free appropriate public education.

II. GENERAL STATEMENT OF POLICY

- A. Students with disabilities who meet the criteria of Paragraph C. below are protected from discrimination on the basis of a disability.
- B. The responsibility of the school district is to identify and evaluate learners who, within the intent of Section 504, need services, accommodations, or programs in order that such learners may receive a free appropriate public education.
- C. For this policy, a learner who is protected under Section 504 is one who:
 - 1. has a physical or mental impairment that substantially limits one or more of such person's major life activities; or
 - 2. has a record of such an impairment; ~~or~~
 - 3. is regarded as having such an impairment; ~~or~~ or
 - 4. has an impairment that is episodic or in remission and would materially limit a major life activity when active.

[NOTE: The 2024 Minnesota legislature revised the definition of 'disability' in Minnesota Statutes, section 363A.03, subdivision 12]

- D. Learners may be protected from disability discrimination and be eligible for services, accommodations, or programs under the provisions of Section 504 even though they are not eligible for special education pursuant to the Individuals with Disabilities Education Act.

III. COORDINATOR

Persons who have questions or comments should contact _____ (title, name, office address, and telephone number). This person is the school district's Americans with Disabilities Act/Section 504 coordinator. Persons who wish to make a complaint regarding a disability discrimination matter may use the accompanying Student Disability Discrimination Grievance Report Form. The form should be given to the ADA/Section 504 coordinator.

Legal References: [Minn. Stat. § 363A.03, Subd. 12 \(Definitions\)](#)

42 U.S.C. Ch. 126 (Equal Opportunity for Individuals with Disabilities)
29 U.S.C. § 794 *et seq.* (Rehabilitation Act of 1973, § 504)
34 C.F.R. Part 104 (Section 504 Implementing Regulations)

Cross References: MSBA/MASA Model Policy 402 (Disability Nondiscrimination)

Adopted: _____

MSBA/MASA Model Policy 522

Orig. 1995

Revised: _____

Rev. 2024

522 TITLE IX SEX NONDISCRIMINATION POLICY, GRIEVANCE PROCEDURE AND PROCESS

[NOTE: In 2024, the U.S. Department of Education, Office of Civil Rights (OCR), released the latest version of the Final Rule amending Title IX regulations at 34 Code of Federal Regulations, part 106. These regulations have an effective date of August 1, 2024.]

I. GENERAL STATEMENT OF POLICY

- A. The school district does not discriminate on the basis of sex, including discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, in any education program or activity that it operates, including in admission and employment. The school district does not discriminate in such a manner in its implementing regulations. The school district is committed to maintaining an education and work environment that is free from discrimination based on sex, including sexual harassment.
- B. Except as provided elsewhere under Title IX or its regulations, no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by the school district.
- C. The school district prohibits sex-based discrimination or sexual harassment that occurs within its education programs and activities. The school district shall promptly respond in a manner that is prompt and effective.
- D. Except as provided therein, Title IX and its regulations apply to all sex discrimination occurring under a school district's education program or activity in the United States. For the purpose of this paragraph, conduct that occurs under the school district's education program or activity includes but is not limited to conduct that is subject to the school district's disciplinary authority. The school district has an obligation to address a sex-based hostile environment under its education program or activity, even when some conduct alleged to be contributing to the hostile environment occurred outside the school district's education program or activity or outside the United States.
- E. The school district has adopted, published, and implemented grievance procedures consistent with the requirements of 34 Code of Federal Regulations, section 106.45, and if applicable section 106.46, that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in the school district's education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or its regulations.
- F. The school district's obligation to comply with Title IX and its regulations is not obviated or alleviated by the Federal Educational Rights and Privacy Act (FERPA), 20 United States Code, section 1232g, or its implementing regulations, 34 Code of Federal Regulations, part 99, or any state law or local law. The obligation to comply is not obviated or alleviated by any rule or regulation of any organization, club, athletic or

other league, or association which would render any applicant or student ineligible to participate or limit the eligibility or participation of any applicant or student, on the basis of sex, in any education program or activity operated by the school district and which receives Federal financial assistance.

- G. The school district has an obligation to address a sex-based hostile environment under its education program or activity, even when some conduct alleged to be contributing to the hostile environment occurred outside the school district's education program or activity or outside the United States.
- H. Nothing in Title IX or its regulations may be read in derogation of any legal right of a parent, guardian, or other authorized legal representative to act on behalf of a complainant, respondent, or other person, subject to Paragraph F of this section, including but not limited to making a complaint through the school district's grievance procedures for complaints of sex discrimination.
- I. In the limited circumstances in which Title IX or its regulations permits different treatment or separation on the basis of sex, the school district must not carry out such different treatment or separation in a manner that discriminates on the basis of sex by subjecting a person to more than de minimis harm, except as permitted by 20 United States Code, section 1681(a)(1) through (9) and the corresponding regulations sections 106.12 through 106.15, 20 United States Code, section 1686 and its corresponding regulation section 106.32(b)(1), or section 106.41(b). Adopting a policy or engaging in a practice that prevents a person from participating in an education program or activity consistent with the person's gender identity subjects a person to more than de minimis harm on the basis of sex.
- J. Any student, parent, or guardian having questions regarding the application of Title IX and its regulations and/or this policy and grievance process should discuss them with the Title IX Coordinator. The school district's Title IX Coordinator(s) is/are:

High School Principal 507-522-3232

Inquiries about Title IX and its regulations may be referred to the Title IX Coordinator(s), the United States Department of Education's Office for Civil Rights, or both.

- K. To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to [Policies File: 522F Report Form - BoardBook Premier](#)
- L. The effective date of this policy is August 1, 2024, and applies to alleged violations of this policy occurring on or after August 1, 2024.

II. DEFINITIONS

- A. "Admission" means selection for part-time, full-time, special, associate, transfer, exchange or any other enrollment, membership, or matriculation in or at an education program or activity operated by the school district.
- B. "Complainant" means
 - 1. a student or employee of the school district who is alleged to have been

subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or

2. a person other than a student or employee of the school district who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX and who was participating or attempting to participate in a school district education program or activity at the time of the alleged sex discrimination.

C. "Complaint" means an oral or written request to the school district that objectively can be understood as a request for the school district to investigate and make a determination about alleged discrimination under Title IX or its regulations.

1. A person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator initiates a complaint consistent with the requirements of 34 Code of Federal Regulations, section 106.44(f)(1)(v).

2. The following individuals have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that the school district investigate and make a determination about alleged discrimination under Title IX:

- a. a complainant;
- b. a parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
- c. the school district's Title IX Coordinator.

[NOTE: When a Title IX Coordinator is notified of conduct that reasonably may constitute sex discrimination under Title IX (and in the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and in the absence or termination of an informal resolution process), the Title IX Coordinator must determine whether to initiate a complaint of sex discrimination as required under Title IX. The requirements for such a fact-specific determination are set forth in 34 Code of Federal Regulations, section 106.44(f)(1)(v).]

3. With respect to complaints of sex discrimination other than sex-based harassment, in addition to the persons listed above, the following persons have a right to make a complaint:

- a. any school district student or employee; or
- b. any person other than a school district student or employee who was participating or attempting to participate in a school district education program or activity at the time of the alleged sex discrimination.

D. "Confidential employee" means

1. A school district employee whose communications are privileged or confidential under Federal or Minnesota law. The employee's confidential status, for purposes of this part, is only with respect to information received while the employee is functioning within the scope of their duties to which privilege or confidentiality applies; or
 2. A school district employee whom the school district has designated as confidential under this part for the purpose of providing services to persons related to sex discrimination. If the employee also has a duty not associated with providing those services, the employee's confidential status is only with respect to information received about sex discrimination in connection with providing those services.
- E. "Day" or "days" means, unless expressly stated otherwise, business days (i.e. day(s) that the school district office is open for normal operating hours, Monday - Friday, excluding State-recognized holidays).
- F. "Disciplinary sanctions" means consequences imposed on a respondent following a determination under Title IX that the respondent violated the school district's prohibition on sex discrimination.
- G. "Parental status" as used in Title IX and its regulations means the status of a person who, with respect to another person who is under the age of 18 or who is 18 or older but is incapable of self-care because of a physical or mental disability, is:
1. A biological parent;
 2. An adoptive parent;
 3. A foster parent;
 4. A stepparent;
 5. A legal custodian or guardian;
 6. In loco parentis with respect to such a person; or
 7. Actively seeking legal custody, guardianship, visitation, or adoption of such a person.
- H. "Party" means a complainant or respondent.
- I. "Peer retaliation" means retaliation by a student against another student.
- J. "Pregnancy or related conditions" means:
1. Pregnancy, childbirth, termination of pregnancy, or lactation;
 2. Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
 3. Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.

- K. "Program or activity" and "program" means all of the operations of a local education agency as defined in 20 United States Code, section 8801, a special purpose district, a system of vocational education, or other school system.
- L. "Relevant" means related to the allegations of sex discrimination under investigation as part of the grievance procedures under Title IX and 34 Code of Federal Regulations, section 106.44. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.
- M. "Remedies" means measures provided, as appropriate, to a complainant or any other person the school district identifies as having had their equal access to the school district's education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person's access to the school district's education program or activity after a school district determines that sex discrimination occurred.
- N. "Respondent" means a person who is alleged to have violated the school district's prohibition on sex discrimination.
- O. "Retaliation" means intimidation, threats, coercion, or discrimination against any person by the school district, a student, or an employee or other person authorized by the school district to provide aid, benefit, or service under the school district's education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.
- P. "Sex-based harassment" prohibited by Title IX and its regulations is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:
1. *Quid pro quo harassment.*

An employee, agent, or other person authorized by the school district to provide an aid, benefit, or service under the school district's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;
 2. *Hostile environment harassment.*

Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the school district's education program or activity (*i.e.*, creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
 - a. The degree to which the conduct affected the complainant's ability to access the school district's education program or activity;
 - b. The type, frequency, and duration of the conduct;

- c. The parties' ages, roles within the school district's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 - d. The location of the conduct and the context in which the conduct occurred; and
 - e. Other sex-based harassment in the school district's education program or activity; or
3. *Specific offenses.*
- a. Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
 - b. Dating violence meaning violence committed by a person:
 - i. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - ii. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (a) The length of the relationship;
 - (b) The type of relationship; and
 - (c) The frequency of interaction between the persons involved in the relationship;
 - c. Domestic violence meaning felony or misdemeanor crimes committed by a person who:
 - i. is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the state of Minnesota, or a person similarly situated to a spouse of the victim;
 - ii. is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;
 - iii. shares a child in common with the victim; or
 - iv. commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction; or
 - d. Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - i. Fear for the person's safety or the safety of others; or

- ii. Suffer substantial emotional distress.
- Q. "Student" means a person who has gained admission.
- R. "Student with a disability" means a student who is an individual with a disability as defined in the Rehabilitation Act of 1973, as amended, or a child with a disability as defined in the Individuals with Disabilities Education Act.
- S. "Supportive measures" means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:
 - 1. Restore or preserve that party's access to the school district's education program or activity, including measures that are designed to protect the safety of the parties or the school district's educational environment; or
 - 2. Provide support during the school district's grievance procedures or during the informal resolution process.

The school district will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that person's access to the school district's education program or activity or provide support during the school district's Title IX grievance procedures or during the informal resolution process.
- T. "Title IX" means Title IX of the Education Amendments of 1972, as amended.

III. DESIGNATION OF TITLE IX COORDINATOR AND DESIGNEES

- A. The school district must designate and authorize at least one employee, referred to as a Title IX Coordinator, to coordinate its efforts to comply with its obligations under Title IX and its regulations. If a school district has more than one Title IX Coordinator, it must designate one of its Title IX Coordinators to retain ultimate oversight over the responsibilities and ensure the school district's consistent compliance with its responsibilities under Title IX and its regulations.
- B. As appropriate, the school district may delegate, or permit a Title IX Coordinator to delegate, specific duties to one or more designees.

IV. PARENTAL, FAMILY, OR MARITAL STATUS; PREGNANCY OR RELATED CONDITIONS

- A. Status Generally

The school district must not adopt or implement any policy, practice, or procedure concerning a student's current, potential, or past parental, family, or marital status that treats students differently on the basis of sex.
- B. Pregnancy or Related Conditions
 - 1. Nondiscrimination

The school district must not discriminate in its education program or activity against any student based on the student's current, potential, or past pregnancy or related conditions. The school district does not engage in

prohibited discrimination when it allows a student, based on pregnancy or related conditions, to voluntarily participate in a separate portion of its education program or activity provided the school district ensures that the separate portion is comparable to that offered to students who are not pregnant and do not have related conditions.

2. Responsibility to Provide Title IX Coordinator Contact and Other Information

The school district must ensure that when a student, or a person who has a legal right to act on behalf of the student, informs any employee of the student's pregnancy or related conditions, unless the employee reasonably believes that the Title IX Coordinator has been notified, the employee promptly provides that person with the Title IX Coordinator's contact information and informs that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to the school district's education program or activity.

3. Specific Actions to Prevent Discrimination and Ensure Equal Access

The school district must take specific actions below to promptly and effectively prevent sex discrimination and ensure equal access to the school district's education program or activity once the student, or a person who has a legal right to act on behalf of the student, notifies the Title IX Coordinator of the student's pregnancy or related conditions. The Title IX Coordinator must coordinate these actions.

a. Responsibility to provide information about school district obligations.

The school district must inform the student, and if applicable, the person who notified the Title IX Coordinator of the student's pregnancy or related conditions and has a legal right to act on behalf of the student, of the school district's obligations under 34 Code of Federal Regulations, section 106.31, paragraphs (b)(1) through (5) and section 106.44(j) and provide the school district's notice of nondiscrimination under section 106.8(c)(1)

b. Reasonable modifications

i. The school district must make reasonable modifications to the school district's policies, practices, or procedures as necessary to prevent sex discrimination and ensure equal access to the school district's education program or activity. Each reasonable modification must be based on the student's individualized needs. In determining what modifications are required under this paragraph, the school district must consult with the student. A modification that a school district can demonstrate would fundamentally alter the nature of its education program or activity is not a reasonable modification.

ii. The student has discretion to accept or decline each reasonable modification offered by the school district. If a student accepts the school district's offered reasonable modification, the school district must implement it.

iii. Reasonable modifications may include, but are not limited to, breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom; intermittent absences to attend medical appointments; access to online or homebound education; changes in schedule or course sequence; extensions of time for coursework and rescheduling of tests and examinations; allowing a student to sit or stand, or carry or keep water nearby; counseling; changes in physical space or supplies (for example, access to a larger desk or a footrest); elevator access; or other changes to policies, practices, or procedures.

c. Voluntary access to separate and comparable portion of program or activity

The school district must allow the student to voluntarily access any separate and comparable portion of the school district's education program or activity under Paragraph A. above.

d. Voluntary leaves of absence

The school district must allow the student to voluntarily take a leave of absence from the school district's education program or activity to cover, at minimum, the period of time deemed medically necessary by the student's licensed healthcare provider. To the extent that a student qualifies for leave under a leave policy maintained by the school district that allows a greater period of time than the medically necessary period, the school district must permit the student to take voluntary leave under that policy instead if the student so chooses. When the student returns to the school district's education program or activity, the student must be reinstated to the academic status and, as practicable, to the extracurricular status that the student held when the voluntary leave began.

e. Lactation space

The school district must ensure that the student can access a lactation space, which must be a space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used by a student for expressing breast milk or breastfeeding as needed.

f. Limitation on supporting documentation

The school district must not require supporting documentation under Paragraph B.3, subparagraphs b. through e. unless the documentation is necessary and reasonable for the school district to determine the reasonable modifications to make or whether to take additional specific actions. Examples of situations when requiring supporting documentation is not necessary and reasonable include, but are not limited to, when the student's need for a specific action under Paragraph C. subparagraphs 3 through 5 is obvious, such as when a student who is pregnant needs a bigger uniform; when the student has previously provided the school district with sufficient supporting

documentation; when the reasonable modification because of pregnancy or related conditions at issue is allowing a student to carry or keep water nearby and drink, use a bigger desk, sit or stand, or take breaks to eat, drink, or use the restroom; when the student has lactation needs; or when the specific action under Paragraph C. subparagraphs 3 through 5 is available to students for reasons other than pregnancy or related conditions without submitting supporting documentation.

4. Comparable Treatment to Other Temporary Medical Conditions

To the extent consistent with Paragraph B.3 above, the school district must treat pregnancy or related conditions in the same manner and under the same policies as any other temporary medical conditions with respect to any medical or hospital benefit, service, plan, or policy the school district administers, operates, offers, or participates in with respect to students admitted to the school district's education program or activity.

5. Certification to Participate

The school district must not require a student who is pregnant or has related conditions to provide certification from a healthcare provider or any other person that the student is physically able to participate in the school district's class, program, or extracurricular activity unless:

- a. The certified level of physical ability or health is necessary for participation in the class, program, or extracurricular activity;
- b. The school district requires such certification of all students participating in the class, program, or extracurricular activity; and
- c. The information obtained is not used as a basis for discrimination prohibited by this part.

V. REPORTING PROHIBITED CONDUCT

A. Any student who believes they have been the victim of unlawful sex discrimination or sexual harassment, or any person (including the parent of a student) with actual knowledge of conduct which may constitute unlawful sex discrimination or sexual harassment toward a student should report the alleged acts as soon as possible to the Title IX Coordinator.

B. The school district requires all employees who are not confidential employees to notify the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination under Title IX or its regulations. This requirement does not apply to an employee who has personally been subject to conduct that reasonably may constitute sex discrimination under Title IX or its regulations.

C. Confidential Employee Requirements

1. The school district must notify all participants in the school district's education program or activity of how to contact its confidential employees, if any.
2. The school district must require a confidential employee to explain to any

person who informs the confidential employee of conduct that reasonably may constitute sex discrimination under Title IX or its regulations:

- a. The employee's status as confidential for purposes of this part, including the circumstances in which the employee is not required to notify the Title IX Coordinator about conduct that reasonably may constitute sex discrimination;
 - b. How to contact the school district's Title IX Coordinator and how to make a complaint of sex discrimination; and
 - c. That the Title IX Coordinator may be able to offer and coordinate supportive measures, as well as initiate an informal resolution process or an investigation under the grievance procedures.
- D. Any employee of the school district who has experienced, has knowledge of, or has witnessed unlawful sex discrimination, including sexual harassment, or who otherwise becomes aware of unlawful sex discrimination, including sexual harassment, must promptly report the allegations to the Title IX Coordinator without screening or investigating the report or allegations.
- E. A report of unlawful sex discrimination or sexual harassment may be made at any time, including during nonbusiness hours, and may be made in person, by mail, by telephone, or by email using the Title IX Coordinator's contact information. A report may also be made by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.
- F. Sexual harassment may constitute both a violation of this policy and criminal law. To the extent the alleged conduct may constitute a crime, the school district may report the alleged conduct to law enforcement authorities. The school district encourages complainants to report criminal behavior to the police immediately.

VI. SCHOOL DISTRICT'S RESPONSE TO SEXUAL HARASSMENT

A. General

Upon knowledge of conduct that reasonably may constitute sex discrimination in its education program or activity, the school district must respond promptly and effectively. The school district must also comply with 34 Code of Federal Regulations, section 106.44 to address sex discrimination in its education program or activity.

B. Barriers to Reporting

The school district must require its Title IX Coordinator to:

1. Monitor the school district's education program or activity for barriers to reporting information about conduct that reasonably may constitute sex discrimination under Title IX or its regulations; and
2. Take steps reasonably calculated to address such barriers.

C. Title IX Coordinator Requirements

1. The Title IX Coordinator is responsible for coordinating the school district's

compliance with its obligations under Title IX and its regulations. The school district must require its Title IX Coordinator, when notified of conduct that reasonably may constitute sex discrimination under Title IX or its regulations, to take the following actions to promptly and effectively end any sex discrimination in its education program or activity, prevent its recurrence, and remedy its effects:

- a. Treat the complainant and respondent equitably;
- b. Offer and coordinate supportive measures, as appropriate, for the complainant. In addition, if the school district has initiated grievance procedures or offered an informal resolution process to the respondent, offer and coordinate supportive measures, as appropriate, for the respondent;
- c. Notify the complainant or, if the complainant is unknown, the individual who reported the conduct, of the grievance procedures and if applicable and the informal resolution process, if available and appropriate. If a complaint is made, notify the respondent of the grievance procedures and the informal resolution process, if available and appropriate;
- d. In response to a complaint, initiate the grievance procedures or the informal resolution process, if available and appropriate and requested by all parties;
- e. In the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and in the absence or termination of an informal resolution process, determine whether to initiate a complaint of sex discrimination that complies with the grievance procedures.
 - i. To make this fact-specific determination, the Title IX Coordinator must consider, at a minimum, the following factors:
 - [a] The complainant's request not to proceed with initiation of a complaint;
 - [b] The complainant's reasonable safety concerns regarding initiation of a complaint;
 - [c] The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
 - [d] The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
 - [e] The age and relationship of the parties, including whether the respondent is an employee of the school district;
 - [f] The scope of the alleged sex discrimination, including

information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;

[g] The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and

[h] Whether the school district could end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures.

ii. If, after considering these and other relevant factors, the Title IX Coordinator determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other person, or that the conduct as alleged prevents the school district from ensuring equal access on the basis of sex to its education program or activity, the Title IX Coordinator may initiate a complaint

f. If initiating a complaint under Subparagraph e. above, notify the complainant prior to doing so and appropriately address reasonable concerns about the complainant's safety or the safety of others, including by providing supportive measures; and

g. Regardless of whether a complaint is initiated, take other appropriate prompt and effective steps, in addition to steps necessary to effectuate the remedies provided to an individual complainant, if any, to ensure that sex discrimination does not continue or recur within the school district's education program or activity.

2. The Title IX Coordinator is not required to comply with Paragraph C.1, subparagraphs a. through g. above upon being notified of conduct that may constitute sex discrimination if the Title IX Coordinator reasonably determines that the conduct as alleged could not constitute sex discrimination under Title IX or its regulations.

D. Supportive Measures

Under the *Title IX Coordinator Requirements* above, the school district must offer and coordinate supportive measures, as appropriate, as described below. For allegations of sex discrimination other than sex-based harassment or retaliation, the school district's provision of supportive measures does not require the school district, its employee, or any other person authorized to provide aid, benefit, or service on the school district's behalf to alter the alleged discriminatory conduct for the purpose of providing a supportive measure.

1. Supportive measures may vary depending on what the school district deems to be reasonably available. These measures may include but are not limited to: counseling; extensions of deadlines and other course-related adjustments; campus escort services; increased security and monitoring of certain areas of the campus; restrictions on contact applied to one or more parties; leaves of absence; changes in class, work, or extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and training

and education programs related to sex-based harassment.

2. Supportive measures must not unreasonably burden either party and must be designed to protect the safety of the parties or the school district's educational environment, or to provide support during the school district's grievance procedures, or during the informal resolution process. The school district must not impose such measures for punitive or disciplinary reasons.
3. The school district may, as appropriate, modify or terminate supportive measures at the conclusion of the grievance procedures or at the conclusion of the informal resolution process, or the school district may continue them beyond that point.
4. The school district must provide a complainant or respondent with a timely opportunity to seek, from an appropriate and impartial employee, modification or reversal of the school district's decision to provide, deny, modify, or terminate supportive measures applicable to them. The impartial employee must be someone other than the employee who made the challenged decision and must have authority to modify or reverse the decision, if the impartial employee determines that the decision to provide, deny, modify, or terminate the supportive measure was inconsistent with the definition of supportive measures. The school district must also provide a party with the opportunity to seek additional modification or termination of a supportive measure applicable to them if circumstances change materially.
5. The school district must not disclose information about any supportive measures to persons other than the person to whom they apply, including informing one party of supportive measures provided to another party, unless necessary to provide the supportive measure or restore or preserve a party's access to the education program or activity, or when an exception in 34 Code of Federal Regulations section 106.44(j)(1) through (5) applies.
6. The school district must require the Title IX Coordinator to consult with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one or more members, as appropriate, of the group of persons responsible for the student's placement decision under 34 Code of Federal Regulations, section 104.35(c), if any, to determine how to comply with the requirements of the Individuals with Disabilities Education Act, and Section 504 of the Rehabilitation Act of 1973 in the implementation of supportive measures.

E. Students with Disabilities

If a complainant or respondent is an elementary or secondary student with a disability, the school district must require the Title IX Coordinator to consult with one or more members, as appropriate, of the student's Individualized Education Program (IEP) team, if any, or one or more members, as appropriate, of the group of persons responsible for the student's placement decision under 34 Code of Federal Regulations, section 104.35(c), if any, to determine how to comply with the requirements of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973 throughout the school district's implementation of grievance procedures under 34 Code of Federal Regulations, section 106.45.

F. Emergency Removal

Nothing in Title IX or its regulations precludes the school district from removing a respondent from the school district's education program or activity on an emergency basis, provided that the school district undertakes an individualized safety and risk analysis, determines that an imminent and serious threat to the health or safety of a complainant or any students, employees, or other persons arising from the allegations of sex discrimination justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision must not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act of 1990.

G. Administrative Leave

Nothing in Title IX or its regulations precludes the school district from placing an employee respondent on administrative leave from employment responsibilities during the pendency of the school district's grievance procedures. This provision must not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act of 1990.

H. Prohibited Disclosures of Personally Identifiable Information

The school district must not disclose personally identifiable information obtained in the course of complying with this part, except in the following circumstances:

1. When the school district has obtained prior written consent from a person with the legal right to consent to the disclosure;
2. When the information is disclosed to a parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue;
3. To carry out the purposes of 34 Code of Federal Regulations, section 106, including action taken to address conduct that reasonably may constitute sex discrimination under Title IX in the school district's education program or activity;
4. As required by federal law, federal regulations, or the terms and conditions of a Federal award, including a grant award or
5. To the extent such disclosures are not otherwise in conflict with Title IX or its regulations, when required by Minnesota or local law or when permitted under FERPA or its implementing regulations.

VII. GRIEVANCE PROCEDURES FOR THE PROMPT AND EQUITABLE RESOLUTION OF COMPLAINTS OF SEX DISCRIMINATION

A. General

The school district's grievance procedures for the prompt and equitable resolution of complaints of sex discrimination must be in writing and include provisions that incorporate the requirements of this section. The requirements related to a respondent apply only to sex discrimination complaints alleging that a person violated the school

district's prohibition on sex discrimination. When a sex discrimination complaint alleges that a school district's policy or practice discriminates on the basis of sex, the school district is not considered a respondent.

B. Basic Requirements for Grievance Procedures

The school district's grievance procedures must:

1. Treat complainants and respondents equitably;
2. Require that any person designated as a Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. The decisionmaker may be the same person as the Title IX Coordinator or investigator;
3. Include a presumption that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of the school district's grievance procedures for complaints of sex discrimination;
4. Establish reasonably prompt timeframes for the major stages of the grievance procedures, including a process that allows for the reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay. Major stages include, for example, evaluation (i.e., the school district's decision whether to dismiss or investigate a complaint of sex discrimination); investigation; determination; and appeal, if any;

[NOTE: The Title IX regulations require reasonably prompt timeframes for major stages of the grievance procedures, but do not specify any particular timeframes. School districts may establish their own district-specific timeframes. A sample set of provisions is offered below.]

- a. Any informal resolution process must be completed within thirty (30) calendar days following the parties' agreement to participate in such informal process.
- b. An appeal of a determination of responsibility or of a decision dismissing a formal complaint must be received by the school district within five (5) days of the date the determination of responsibility or dismissal was provided to the parties.
- c. Any appeal of a determination of responsibility or of a dismissal will be decided within thirty (30) calendar days of the day the appeal was received by the school district.
- d. The school district will seek to conclude the grievance process, including any appeal, within 120 calendar days of the date the formal complaint was received by the school district.
- e. Although the school district strives to adhere to the timelines described above, in each case, the school district may extend the time frames for good cause. Good cause may include, without limitation: the

complexity of the allegations; the severity and extent of the alleged misconduct; the number of parties, witnesses, and the types of other evidence (e.g., forensic evidence) involved; the availability of the parties, advisors, witnesses, and evidence (e.g., forensic evidence); concurrent law enforcement activity; intervening school district holidays, breaks, or other closures; the need for language assistance or accommodation of disabilities; and/or other unforeseen circumstances.

- f. The school district has established the following process for reasonable extension of timeframes on a case-by-case basis for good cause as set forth above. The process includes notice to the parties and the reason for the delay:

[NOTE: The school district should set forth its process for determining a reasonable extension of a timeframe.]

- 5. Require the school district to take reasonable steps to protect the privacy of the parties and witnesses during the pendency of the school district's grievance procedures, provided that the steps do not restrict the ability of the parties to: obtain and present evidence, including by speaking to witnesses, subject to the prohibition against retaliation; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures;
- 6. Require an objective evaluation of all evidence that is relevant, as defined in Article II, and not otherwise impermissible—including both inculpatory and exculpatory evidence—and provide that credibility determinations must not be based on a person's status as a complainant, respondent, or witness;
- 7. Exclude the following types of evidence, and questions seeking that evidence, as impermissible (i.e., must not be accessed or considered, except by the school district to determine whether an exception in subparagraphs (a) through (c) applies; must not be disclosed; and must not otherwise be used), regardless of whether they are relevant:
 - a. Evidence that is protected under a privilege as recognized by federal or Minnesota law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
 - b. A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the school district obtains that party's or witness's voluntary, written consent for use in the school district's grievance procedures; and
 - c. Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact

of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred; and

8. If the school district adopts grievance procedures that apply to the resolution of some, but not all, complaints articulate consistent principles for how the school district will determine which procedures apply.

C. Notice of Allegations

Upon initiation of the school district's grievance procedures, the school district must provide notice of the allegations to the parties whose identities are known.

1. The notice must include:
 - a. The school district's grievance procedures, and if applicable, any informal resolution process;
 - b. Sufficient information available at the time to allow the parties to respond to the allegations. Sufficient information includes the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination under Title IX or this part, and the date(s) and location(s) of the alleged incident(s), to the extent that information is available to the school district;
 - c. A statement that retaliation is prohibited; and
 - d. A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an accurate description of this evidence; and if the school district provides a description of the evidence, the parties are entitled to an equal opportunity to access to the relevant and not otherwise impermissible evidence upon the request of any party.
2. If, in the course of an investigation, the school district decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice or that are included in a complaint that is consolidated, the school district must provide notice of the additional allegations to the parties whose identities are known.

[NOTE: If the school district provides a description of the evidence, the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party.]

If, in the course of an investigation, the school district decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, the school district will notify the parties of the additional allegations.

D. Consolidation

The school district may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents,

or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. When more than one complainant or more than one respondent is involved, references below to a party, complainant, or respondent include the plural, as applicable.

E. Complaint Investigation

- A. The school district must provide for adequate, reliable, and impartial investigation of complaints. To do so, the school district must:
1. Ensure that the burden is on the school district – not on the parties – to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred;
 2. Provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible;
 3. Review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance, consistent with § 106.2 and with paragraph (b)(7) of this section; and
 4. Provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible in the following manner:
 - a. The school district must provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence. If the school district provides a description of the evidence, it must further provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party;
 - b. The school district must provide a reasonable opportunity to respond to the evidence or to the accurate description of the evidence; and
 - c. The school district must take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the grievance procedures. For purposes of this paragraph, disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

F. Questioning Parties and Witnesses to Aid in Evaluating Allegations and Assessing Credibility

The school district must provide a process that enables the decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination.

G. Determination Whether Sex Discrimination Occurred

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the school district must:

1. Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred, unless the school district uses the clear and convincing evidence standard of proof in all other comparable proceedings, including proceedings relating to other discrimination complaints, in which case the school district may elect to use that standard of proof in determining whether sex discrimination occurred. Both standards of proof require the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness; if the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker must not determine that sex discrimination occurred.
2. Notify the parties in writing of the determination whether sex discrimination occurred under Title IX or its regulations including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal, if applicable;
3. If there is a determination that sex discrimination occurred, as appropriate, require the Title IX Coordinator to coordinate the provision and implementation of remedies to a complainant and other persons the school district identifies as having had equal access to the school district's education program or activity limited or denied by sex discrimination, coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions, and require the Title IX Coordinator to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the school district's education program or activity. The school district may not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the school district's grievance procedures that the respondent engaged in prohibited sex discrimination;
4. Comply with 34 Code of Federal Regulations, section 106.45, before the imposition of any disciplinary sanctions against a respondent; and
5. Not discipline a party, witness, or others participating in school district's grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the school district's determination whether sex discrimination occurred.

H. Additional Provisions

If the school district adopts additional provisions as part of its grievance procedures for handling complaints of sex discrimination, including sex-based harassment, such additional provisions must apply equally to the parties.

I. Informal Resolution

In lieu of resolving a complaint through the school district's grievance procedures, the

parties may instead elect to participate in an informal resolution process under 34 Code of Federal Regulations, section 106.44(k) if provided by the school district consistent with that paragraph.

J. Provisions Limited to Sex-Based Harassment Complaints

For complaints alleging sex-based harassment, the grievance procedures must:

1. Describe the range of supportive measures available to complainants and respondents; and
2. List, or describe the range of, the possible disciplinary sanctions that the school district may impose and remedies that the school district may provide following a determination that sex-based harassment occurred.

VIII. INFORMAL RESOLUTION OF A COMPLAINT

[NOTE: The 2024 Title IX amendments do not require a school district to offer an informal resolution process. However, a school district is free to provide such a process in some circumstances, as long as it complies with certain regulatory requirements. Requirements related to informal resolution are set forth in 34 Code of Federal Regulations, section 106.44(k).]

- A. At any time prior to determining whether sex discrimination occurred, the school district may offer to a complainant and respondent an informal resolution process, unless the complaint includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student or such a process would conflict with federal, Minnesota, or local law. A school district that provides the parties an informal resolution process must, to the extent necessary, also require its Title IX Coordinator to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the school district's education program or activity.
1. Subject to the limitations in Paragraph A. above, the school district has discretion to determine whether it is appropriate to offer an informal resolution process when it receives information about conduct that reasonably may constitute sex discrimination under Title IX or its regulations or when a complaint of sex discrimination is made, and may decline to offer informal resolution despite one or more of the parties' wishes.
 2. In addition to the limitations in Paragraph A. above, circumstances when the school district may decline to allow informal resolution include but are not limited to when the school district determines that the alleged conduct would present a future risk of harm to others.
- B. The school district must not require or pressure the parties to participate in an informal resolution process. The school district must obtain the parties' voluntary consent to the informal resolution process and must not require waiver of the right to an investigation and determination of a complaint as a condition of enrollment or continuing enrollment, or employment or continuing employment, or exercise of any other right.
- C. Before initiation of an informal resolution process, the school district must provide to the parties notice that explains:
1. The allegations;

2. The requirements of the informal resolution process;
 3. That, prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and to initiate or resume the school district's grievance procedures;
 4. That the parties' agreement to a resolution at the conclusion of the informal resolution process would preclude the parties from initiating or resuming grievance procedures arising from the same allegations;
 5. The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
 6. What information the school district will maintain and whether and how the school district could disclose such information for use in grievance procedures, if grievance procedures are initiated or resumed.
- D. The facilitator for the informal resolution process must not be the same person as the investigator or the decisionmaker in the school district's grievance procedures. Any person designated by the school district to facilitate an informal resolution process must not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Any person facilitating informal resolution must receive training as provided under this policy.
- E. Potential terms that may be included in an informal resolution agreement include but are not limited to:
1. Restrictions on contact; and
 2. Restrictions on the respondent's participation in one or more of the school district's programs or activities or attendance at specific events, including restrictions the school district could have imposed as remedies or disciplinary sanctions had the school district determined at the conclusion of the school district's grievance procedures that sex discrimination occurred.

IX. DISMISSAL OF A COMPLAINT

- A. The school district may dismiss a complaint of sex discrimination made through its grievance procedures under this policy for any of the following reasons:
1. The school district is unable to identify the respondent after taking reasonable steps to do so;
 2. The respondent is not participating in a school district education program or activity and is not employed by the school district;
 3. The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the school district determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or,

4. The school district determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, the school district will make reasonable efforts to clarify the allegations with the complainant.
- B. Upon dismissal, the school district will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the school district will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.
- C. The school district must notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint on the bases set out in 34 Code of Federal Regulations, section 106.46(i)(1). If the dismissal occurs after the respondent has been notified of the allegations, then the school district will also notify the respondent that the dismissal may be appealed on the bases set out in 34 Code of Federal Regulations, section 106.46(i)(1). If the dismissal is appealed, the school district must:
1. Notify the parties of any appeal, including notice of the allegations consistent with paragraph (c) of this section if notice was not previously provided to the respondent;
 2. Implement appeal procedures equally for the parties;
 3. Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
 4. Ensure that the decisionmaker for the appeal has been trained as set out in this policy;
 5. Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
 6. Notify the parties of the result of the appeal and the rationale for the result.
- D. When the school district dismisses a complaint, it must, at a minimum:
1. Offer supportive measures to the complainant as appropriate;
 2. For dismissals under Paragraph A. 3 and 4 above in which the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate under 34 Code of Federal Regulations, section 106.44(g); and
 3. Require its Title IX Coordinator to take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the school district's education program or activity.
- E. Dismissal of a formal complaint or a portion thereof does not preclude the school district from addressing the underlying conduct in any manner that the school district deems appropriate.

[NOTE: For example, school districts are reminded of the obligation under Minnesota Statutes, section 122A.20, subdivision 2, to make a mandatory

report to the Minnesota Professional Educator Licensing and Standards Board concerning any teacher who resigns during the course of an investigation of misconduct.]

XI. APPEAL OF DETERMINATION

[NOTE: Regarding an appeal of a determination, the 2024 Title IX Final Rule states that the school district must offer the parties an appeal process that, at a minimum, is the same as it offers in all other comparable proceedings, if any, including proceedings relating to other discrimination complaints.]

This section provides sample text a school district may elect to include in its grievance procedures, but school districts are not required to use the text provided.]

- A. The school district offers the following process for appeals from a determination whether sex discrimination occurred. This appeal process will be, at a minimum, the same as the school district offers in all other comparable proceedings, including proceedings relating to other discrimination complaints.
- B. If notice of an appeal is timely received by the school district, the school district will notify the parties in writing of the receipt of the appeal, assign or designate the appellate decisionmaker, and give the parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.
- C. After reviewing the parties' written statements, the appellate decisionmaker must issue a written decision describing the result of the appeal and the rationale for the result.
- D. The written decision describing the result of the appeal must be provided simultaneously to the parties.
- E. The decision of the appellate decisionmaker is final. No further review beyond the appeal is permitted.

XII. SANCTIONS AND REMEDIES

Following a determination that sex-based harassment occurred, the school district may impose disciplinary sanctions, which may include **[INSERT LIST OR DESCRIBE RANGE]**. The school district may also provide remedies, which may include **[INSERT LIST OR DESCRIBE RANGE]**.

[NOTE: The school district may choose to consult its legal counsel for district-specific sanctions and remedies. The following sample language may be considered:

1. **The following is the range of possible remedies that the school district may provide a complainant and disciplinary sanctions that the school district might impose upon a respondent, following determination of responsibility: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, mutual or unilateral restrictions on contact between the parties, changes in work locations, leaves of absence, monitoring of certain areas of the school district buildings or property, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge.**

2. **If the decisionmaker determines a respondent is responsible for violating this policy, the decisionmaker will recommend appropriate remedies, including disciplinary sanctions/consequences. The Title IX Coordinator will notify the superintendent of the recommended remedies, such that an authorized administrator can consider the recommendation(s) and implement appropriate remedies in compliance with MSBA Model Policy 506 – Student Discipline. The discipline of a student-respondent must comply with the applicable provisions of Minnesota Pupil Fair Dismissal Act, the Individuals with Disabilities Education Improvement Act (IDEA) and/or Section 504 of the Rehabilitation Act of 1972, and their respective implementing regulations.]**

XIII. RETALIATION

The school district must prohibit retaliation, including peer retaliation, in its education program or activity. When the school district has information about conduct that reasonably may constitute retaliation under Title IX or its regulations, the school district is obliged to comply with 34 Code of Federal Regulations, section 106.44. Upon receiving a complaint alleging retaliation, the school district must initiate its grievance procedures or, as appropriate, an informal resolution process.

XIV. TRAINING

[NOTE: Training requirements are set forth in 34 Code of Federal Regulations, section 106.8(d).]

- A. The school district must ensure that the following persons receive training related to their duties under Title IX promptly upon hiring or change of positions that alters their duties under Title IX or its regulations, and annually thereafter. This training must not rely upon sex stereotypes.

1. *All employees* must be trained on:
 - a. The school district's obligation to address sex discrimination in its education program or activity;
 - b. The scope of conduct that constitutes sex discrimination under Title IX and its regulations, including the definition of sex-based harassment; and
 - c. All applicable notification and information requirements under 34 Code of Federal Regulations, sections 106.40(b)(2) and 106.44.
2. *Investigators, decisionmakers, and other persons who are responsible for implementing the school district's grievance procedures or have the authority to modify or terminate supportive measures.*

In addition to the training requirements for all employees described in Paragraphs 1 and 2 above, all investigators, decisionmakers, and other persons who are responsible for implementing the school district's grievance procedures or have the authority to modify or terminate supportive measures under 34 Code of Federal Regulations, section 106.44(g)(4) must be trained on the following topics to the extent related to their responsibilities:

- a. The school district's obligations under 34 Code of Federal Regulations, section 106.44;
- b. The school district's grievance procedures under 34 Code of Federal Regulations, section 106.45, and if applicable section 106.46;
- c. How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; and
- d. The meaning and application of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance under 34 Code of Federal Regulations, section 106.45, and if applicable section 106.46.

3. *Facilitators of informal resolution process*

In addition to the training requirements for all employees described in Paragraph 1 above, all facilitators of an informal resolution process under 34 Code of Federal Regulations, section 106.44(k) must be trained on the rules and practices associated with the school district's informal resolution process and on how to serve impartially, including by avoiding conflicts of interest and bias.

4. *Title IX Coordinator and Title IX Personnel*

In addition to the training requirements in Paragraphs 1 through 3 above, the Title IX Coordinator and Title IX Personnel must be trained on their specific responsibilities under 34 Code of Federal Regulations, section 106.8(a), section 106.40(b)(3), section 106.44(f) and (g), the school district's recordkeeping system and the requirements of 34 Code of Federal Regulations, section 106.8 (f), and any other training necessary to coordinate the school district's compliance with Title IX. "Title IX Personnel" means any person who addresses, works on, or assists with the school district's response to a report of sexual harassment or formal complaint, and includes persons who facilitate informal resolutions.

XV. DISSEMINATION OF POLICY

- A. This policy shall be made available to all students, parents/guardians of students, school district employees, and employee unions.
- B. The school district shall conspicuously post the name of the Title IX Coordinator, including office address, telephone number, and work e-mail address on its website and in each handbook that it makes available to parents, employees, students, unions, or applicants.
- C. Notice of Nondiscrimination
 - 1. The school district must provide notice of nondiscrimination to applicants for admission and employment, students, parents, guardians, or other authorized legal representatives of elementary and secondary school students, employees, and all unions holding collective bargaining agreements with the school district.

2. Contents of Notice of Nondiscrimination

The notice of nondiscrimination must include the following elements:

- a. A statement that the school district does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and its regulations, including in admission and employment;
 - b. A statement that inquiries about the application of Title IX and its regulations to the school district may be referred to the school district's Title IX Coordinator, the federal Office for Civil Rights, or both;
 - c. The name or title, office address, email address, and telephone number of the Title IX Coordinator;
 - d. How to locate the school district's nondiscrimination policy and the school district's grievance procedures; and
 - e. How to report information about conduct that may constitute sex discrimination under Title IX; and how to make a complaint of sex discrimination under the regulations.
3. The school district must prominently include all elements of its notice of nondiscrimination on its website and in each handbook, catalog, announcement, bulletin, and application form that it makes available to people entitled to notice, or which are otherwise used in connection with the recruitment of students or employees.
 4. If necessary, due to the format or size of any publication, the school district may instead include in those publications the information covered in the following statement: "Lewiston – Altura School District prohibits sex discrimination in any education program or activity that it operates. Individuals may report concerns or questions to the Title IX Coordinator. The notice of nondiscrimination is located at www.lewalt.k12.mn.us."
 5. The school district must not use or distribute a publication stating that the school district treats applicants, students, or employees differently on the basis of sex, except as such treatment is permitted by Title IX or its regulations.

XVI. RECORDKEEPING

The school district must create, and maintain for a period of seven years:

- A. For each complaint of sex discrimination, records documenting the informal resolution process under 34 Code of Federal Regulations, section 106.44(k) or the grievance procedures under section 106.45, and if applicable section 106.46, and the resulting outcome.
- B. For each notification the Title IX Coordinator receives of information about conduct that reasonably may constitute sex discrimination under Title IX or its regulations, including notifications under 34 Code of Federal Regulations, section 106.44(c)(1) or (2), records documenting the actions the school district took to meet its obligations under section 106.44

- C. All materials used to provide training under this policy. The school district must make these training materials available upon request for inspection by members of the public.

Legal References: Minn. Stat. § 121A.04 (Athletic Programs; Sex Discrimination)
Minn. Stat. §§ 121A.40 – 121A.575 (Minnesota Pupil Fair Dismissal Act)
Minn. Stat. Ch. 363A (Minnesota Human Rights Act)
20 U.S.C. §§ 1681-1688 (Title IX of the Education Amendments)
34 C.F.R. Part 106 (Implementing Regulations of Title IX)
20 U.S.C § 1400, *et seq.* (Individuals with Disabilities Education Act)
29 U.S.C. § 794 (Section 504 of the Rehabilitation Act)
42 U.S.C. § 12101, *et seq.* (Americans with Disabilities Act)
20 U.S.C. § 1232g (Family Educational Rights and Privacy Act of 1974)
20 U.S.C. § 1092 *et seq.* (Jeanne Clery Disclosure of Campus Security and Campus Crime Statistics Act (“Clery Act”))

Cross References: MSBA/MASA Model Policy 102 (Equal Educational Opportunity)
MSBA/MASA Model Policy 413 (Harassment and Violence)
MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 528 (Student Parental, Family, and Marital Status Nondiscrimination)

Adopted: _____

MSBA/MASA Model Policy 532

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Rev. 2024~~3~~

532 USE OF PEACE OFFICERS AND CRISIS TEAMS TO REMOVE STUDENTS WITH IEPs FROM SCHOOL GROUNDS

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

I. PURPOSE

The purpose of this policy is to describe the appropriate use of peace officers and crisis teams to remove, if necessary, a student with an individualized education program (IEP) from school grounds.

II. GENERAL STATEMENT OF POLICY

The school district is committed to promoting learning environments that are safe for all members of the school community. It further believes that students are the first priority and that they should be reasonably protected from physical or emotional harm at all school locations and during all school activities.

In general, all students, including those with IEPs, are subject to the terms of the school district's discipline policy. Building level administrators have the leadership responsibility to maintain a safe, secure, and orderly educational environment within which learning can occur. Corrective action to discipline a student and/or modify a student's behavior will be taken by staff when a student's behavior violates the school district's discipline policy.

If a student with an IEP engages in conduct which, in the judgment of school personnel, endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, that student may be removed from school grounds in accordance with this policy.

III. DEFINITIONS

For purposes of this policy, the following terms have the meaning given them in this section:

- A. "Crisis team" means a group of persons, which may include teachers and non-teaching school personnel, selected by the building administrator in each school building who have received crisis intervention training and are responsible for becoming actively involved with resolving crises. The building administrator or designee shall serve as the leader of the crisis team.
- B. "Emergency" means a situation where immediate intervention is needed to protect a child or other individual from physical injury.
- C. "Peace officer" means an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the Board of Peace Officer Standards and Training, charged with the prevention and detection of crime and the enforcement of general criminal laws of the state and who has the full power of arrest. The term "peace officer" includes a person who serves as a sheriff, a deputy sheriff, a police officer, or a state patrol trooper.

D. "Physical holding" means physical intervention intended to hold a child immobile or limit a child's movement, where body contact is the only source of physical restraint, and where immobilization is used to effectively gain control of a child in order to protect a child or other individual from physical injury.

[NOTE: This definition is added to provide clarity for discussion of physical holds later in this policy and in light of recent Minnesota legislative action.]

~~D. "Police liaison officer" is a peace officer who, pursuant to an agreement between the school district and a political subdivision or law enforcement agency, is assigned to a school building for all or a portion of the school day to provide law enforcement assistance and support to the building administration and to promote school safety, security, and positive relationships with students.~~

E. The phrase "remove the student from school grounds" is the act of securing the person of a student with an IEP and escorting that student from the school building or school activity at which the student with an IEP is located.

F. "School Resource Officer" means a peace officer who is assigned to work in an elementary school, middle school, or secondary school during the regular instructional school day as one of the officer's regular responsibilities through the terms of a contract entered between the peace officer's employer and the designated school district or charter school.

[NOTE: The 2024 Minnesota legislature enacted this definition of "school resource officer." MSBA deleted the definition of "police liaison officer" as part of this change. School districts should use the term that reflects their local circumstances.]

G. "Student with an IEP" or "the student" means a student who is eligible to receive special education and related services pursuant to the terms of an IEP or an individual interagency intervention plan (IIIP).

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

IV. REMOVAL OF STUDENTS WITH IEPs FROM SCHOOL GROUNDS

A. Removal By Crisis Team

If the behavior of a student with an IEP escalates to the point where the student's behavior endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building's crisis team may be summoned. The crisis team may attempt to de-escalate the student's behavior by means including, but not limited to, those described in the student's IEP and/or behavior intervention plan. When such measures fail, or when the crisis team determines that the student's behavior continues to endanger or may endanger the health, safety, or property of the student, other students, staff members, or school property, the crisis team may remove the student from school grounds.

If the student's behavior cannot be safely managed, school personnel may immediately request assistance from the ~~police liaison~~ school resource officer or a peace officer.

B. Removal By ~~Police Liaison~~ School Resource Officer or Peace Officer

If a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, the school building's crisis team, building administrator, or the building administrator's designee, may request that the [police liaison school resource](#) officer or a peace officer remove the student from school grounds.

If a student with an IEP is restrained or removed from a classroom, school building, or school grounds by a peace officer at the request of a school administrator or school staff person during the school day twice in a 30-day period, the student's IEP team must meet to determine if the student's IEP is adequate or if additional evaluation is needed.

Whether or not a student with an IEP engages in conduct which endangers or may endanger the health, safety, or property of the student, other students, staff members, or school property, school district personnel may report a crime committed by a student with an IEP to appropriate authorities. If the school district reports a crime committed by a student with an IEP, school personnel shall transmit copies of the special education and disciplinary records of the student for consideration by appropriate authorities to whom it reports the crime, to the extent that the transmission is permitted by the Family Education Rights and Privacy Act (FERPA), the Minnesota Government Data Practices Act, and school district's policy, Protection and Privacy of Pupil Records.

[NOTE: If the school district uses a different reference name for its student records policy, insert that name in place of the reference to Protection and Privacy of Pupil Records, which is the title of MSBA/MASA Model Policy 515.]

The fact that a student with an IEP is covered by special education law does not prevent state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a student with an IEP.

C. Reasonable Force Permitted

1. In removing a student with an IEP from school grounds, a building administrator, other crisis team members, or the [police liaison school resource](#) officer or other agents of the school district, whether or not members of a crisis team, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another
2. In removing a student with an IEP from school grounds, [police liaison school resource](#) officers and school district personnel are further prohibited from engaging in the following conduct:
 - a. Corporal punishment prohibited by Minnesota Statutes, section 121A.58;
 - b.. Requiring a child to assume and maintain a specified physical position, activity, or posture that induces physical pain;
 - c. Totally or partially restricting a child's senses as punishment;
 - d. Denying or restricting a child's access to equipment and devices such as walkers, wheelchairs, hearing aids, and communication boards that facilitate the child's functioning except when temporarily removing the equipment or device is needed to prevent injury to the child or others

or serious damage to the equipment or device, in which case the equipment or device shall be returned to the child as soon as possible;

- e. Interacting with a child in a manner that constitutes sexual abuse, neglect, or physical abuse under Minnesota Statutes, Chapter 260E;
 - f. Physical holding (as defined above and in Minnesota Statutes, section 125A.0941) that restricts or impairs a child's ability to breathe, restricts or impairs a child's ability to communicate distress, places pressure or weight on a child's head, throat, neck, chest, lungs, sternum, diaphragm, back, or abdomen, or results in straddling a child's torso;
 - g. Withholding regularly scheduled meals or water; and/or
 - h. Denying a child access to toilet facilities.
3. Any reasonable force used under Minnesota Statutes, sections 121A.582; 609.06, subdivision 1; and 609.379 which intends to hold a child immobile or limit a child's movement where body contact is the only source of physical restraint or confines a child alone in a room from which egress is barred shall be reported to the Minnesota Department of Education as a restrictive procedure, including physical holding or seclusion used by an unauthorized or untrained staff person.

D. Parental Notification

The building administrator or designee shall make reasonable efforts to notify the student's parent or guardian of the student's removal from school grounds as soon as possible following the removal.

E. Continued Removals; Review of IEP

Continued and repeated use of the removal process described herein must be reviewed in the development of the individual student's IEP or IIIP.

F. Effect of Policy in an Emergency; Use of Restrictive Procedures

A student with an IEP may be removed in accordance with this policy regardless of whether the student's conduct would create an emergency.

If the school district seeks to remove a student with an IEP from school grounds under this policy due to behaviors that constitute an emergency and the student's IEP, IIIP, or behavior intervention plan authorizes the use of one or more restrictive procedures, the crisis team may employ those restrictive procedures, in addition to any reasonable force that may be necessary, to facilitate the student's removal from school grounds, as long as the crisis team members who are implementing the restrictive procedures have received the training required by Minnesota Statutes, section 125A.0942, subdivision 5, and otherwise comply with the requirements of section 125A.0942.

G. Reporting to the Minnesota Department of Education (MDE)

Annually, stakeholders may recommend, as necessary, to the Commissioner of MDE (Commissioner) specific and measurable implementation and outcome goals for reducing the use of restrictive procedures. The Commissioner must submit to the Legislature a report on districts' progress in reducing the use of restrictive procedures that recommends how to further reduce these procedures and eliminate the use of

seclusion. By January 15, April 15, July 15, and October 15 of each year, districts must report, in a form and manner determined by the Commissioner, about individual students who have been secluded. By July 15 each year, districts must report summary data. The summary data must include information on the use of restrictive procedures for the prior school year, July 1 through June 30, including the use of reasonable force by school personnel that is consistent with the definition of physical holding or seclusion of a child with a disability.

Legal References: Minn. Stat. Ch. 13 (Minnesota Government Data Practices Act)
Minn. Stat. §§ 121A.40-121A.56 (Minnesota Pupil Fair Dismissal Act)
Minn. Stat. § 121A.582 (Student Discipline; Reasonable Force)
Minn. Stat. § 121A.61 (Discipline and Removal of Students from Class)
Minn. Stat. § 121A.67 (Removal by Police Officer)
Minn. Stat. §§ 125A.094-125A.0942 (Restrictive Procedures for Children with Disabilities)
Minn. Stat. § 609.06 (Authorized Use of Force)
Minn. Stat. § 609.379 (Permitted Actions)
[Minn. Stat. § 626.8482 \(School Resource Officers; Duties; Training; Model Policy\)](#)
20 U.S.C. § 1232g *et seq.* (Family Educational Rights and Privacy (FERPA))
20 U.S.C. § 1415(k)(6) (Individuals with Disabilities Education Act)
34 C.F.R. § 300.535 (Referral to and Action by Law Enforcement and Judicial Authorities)

Cross References: MSBA/MASA Model Policy 506 (Student Discipline)
MSBA/MASA Model Policy 507 (Corporal Punishment [and Prone Restraint](#))
[MSBA/MASA Model Policy 507.5 \(School Resource Officers\)](#)
MSBA/MASA Model Policy 515 (Protection and Privacy of Pupil Records)
MSBA/MASA Model Policy 525 (Violence Prevention)
MSBA/MASA Model Policy 806 (Crisis Management Policy)

Adopted: _____

MSBA/MASA Model Policy 535

Orig. 2019

Revised: _____

Rev. 2024

535 SERVICE ANIMALS IN SCHOOLS

I. PURPOSE

The purpose of this policy is to establish parameters for the use of service animals by students, employees, and visitors within school buildings and on school grounds.

II. GENERAL STATEMENT OF POLICY

Individuals with disabilities shall be permitted to bring their service animals into school buildings or on school grounds in accordance with, and subject to, this policy.

III. DEFINITIONS

A. Handler

A "handler" is an individual with a disability who uses a service animal. In the case of an individual who is unable to care for and supervise the service animal for reasons such as age or disability, "handler" means the person who cares for and supervises the animal on that individual's behalf. School district personnel are not responsible for the care, supervision, or handling responsibilities of a service animal.

B. Service Animal

A "service animal" is a dog (regardless of breed or size) or miniature horse that is individually trained to perform "work or tasks" for the benefit of an individual with a disability, including an individual with a physical, sensory, psychiatric, intellectual, or mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals. Service animals are working animals that perform valuable functions; they are not pets. The work or tasks performed by the service animal must be directly related to the individual's disability. An animal accompanying an individual for the sole purpose of providing emotional support, therapy, comfort, or companionship is not a service animal.

C. Trainer

A "trainer" is a person who is training a service animal and is affiliated with a recognized training program for service animals.

D. Work or Tasks

1. "Work or tasks" are those functions performed by a service animal.
2. Examples of "work or tasks" include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities,

and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

3. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship are not "work or tasks" for the purposes of this policy.

IV. ACCESS TO PROGRAMS AND ACTIVITIES; PERMITTED INQUIRIES

- A. In general, handlers (i.e., individuals with disabilities or trainers) are permitted to be accompanied by their service animals in all areas of school district properties where members of the public, students, and employees are allowed to go. A handler has the right to be accompanied by a service animal whenever and to the same extent that the handler has the right: (a) to be present on school district property or in school district facilities; (b) to attend or participate in a school-sponsored event, activity, or program; or (c) to be transported in a vehicle that is operated by or on behalf of the school district.

B. It is an unfair discriminatory practice to prohibit a person with a disability from taking a service animal into the public place or conveyance to aid persons with disabilities, and if the service animal is properly harnessed or leashed so that the person with a disability may maintain control of the service animal.

C. The school district shall not require a person with a disability to make an extra payment or pay an additional charge when taking a service animal into any school district building.

[NOTE: The 2024 Minnesota legislature revised Minn. Stat. 3631.19, as reflected in Paragraphs B. and C.]

- D. When an individual with a disability brings a service animal to a school district property, school district employees shall not ask about the nature or extent of a person's disability, but may make the following two inquiries to determine whether the animal qualifies as a service animal:

1. Is the service animal required because of a disability; and
2. What work or tasks is the service animal trained to perform.

E. School district employees shall not make these inquiries of an individual with a disability bringing a service animal to school district property when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability. However, school district employees may inquire whether the individual with a disability has completed and submitted the request form described in Part VI., below.

F. An individual with a disability may not be required to provide documentation such as proof that the animal has been certified, trained, or licensed as a service animal.

V. REQUIREMENTS FOR ALL SERVICE ANIMALS

- A. The service animal must be required for the individual with a disability.
- B. The service animal must be individually trained to do work or tasks for the benefit of the individual with a disability.
- C. A service animal must have a harness, leash, or other tether, unless either the handler is unable, because of a disability, to use a harness, leash, or other tether, or the use of

a harness, leash, or other tether would interfere with the service animal's safe, effective performance of work or tasks, in which case, the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).

- D. The service animal must be housebroken.
- E. The service animal must be under the control of its handler at all times. The handler is responsible for the care and supervision of a service animal, including walking the service animal, feeding the service animal, grooming the service animal, providing veterinary care to the service animal, and responding to the service animal's need to relieve itself, including the proper disposal of the service animal's waste.
- F. The school district is not responsible for providing a staff member to walk the service animal or to provide any other care or assistance to the animal.
- G. In the case of a student who is unable to care for and/or supervise his or her service animal, the student's parent/guardian is responsible for arranging for such care and supervision. In the case of an employee or other individual who is unable to care for and/or supervise his or her service animal, the employee or other individual's authorized representative is responsible for arranging for a service animal's care and supervision.
- H. The service animal must be properly licensed and vaccinated in accordance with applicable state laws and local ordinances.

VI. REQUESTING THE USE OF A SERVICE ANIMAL AT SCHOOL

- A. Students with a disability seeking to be accompanied by a service animal are requested to submit the Approval Request Form to the building principal of the school the student attends. The principal will notify the superintendent or the administrator designated with responsibility to address such requests. School district employees seeking to be accompanied by a service animal are requested to submit the Approval Request Form to the superintendent or the administrator designated with responsibility to address such requests.
- B. Students or employees seeking to bring a service animal onto district premises are requested to identify whether the need for the service animal is required because of a disability and to describe the work or tasks that the service animal is trained to perform.
- C. The owner of the service animal shall provide written evidence that the service animal has received all vaccinations required by state law or local ordinance.

VII. REMOVAL OR EXCLUSION OF A SERVICE ANIMAL

- A. A school official may require a handler to remove a service animal from school district property, a school building, or a school-sponsored program or activity, if:
 - 1. Any of the requirements described in Part V., above, are not met.
 - 2. The service animal is out of control and/or the handler does not effectively control the animal's behavior;
 - 3. The presence of the service animal would fundamentally alter the nature of a service, program or activity; or
 - 4. The service animal behaves in a way that poses a direct threat to the health or

safety of others, has a history of such behavior, or otherwise poses a significant health or safety risk to others that cannot be eliminated by reasonable accommodations.

- B. If the service animal is properly excluded, the school district shall give the individual with a disability the opportunity to participate in the service, program, or activity without the service animal, unless such individual has violated a law or school rule or regulation that would warrant the removal of the individual.

VIII. ADDITIONAL LIMITATIONS FOR MINIATURE HORSES

In assessing whether a miniature horse may be permitted in a school building or on school grounds as a service animal, the following factors shall be considered:

- A. The type, size, and weight of the miniature horse and whether the facility can accommodate these features;
- B. Whether the handler has sufficient control of the miniature horse;
- C. Whether the miniature horse is housebroken; and
- D. Whether the miniature horse's presence in a specific building or on school grounds compromises legitimate health and safety requirements.

IX. ALLERGIES; FEAR OF ANIMALS

If a student or employee notifies the school district that he or she is allergic to a service animal, the school district will balance the rights of the individuals involved. In general, allergies that are not life threatening are not a valid reason for prohibiting the presence of a service animal. Fear of animals is generally not a valid reason for prohibiting the presence of a service animal.

X. NON-SERVICE ANIMALS FOR STUDENTS WITH INDIVIDUALIZED EDUCATION PROGRAMS (IEPS) OR SECTION 504 PLANS

If a special education student or a student with a Section 504 plan seeks to bring an animal onto school property that is not a service animal, the request shall be referred to the student's IEP team or Section 504 team, as appropriate, to determine whether the animal is necessary for the student to receive a free appropriate public education (FAPE) or, in the case of a Section 504 student, to reasonably accommodate the student's access to the school district's programs and activities.

XI. NON-SERVICE ANIMAL AS AN ACCOMMODATION FOR EMPLOYEES

If an employee seeks to bring an animal onto school property that is not a service animal, the request shall be referred to the superintendent or the administrator designated to handle such requests. A school district employee who is a qualified individual with a disability will be allowed to bring such animal onto school property when it is determined that such use is required to enable the employee to perform the essential functions of his or her position or to enjoy the benefits of employment in a manner comparable to those similarly situated non-disabled employees.

XII. LIABILITY

- A. The owner of the service animal or non-service animal is responsible for any harm or injury to an individual and for any property damage caused by the service animal while

on school district property.

- B. An individual who, directly or indirectly through statements or conduct, intentionally misrepresents an animal in that person's possession as a service animal may be subject to criminal liability.

Legal References: Section 504 of the Rehabilitation Act of 1973
28 C.F.R. § 35.104 (ADA Regulations)
28 C.F.R. § 35.130(b)(7) (ADA Regulations)
28 C.F.R. § 35.136 (ADA Regulations)
20 U.S.C. § 1400 *et seq.* (Individuals with Disabilities Education Act)
Minn. Stat. § 256C.02 (Public Accommodations)
Minn. Stat. § 363A.19 (Discrimination Against ~~Blind, Deaf, or Other Persons with Physical or Sensory~~ Disabilities Prohibited)
Minn. Stat. § 609.226 (Harm Caused by Dog)
Minn. Stat. § 609.833 (Misrepresentation of Service Animal)

Cross References: MSBA/MASA Policy 402 (Disability Nondiscrimination Policy)
MSBA/MASA Policy 521 (Student Disability Nondiscrimination)

Adopted: _____

MSBA/MASA Model Policy 601

Orig. 1995

Revised: _____

Rev. 2024~~3~~

601 SCHOOL DISTRICT CURRICULUM AND INSTRUCTION GOALS

[**Note: Minnesota Statutes, section 120B.11 requires school districts to adopt a comprehensive long-term strategic plan that addresses the review of curriculum, instruction, student achievement, and assessment. MSBA/MASA Model Policies 601, 603, and 616 address these statutory requirements. In addition, MSBA/MASA Model Policies 613-615 and 617-620 provide procedures to further implement the requirements of Minnesota Statutes, section 120B.11.**]

I. PURPOSE

The purpose of this policy is to establish broad curriculum parameters for the school district that encompass the Minnesota Academic Standards and federal law and are aligned with comprehensive achievement and civic readiness~~creating the world's best workforce~~.

II. GENERAL STATEMENT OF POLICY

The policy of the school district is to ~~establish the "world's best workforce"~~strive for comprehensive achievement and civic readiness in which all learning in the school district should be directed and for which all school district learners should be held accountable.

III. DEFINITIONS

- A. "Academic standard" means a summary description of student learning in a required content area or elective content area.
- B. "Antiracist" means actively working to identify and eliminate racism in all forms in order to change policies, behaviors, and beliefs that perpetuate racist ideas and actions.
- C. "Benchmark" means specific knowledge or skill that a student must master to complete part of an academic standard by the end of the grade level or grade band.
- D. "Comprehensive Achievement and Civic Readiness" means striving to: meet school readiness goals; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; have all students graduate from high school; and prepare students to be lifelong learners.
- E. "Culturally sustaining" means integrating content and practices that infuse the culture and language of Black, Indigenous, and People of Color communities who have been and continue to be harmed and erased through the education system.
- F. "Curriculum" means district or school adopted programs and written plans for providing students with learning experiences that lead to expected knowledge, skills, and career and college readiness.
- G. "Ethnic studies" as defined in Minnesota Statutes, section 120B.25, has the same meaning for purposes of this section. Ethnic studies curriculum may be integrated in existing curricular opportunities or provided through additional curricular offerings.

- H. “Experiential learning” means learning for students that includes career exploration through a specific class or course or through work-based experiences such as job shadowing, mentoring, entrepreneurship, service learning, volunteering, internships, other cooperative work experience, youth apprenticeship, or employment.
- I. “Institutional racism” means structures, policies, and practices within and across institutions that produce outcomes that disadvantage those who are Black, Indigenous, and People of Color.
- J. “Instruction” means methods of providing learning experiences that enable students to meet state and district academic standards and graduation requirements including applied and experiential learning.
- K. “Performance measures” are measures to determine school district and school site progress in striving for comprehensive achievement and civic readiness to create the world’s best workforce and must include at least the following:
 1. the size of the academic achievement gap; rigorous course taking, including college-level advanced placement, international baccalaureate, postsecondary enrollment options, including concurrent enrollment, other rigorous courses of study or industry certification courses or programs, and enrichment experiences by student subgroup;
 2. student performance on the Minnesota Comprehensive Assessments;
 3. high school graduation rates; and
 4. career and college readiness under Minnesota Statutes, section 120B.30, subdivision 1.

~~K. “World’s best workforce” means striving to: meet school readiness goals; close the academic achievement gap among all racial and ethnic groups of students and between students living in poverty and students not living in poverty; have all students attain career and college readiness before graduating from high school; and have all students graduate from high school.~~

[Note: Definitions B, E, G, and I are were added to Minnesota Statutes, section 120B.11—the World’s Best Workforce Comprehensive Achievement and Civic Readiness law—effective August 1, 2023. The definitions apply to revisions to the World’s Best Workforce Comprehensive Achievement and Civic Readiness law regarding ~~strategic plans~~; these revisions are effective “for all strategic plans reviewed and updated after June 30, 2024.”]

~~Because school districts may choose to implement the new definitions and the strategic plan revisions before June 30, 2024, MSBA includes the new definitions and revisions in Articles III and IV. A school district could choose to wait to adopt the new definitions and revisions with the understanding that they will be effective for all strategic plans reviewed and updated after June 30, 2024.]~~

IV. LONG-TERM STRATEGIC PLAN

- A. The school board, at a public meeting, must adopt a comprehensive, long-term strategic plan to support and improve teaching and learning that is aligned with creating the

~~world's best workforce~~ striving for comprehensive achievement and civic readiness and includes the following:

1. clearly defined school district and school site goals and benchmarks for instruction and student achievement for all student categories identified in Minnesota Statutes, section 120B.35, subdivision 3, paragraph (b)(2);

[Note: MSBA/MASA Model Policy 601, Section IV.B. and MSBA/MASA Model Policy 616 address this requirement.]

2. a process to assess and evaluate each student's progress toward meeting state and local academic standards, assess and identify students for participation in gifted and talented programs and services and accelerate their instruction, adopt early-admission procedures consistent with Minnesota Statutes, section 120B.15 and identifying the strengths and weaknesses of instruction in pursuit of student and school success and curriculum affecting students' progress and growth toward career and college readiness and leading to the world's best workforce;

[Note: MSBA/MASA Model Policy 618 addresses this requirement.]

3. a system to periodically review and evaluate the effectiveness of all instruction and curriculum, taking into account strategies and best practices, student outcomes, principal evaluations under Minnesota Statutes, section 123B.147, subdivision 3, students' access to effective teachers who are members of populations underrepresented among the licensed teachers in the district or school and who reflect the diversity of enrolled students under Minnesota Statutes, section 120B.35, subdivision 3(b)(2), and teacher evaluations under Minnesota Statutes, section 122A.40, subdivision. 8, or 122A.41, subdivision 5;

[Note: MSBA/MASA Model Policy 616 addresses this requirement.]

4. strategies for improving instruction, curriculum, and student achievement, including the English and, where practicable, the native language development and the academic achievement of English learners;

[Note: MSBA/MASA Model Policy 616 addresses this requirement.]

5. a process to examine the equitable distribution of teachers and strategies to ensure children in low-income families, children in families of People of Color, and children in American Indian families are not taught at higher rates than other children by inexperienced, ineffective, or out-of-field teachers;

6. education effectiveness practices that
 - a. integrate high-quality instruction, technology, and curriculum that is rigorous, accurate, antiracist, and culturally sustaining;
 - b. ensure learning and work environments validate, affirm, embrace, and integrate cultural and community strengths for all students, families, and employees;
 - c. provide a collaborative professional culture that seeks to retain qualified, racially and ethnically diverse staff effective at working with

diverse students while developing and supporting teacher quality, performance, and effectiveness; and

7. an annual budget for continuing to implement the school district plan; and
 8. identifying a list of suggested and required materials, resources, sample curricula, and pedagogical skills for use in kindergarten through grade 12 that accurately reflect the diversity of the state of Minnesota.
- B. The school district is not required to include information regarding literacy in a plan or report required under this section, except with regard to the academic achievement of English learners.
- C. Every child is reading at or above grade level every year, beginning in kindergarten, and multilingual learners and students receiving special education services are receiving support in achieving their individualized reading goals pursuant to Policy ~~621XXX~~ (LiteracyReading and the Read Act)

Legal References:

Minn. Stat. § 120B.018 (Definitions)
Minn. Stat. § 120B.02 (Educational Expectations and Graduation Requirements for Minnesota Students)
Minn. Stat. § 120B.11 (School District Process for Reviewing Curriculum, Instruction, and Student Achievement Goals; Striving for Comprehensive Achievement and Civic Readiness the World's Best Workforce)
Minn. Stat. § 120B.12 (Read Act Goal and Interventions)
Minn. Stat. § 120B.30, Subd. 1 (Statewide Testing and Reporting System)
Minn. Stat. § 120B.35, Subd. 3 (Student Academic Achievement and Growth)
Minn. Stat. § 122A.40, Subd. 8 (Employment; Contracts; Termination)
Minn. Stat. § 122A.41, Subd. 5 (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 123B.147, Subd. 3 (Principals)
Minn. Stat. § 125A.56, Subd. 1 (Alternate Instruction Required before Assessment Referral)
20 U.S.C. § 5801, *et seq.* (National Education Goals)
20 U.S.C. § 6301, *et seq.* (Every Student Succeeds Act)

Cross References:

MSBA/MASA Model Policy 104 (School District Mission Statement)
MSBA/MASA Model Policy 613 (Graduation Requirements)
MSBA/MASA Model Policy 614 (School District Testing Plan and Procedure)
MSBA/MASA Model Policy 615 (Testing Accommodations, Modifications, and Exemptions for IEPs, Section 504 Plans, and LEP Students)
MSBA/MASA Model Policy 616 (School District System Accountability)
MSBA/MASA Model Policy 618 (Assessment of Student Achievement)

Adopted: _____

MSBA/MASA Model Policy 602

Orig. 1995

Revised: _____

Rev. 2024~~3~~

602 ORGANIZATION OF SCHOOL CALENDAR AND SCHOOL DAY

I. PURPOSE

The purpose of this policy is to provide for a timely determination of the school calendar and school day.

II. GENERAL STATEMENT OF POLICY

The school calendar and schedule of the school day are important to parents, students, employees, and the general public for advance, effective planning of the school year.

III. CALENDAR RESPONSIBILITY

- A. The school calendar shall be adopted annually by the school board. It shall meet all provisions of Minnesota statutes pertaining to minimum number of school days and other provisions of law. The school calendar shall establish student days, workshop days for staff, provide for emergency closings and other information related to students, staff, and parents.

[NOTE: The annual school calendar must include at least 425 hours of instruction for a kindergarten student ~~without a disability~~, 935 hours of instruction for a student in grades 1 through 6, and 1,020 hours of instruction for a student in grades 7 through 12, not including summer school. The school calendar for all-day kindergarten must include at least 850 hours of instruction for the school year. If a voluntary prekindergarten program is offered by the school district, a prekindergarten student must receive at least 350 hours of instruction for the school year. A school board's annual calendar must include at least 165 days of instruction for a student in grades 1 through 11 unless a four-day week schedule has been approved by the ~~Minnesota~~ Commissioner of the Minnesota Department of Education under Minnesota Statutes, section 124D.126. A school board's annual school calendar may include plans for up to five days of instruction provided through online instruction due to inclement weather. The inclement weather plans must be developed according to Section V., below.]

[NOTE: To the extent the school board offers K-12 teachers the opportunity for more staff development training under Minnesota Statutes, section 122A.40, subdivisions 7 and 7a, or Minnesota Statutes, section 122A.41, subdivisions. 4 and 4a, the school district shall adopt as its school calendar a total of 240 days of student instruction and staff development, of which the total number of staff development days equals the difference between the total number of days of student instruction and 240 days. The school board may schedule additional staff development days throughout the calendar year.]

- B. Except for learning programs during summer and flexible learning year programs, the school district will not commence an elementary or secondary school year before Labor Day, except as provided in Section III.B.1., III.B.2., or III.B.3. Days devoted to teacher's workshops may be held before Labor Day.

1. The school district may begin the school year on any day before Labor Day to accommodate a construction or remodeling project of \$400,000 or more affecting a school district school facility.
 2. The school district may begin the school year on any day before Labor Day if the school district has agreement under Minnesota Statutes, section 123A.30, 123A.32, or 123A.35 with a school district that qualifies under Section III.B.1.
 3. The school district may begin the school year on any day before Labor Day if the school district agrees to the same schedule with a school district in an adjoining state.
- C. Employee and advisory groups shall be provided an opportunity to participate in school calendar considerations through a meet and confer process.

~~[NOTE: The provisions of the prior law requiring the school board to adopt the calendar for the next school year by April 1 have been repealed. The school board should still attempt to establish the calendar as early as possible so proper planning can take place by all members of the school community.]~~

[The statutory April 1 requirement was repealed many years ago.]

IV. SCHOOL DAY RESPONSIBILITY

- A. The superintendent shall be responsible for developing a schedule for the student day, subject to review by the school board. All requirements and provisions of Minnesota Statutes and Minnesota Department of Education Rules shall be met.
- B. In developing the student day schedule, the superintendent shall consider such factors as school bus schedules, cooperative programs, differences in time requirements at various grade levels, effective utilization of facilities, cost effectiveness, and other concerns deserving of attention.
- C. Proposed changes in the school day shall be subject to review and approval by the school board.

V. E-LEARNING DAYS

- A. An "e-learning day" is a school day where a school offers full access to online instruction provided by students' individual teachers due to inclement weather.
- B. A school district may designate up to five e-learning days in one school year.
- C. An e-learning day is counted as a day of instruction and included in the hours of instruction pursuant to Section III.A., above.
- D. A school board may adopt an e-learning day plan after consulting with the exclusive representative of the teachers. The e-learning day plan developed by the school district will include accommodations for students without Internet access at home and for digital device access for families without the technology or with an insufficient amount of technology for the number of children in the household. The plan must also provide accessible options for students with disabilities.
- E. The school district must notify parents and students of its e-learning day plan at the beginning of each school year.

- F. When an e-learning day is declared by the school district, notice must be provided to parents and students at least two hours prior to the normal school start time that students will need to follow the e-learning day plan for that day.
- G. On an e-learning day, each student's teacher must be accessible both online and by telephone during normal school hours to assist students and parents.
- H. When the school district declares an e-learning day, it must continue to pay the full wages for scheduled work hours and benefits of all school employees for the duration of the e-learning period. During the e-learning period, school employees must be allowed to work from home to the extent practicable, be assigned to work in an alternative location, or be retained on an on-call basis for any potential need.

Legal References: Minn. Stat. § 10.55 (Juneteenth)
Minn. Stat. § 120A.40 (School Calendar)
Minn. Stat. § 120A.41 (Length of School Year; Hours of Instruction)
Minn. Stat. § 120A.414 (E-Learning Days)
Minn. Stat. § 120A.415 (Extended School Calendar)
Minn. Stat. § 120A.42 (Conduct of School on Certain Holidays)
Minn. Stat. § 122A.40, Subds. 7 and 7a (Employment; Contracts; Termination)
Minn. Stat. § 122A.41, Subds. 4 and 4a (Teacher Tenure Act; Cities of the First Class; Definitions)
Minn. Stat. § 123A.30 (Agreements for Secondary Education)
Minn. Stat. § 123A.32 (Interdistrict Cooperation)
Minn. Stat. § 123A.35 (Cooperation and Combination)
Minn. Stat. § 124D.126 (Powers and Duties of Commissioner; Flexible Learning Year Programs)
Minn. Stat. § 124D.151 (Voluntary Prekindergarten Program)
Minn. Stat. § 124E.25 (Payment of Aids to Charter Schools)
Minn. Stat. § 127A.41, Subd. 7 (Distribution of School Aids; Appropriation)
Minn. Stat. § 645.44 (Words and Phrases Defined)

Cross References: MSBA/MASA Model Policy 425 (Staff Development)

722 PUBLIC DATA REQUESTS

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

I. PURPOSE

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

II. GENERAL STATEMENT OF POLICY

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

III. DEFINITIONS

A. Government Data

“Government data” means all recorded information that the school district has, including paper, email, flash drives, CDs, DVDs, photographs, etc.

B. Inspection

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

C. Public Data

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

D. Responsible Authority

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

E. Summary Data

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

IV. REQUESTS FOR PUBLIC DATA

- A. All requests for public data must be made in writing directed to the responsible authority **by submitting 722F or emailing a complete request to: publicdatarequest@lewalt.k12.mn.us**.
1. A request for public data must include the following information:
 - a. Date the request is made;
 - b. A clear description of the data requested;
 - c. Identification of the form in which the data is to be provided (e.g., inspection, copying, both inspection and copying, etc.); and
 - d. Method to contact the requestor (such as phone number, address, or email address).
 2. A requestor is not required to explain the reason for the data request.
 3. The identity of the requestor is public, if provided, but cannot be required by the government entity.
 4. The responsible authority may seek clarification from the requestor if the request is not clear before providing a response to the data request.
- B. The responsible authority will respond to a data request at reasonable times and places as follows:
1. The responsible authority will notify the requestor in writing as follows:
 - a. The requested data does not exist; or
 - b. The requested data does exist but either all or a portion of the data is not accessible to the requestor; or
 - (1) If the responsible authority determines that the requested data is classified so that access to the requestor is denied, the responsible authority will inform the requestor of the determination in writing, as soon thereafter as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based.
 - (2) Upon the request of a requestor who is denied access to data, the responsible authority shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.
 - c. The requested data does exist and provide arrangements for inspection of the data, identify when the data will be available for pick-up, or indicate that the data will be sent by mail. If the requestor does not appear at the time and place established for inspection of the data or the data is not picked up within ten (10)

business days after the requestor is notified, the school district will conclude that the data is no longer wanted and will consider the request closed.

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

V. REQUEST FOR SUMMARY DATA

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

VI. COSTS

- A. Public Data

1. The school district will charge for copies provided as follows:
 - a. 100 or fewer pages of black and white, letter or legal sized paper copies will be charged at 25 cents for a one-sided copy or 50 cents for a two-sided copy.
 - b. More than 100 pages or copies on other materials are charged based upon the actual cost of searching for and retrieving the data and making the copies or electronically sending the data, unless the cost is specifically set by statute or rule.
 - (1) The actual cost of making copies includes employee time, the cost of the materials onto which the data is copied (paper, CD, DVD, etc.), and mailing costs (if any).
 - (2) Also, if the school district does not have the capacity to make the copies, e.g., photographs, the actual cost paid by the school district to an outside vendor will be charged.
2. All charges must be paid for in cash in advance of receiving the copies.

B. Summary Data

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

Adopted: January 7, 2019

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

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

INDEPENDENT SCHOOL DISTRICT NO. 857
PUBLIC DATA REQUEST FORM

TO BE COMPLETED BY THE REQUESTOR

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

FOR OFFICE USE ONLY

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

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

DRAFT August 12, 2024



LEWISTON – ALTURA SCHOOL DISTRICT EMPLOYEE HANDBOOK 2024-2025

Lewiston - Altura Schools:

**Educating A Caring, Adaptable, Respectful, Determined, Successful
Community of Learners**

Approved by the Lewiston – Altura School Board

August 12, 2024

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GENERAL INFORMATION

INTRODUCTION

Welcome to Lewiston - Altura School District! We are excited to have you as a part of our team. Our schools equip students with an education that provides "learning for life". All employees in our school district play an important role in ensuring this goal is achieved.

The purpose of this handbook is to provide you with general information and guidelines about your employment. It is not intended to be comprehensive, and it does not confer any contractual rights, either expressed or implied. It is your responsibility to read this handbook and understand its contents. Any questions should be addressed to the District Office. All district policies can be accessed on [Lewiston-Altura Public Schools Public View - BoardBook Premier](https://meetings.boardbook.org/Public/Organization/2341) <https://meetings.boardbook.org/Public/Organization/2341>

Although every effort will be made to update the handbook on a timely basis, ISD 857's Board of Education reserves the right, and has the discretion, to change any policies, procedures, benefits, and terms of employment without notice, consultation, or publication, except as may be required by contractual agreements and law. The District reserves the right, and has the discretion, to modify or change any portion of this handbook at any time.

STATEMENT OF NON-DISCRIMINATION

It is the policy of our school district to comply with federal and state law prohibiting discrimination and all requirements imposed by or pursuant to regulations issued thereto, to the end that no person in the school district shall on grounds of race, color, national origin, creed, religion, sex, marital status, age, status with regard to public assistance, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any education program, or in employment, or recruitment, consideration or selection, therefore, whether full time or part time under an education program or activity for which the school district is responsible.

TEAMWORK

Providing a quality education for students and a quality work experience for you involves teamwork between you and your colleagues. Teamwork is demonstrated by showing respect, cooperation and professionalism at all times. Serving as an effective member of your team is key to accomplishing the school district's mission.

CODE OF ETHICS

When attending staff meetings, committee meetings, in individual staff conversations or other district sponsored meetings, we:

1. Strive for a positive attitude.
2. Strive for respectful communication.
3. Always honor the confidentiality of student, family and staff information.
4. The success of every student is paramount to our purpose and responsibility.
5. Be honest, open and focus on problem solving.
6. Respect each other's differences (Listen objectively).
7. Support the consensus arrived by the group or the decisions of administration or school board and move forward together.
8. Strive to do our fair share of what needs to be done for school and student success.
9. Support regular evaluation and reflection of our performance.

PLEDGE OF ALLEGIANCE

Minnesota Statutes 121A.11 mandates the Pledge of Allegiance be recited at least once a week in public schools. "Anyone who does not wish to participate in reciting the pledge of allegiance for any personal reason may elect not to do so. Students and staff must respect another person's right to make that choice.

EMPLOYEE EXPECTATIONS

BUILDING KEYS

Key fobs and keys will be issued as appropriate and necessary for your assigned duties. You will be required to sign out your keys and FOB. Should your employment with the district end, you are required to return all keys and FOB to the District Office.

CLASSROOM AND OFFICE ORGANIZATION AND FIRE MARSHALL REQUIREMENTS

All spaces need to be neat, orderly, and professional and have an ease of access.

- Clearance from the ceilings should be 18-24 inches
- All places of employment, passageways, storerooms, and service rooms shall be kept clean and orderly and in sanitary conditions.
- Electrical panels should be locked.
- Artwork and teaching material shall be permitted to be attached directly to walls, but shall not exceed 20 percent of the wall area.
- Objects cannot be hung from ceilings.
- Staff members must have supervisor approval before doing any classroom alterations, i.e., painting, installing new light fixtures or installing anything on the walls or ceilings.
- Any plants (no more than one/classroom) or small animal pets in a classroom require principal approval.
- Space heaters are not allowed.
- Microwaves, coffee pots, refrigerators, etc. are not permitted in classrooms. Three prong appliances are allowed in kitchens, designated break rooms and staff work rooms.
- Hazardous chemicals that are in secondary containers need proper labeling. The identity of hazardous chemicals, the appropriate hazard warning and the chemical manufacturer, along with other forms of warning, material safety data sheets, and employee information and trainings must be provided.

EMERGENCY CLOSINGS

Information concerning school closings and emergencies will be announced through the automated messenger system, on local radio and news channels. Refer to your contract, individual work agreement or Handbook for expectations for work and compensation on these days.

If the school calendar is modified and student days are added to the calendar, all staff are expected to work those days. Please refer to the 2024-2025 Board Approved School Calendar so you are aware of those potential additional student days of work.

DRESS CODE

Employees are expected to project a professional image that sets positive dress and grooming examples for students. Employees must adhere to standards of dress and appearance that are compatible with an effective and professional learning environment and job duties. The building administrator may designate days when reasonable modifications to this policy may be made such as spirit days.

The following attire is prohibited:

- Apparel promoting products or activities that are illegal for use by minors.
- Objectionable emblems, signs, words, objects or pictures on clothing communicating a message that is racist, sexist or otherwise derogatory.

DOOR SECURITY

Doors to enter the school facilities are generally locked during the school day. Teachers with exterior doors in their classrooms must keep those doors locked and closed also. Staff may be given access FOBs that enables them to enter through doors with FOB sensors. If the access doors are locked, visitors and students must request entrance to the building by utilizing the video/speaker system at the designated doors. It is extremely important that staff and students NOT open or prop doors for visitors or students. Office staff need to know who has entered the building. Staff should model and enforce this expectation with students. Staff who lose or damaged a keys FOBs will be charged a replacement fee. (Not when due to normal wear and use.)

EMERGENCY PLANS/PROCEDURES

All staff must be familiar with the Crisis Management Plan and actively adhere to all procedures in drills or in the case of an actual incident. If there are any questions about Emergency Plans/Procedures, talk to your supervisor.

EMAIL COMMUNICATION, PERSONAL SOCIAL MEDIA AND INTERNET USE

Employees of the school district are assigned a school email address and access to the school network at the time of their hire. Employees are expected to check their school email at appropriate times during the workday to obtain communications from their supervisors or other district employees. If an email includes a specific question or concern, employees are expected to respond within 24 hours. Teachers and administration must respond to a parent/guardian question or concern addressed to them in an email within 24 hours.

School emails and an employee's use of the internet via the school network or any district owned device are not private and may be accessed by supervisors if there is a concern of inappropriate email or internet use.

Staff are strongly encouraged to be thoughtful if posting on personal social media sites any comments or information regarding the school district, staff, students, policies, events, your work or practices. Judgmental or critical comments from a school district employee may reflect negatively on colleagues, students, parents, administration and/or the entire district. If a staff member has a concern or question about a school district staff member, a student, a district policy or procedure, a past or future event or similar items, the employee should speak directly with his/her supervisor and/or the superintendent.

EMPLOYEE ATTENDANCE

Employees are expected to report to their assigned work location on time each scheduled workday. Regular attendance is an essential duty of all positions. If you are unable to come to work, you must notify your supervisor as soon as possible.

If you want to request an absence from your position, you must fill out an Advanced Leave Request form or post in Frontline (teachers). These forms should be turned into the school offices or with your supervisor. Each employee is responsible for knowing if s/he has the relevant leave (e.g., medical, personal, etc.) available when requesting a leave from work. This information is available on the Employee Self Service system. Absences within past 4 weeks may not yet be inputted into SmartER. If there are any questions about leave availability, contact the District Office. If an employee is absent from work and does not have the necessary leave available, there will be a payroll deduction.

Advanced Leave Request forms are necessary as well for professional leaves such as attending out of district workshops on student contact days, full day field trips or extra or co-curricular activities.

Requests for unpaid leave will not be considered unless the employee has exhausted all other applicable paid leave and the reason for the request is extremely important (as determined by the superintendent). Family Medical Leave Act may apply in some cases of a serious health condition. Sick leave may be used for reasons as allowed by MN Statute 181.9447.

In situations where an absence was not pre-planned and an advance request form was not completed, the employee must still appropriately complete the form and submit it to his/her supervisor to assure all absences are appropriately documented and leave deductions are made.

EMPLOYEE GROUPS AND WORK AGREEMENTS

All school district staff have a collectively bargained Agreement, a Wage and Benefit Handbook or an individual contract. All staff are expected to follow work agreements, district policies, procedures, federal and state laws.

FOOD ACCOUNTS FOR EMPLOYEES

Employees are allowed to have a food service account through the food service program. Charges should not exceed a \$5 deficit. Charges must be paid in full by the end of the school year or the school district may withhold the balance against compensation.

GRANTS

Employees are encouraged to pursue grant funding to support programming and activities not funded by the District. Grant applications must be pre-approved by the building principal or superintendent.

LICENSURE / CERTIFICATION

Each employee who works in a position that requires licensure or certification must maintain a current license or certificate with the District Office. Employees are responsible for maintaining their license (s) and ensuring validity at all times.

PARKING

All employees must park in the parking area as designated by the administration.

PHONE USAGE

Staff should model appropriate cell phone use and only use phones for personal use during designated break times.

Personal long distance calls made over the school lines should be charged to your home number or made from your personal cell phone.

PHOTO IDENTIFICATION BADGE

All employees will be issued a photo identification badge. Employee identification badges are an important part of providing a secure environment for our students and employees. Badges should be worn at all times while on District property and should be worn in a visible spot on your body. Should your employment with the District end, you are required to return your photo identification badge to your supervisor

PURCHASE REQUESTS USING DISTRICT FUNDS

Staff may request the use of school funds to purchase materials to support the education of students or to support the work the employee is required to perform. To make this request, the employee must complete a School Requisition Form through SMARTer. It is important to provide complete ordering information on the Form. Funding approval will be dependent upon need and budget availability.

It is important to allow at least a one-week lead time for the purchasing approval and ordering process to be completed. Delivery time will vary depending on the vendor. This one week lead time also applies to written checks that may be needed for field trips, band contests, athletic events, etc.

Any requisitions for general classroom or curriculum materials for the current school year must be forwarded to the principal by **April 15th**. Current year budgets are intended to be used in the current school year. Exceptions to this (e.g., year end needs) must be discussed with the Principal prior to April 15th. If you have questions about the availability of funds consult with your principal or the Business Manager.

PURCHASING / REIMBURSEMENT

Items that need to be purchased with school funds need to be **pre**-approved by your supervisor. Employee requests for reimbursement of purchases made by the employee are not guaranteed. Purchases made outside of the district's requisition process through SMARTer or a paper PO for local purchases, should be avoided if at all possible. Please plan ahead as reimbursement is time consuming for the business office. The district cannot (by law) reimburse for any sales taxes that were paid at the time of purchase.

SCHOOL/WORK RELATED TRAVEL

Requests to attend out of district workshops or work related trainings or meetings must be approved by the Staff Development committee, principal or superintendent. Approval of a Staff Development Request does not automatically ensure registrations and hotel reservations are in place. All anticipated expenses should be put on a requisition form with the Staff Development approval form attached. The staff member must also complete an Advanced Leave Request form or post on Frontline. The district office will place approved registrations that are

required and place hotel reservations if needed. Allow a minimum of two weeks for this process to be completed.

Requests for reimbursement for meals and mileage need to be submitted within 1 week of return. Receipts must be detailed, showing items purchased and not just credit card receipts. The forms for reimbursement are in the school offices and on the website. The district does not reimburse for alcohol, taxes paid or tips.

STAFF ATTENDANCE AT EXTRACURRICULAR ACTIVITIES

All staff are strongly encouraged to attend as many extra-curricular activities and events (athletic events, band concerts, theater performances, etc.) as possible to support our students and schools. Staff presence at these events is very important to students, parents/guardians and the community. If a home event has an admission fee (not including tournaments), staff members and spouses can get in free IF you are wearing your school ID badge. You are representing the school district at these events and excellent sportsmanship is expected. Please also be available if game supervisors or administration need assistance in responding to a major situation at the event- e.g., serious injury, significant student or adult conflicts, building evacuation if the fire alarm goes off, etc.

YEAR END RESPONSIBILITIES

Teachers and office staff are expected to complete all clean up and organization as part of the end of year procedures. This includes, but not limited to, putting all materials on shelves in boxes. There should not be any loose materials on desks. Teachers are expected to continue to work full days until all check out procedures are completed and approved by the principal.

In the case of a resignation or retirement at any point during the school year, all electronic documents and related files created during the period of employment and related to the employee's work, must be kept on the computer and/or in the assigned shared drive. These files may be duplicated for the employee's future use, but the district retains ownership as they were developed during the employee's time in the district.

PAYROLL

EMPLOYEE SELF SERVICE SYSTEM

Employees can access their personal account information through the Employee Self Service (ESS) system. You can access your account through the website at:

<https://www.regionv.k12.mn.us/smarter/Login.aspx?ReturnUrl=%2fsmarter%3fdn%3d0865&dn=0857>

This direct link is available on the school district webpage under Staff Resources. If you don't know your login information, contact the District Office for full instructions and access information.

It is important that accurate, up-to-date information is kept on file for you in the District Office. If you have an address change, you can change it directly through our SmartER system. Please inform the district office and your primary school office if you have a change in your personal phone number.

If you change your name, you must provide a copy of your new social security card to the District Office. Name changes will not be made in the district's payroll system until that process has been completed.

PAY DATES

Employees are paid on the fifteenth day and the last day of each month. If the fifteenth or the last day of the month occurs on a Saturday, Sunday or a holiday, the payday will be the preceding work day. Individual time sheets must be in the Business Office by the 6th or the 20th for the subsequent pay date.

Employees wishing to change their withholding allowances or marital status should provide a completed W-4 form to the District Office. W-4 forms are available on the district's website and in the District Office.

DIRECT DEPOSIT

Direct deposit is required for all employees. Your paycheck is directly deposited into an account of your choosing on payday. Account changes can be made by contacting the District Office. Consult the district office if you have any questions about your pay deposit or other relevant information.

TEACHERS RETIREMENT ASSOCIATION (TRA) / PUBLIC EMPLOYEES RETIREMENT ASSOCIATION (PERA)

When you begin your employment with Lewiston - Altura School District, you also begin contributing to your future retirement as a member of either the Teachers Retirement Association (TRA) or the Public Employees Retirement Association (PERA). Each pay period your contribution to TRA or PERA is deducted from your paycheck. The District, as your employer, also contributes to TRA or PERA on your behalf. Both employee and employer contributions are mandated by Minnesota law.

If you are interested in obtaining more information about your retirement account, then please use the following contact information:

Teacher Retirement Association

651.269.2409

800.657.3669

Fax:651.297.5999

www.minnesotatra.org

60 Empire Drive, Suite 400

Saint Paul, MN 55103

Public Employees Retirement Association

651.296.7460

800.652.9026

Fax: 651.297.2547

www.mnpera.org

60 Empire Drive, Suite 200

St. Paul, MN 55103-2088

EMPLOYEE BENEFITS

BENEFITS INTRODUCTION

Eligibility and the school district's contribution toward these benefit plans are determined based on your specific employee group. The Lewiston - Altura School District provides an array of healthcare benefits to eligible employees including health, dental, life and long-term disability insurance, and medical and flexible spending accounts. If you have any questions, please contact the District Office.

Early Childhood Education and Before/After School Cardinal Care Programs

Lewiston - Altura school staff members that utilize the district's early childhood education and before/after school care programs for children/youth living in their home on a full time basis receive a 50% reduction in tuition rates. This does not apply to summer programming.

For information on rates, programming, policies, schedules, registration or more, contact Early Childhood Coordinator Kayli Zezulka- kzezulka@lewalt.k12.mn.us OR Cardinal Club Coordinator Linda Liebfried - lliebfried@lewalt.k12.mn.us .

FLEXIBLE SPENDING ACCOUNTS (MEDICAL AND DEPENDENT CARE)

The school district currently offers both medical and dependent care flexible spending accounts to eligible employees. Eligible employees can elect to participate in these plans by setting aside money from their paychecks on a pre-tax basis to pay for certain eligible health care and dependent care expenses.

403 (b) PLAN/TAX SHELTERED (TSA) PLAN

A 403 (b) plan allows an employee to make pre-tax contributions from his/her paycheck into an account. You do not pay income tax on allowable contributions until you begin making withdrawals from the plan, which usually occurs when you retire. Penalties for early withdrawal do occur if funds are withdrawn prior to the time allowed by the IRS.

Employees have the opportunity to enroll in the Lewiston - Altura School District 403 (b) Plan if stated in their current work agreement. Matching contributions are available for some employees based on position and years of service. Match contribution details can be found in the applicable employee work agreement. Information about the school district's approved vendors and financial advisors is available in the District Office.

FAMILY AND MEDICAL LEAVE ACT OF 1993

The Family and Medical Leave Act of 1993 (FMLA) requires the District to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family or medical reasons. Employees are eligible if they have worked for the District for at least 12 months and have worked a minimum of 1,250 hours during the 12 months

CONTINUATION OF BENEFITS: COBRA RIGHTS

The Consolidated Omnibus Budget Reconciliation (COBRA) provides employees and their dependents with the right to continue group insurance benefits provided under the employer's group health plan for limited periods of time under certain circumstances such as voluntary or involuntary employment loss.

SCHOOL BOARD POLICY SUMMARIES

For the most up-to-date versions and full texts of School Board policies, please see [Lewiston-Altura Public Schools Public View - BoardBook Premier](#).

STATEMENT OF NON-DISCRIMINATION

It is the policy of ISD 857 to comply with federal and state law prohibiting discrimination and all requirements imposed by or pursuant to regulations issued thereto, to the end that no person in the school district shall on grounds of race, color, national origin, creed, religion, sex, marital status, age, status with regard to public assistance, or disability be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any education program, or in employment, or recruitment, consideration or selection, therefore, whether full time or part time under an education program or activity for which the school district is responsible.

SEXUAL, RACIAL, RELIGIOUS HARASSMENT AND VIOLENCE POLICY

Everyone at ISD 857 has a right to feel respected and safe. Consequently, we want you to know about our policy to prevent religious, racial or sexual harassment and violence of any kind.

A harasser may be a student or an adult. Harassment may include the following when related to race, color, national origin, creed, religion, sex, marital status, age, status with regard to public assistance, or disability:

1. Name calling, jokes or rumors
2. Pulling on clothing
3. Graffiti
4. Notes or cartoons
5. Unwelcome touching of a person or clothing
6. Offensive or graphic posters or book covers; or any words or actions that make you feel uncomfortable, embarrass you, hurt your feelings or make you feel bad.

If any words or actions make you feel uncomfortable or fearful, you need to tell a teacher, counselor, the principal or the human rights officer, Gwen Carman, Superintendent.

You may also make a written report. It should be given to the principal or the human rights officer.

Your right to privacy will be respected as much as possible.

We take seriously all reports of religious, racial or sexual harassment or violence and will take all appropriate actions based on your report.

The school district will also take action if anyone tries to intimidate you or take action to harm you because you have reported.

This is a summary of the school district policy against religious, racial and sexual harassment and violence. Complete policies are available on the school website.

RELIGIOUS, RACIAL AND SEXUAL HARASSMENT, VIOLENCE AND DISCRIMINATION ARE AGAINST THE LAW.

Human Rights Officer: Superintendent Gwen Carman
504 Coordinator: PK – Elementary Principal Dave Riebel
Title IX Coordinator: High School Principal Dr. Cory Hanson

MANDATED REPORTING OF CHILD NEGLECT OR PHYSICAL OR SEXUAL ABUSE

The State of Minnesota requires that school district employees who know or have reason to believe that a child is being neglected or physically or sexually abused must immediately report the information to proper authorities. A person mandated by Minnesota law to report and fails to do so may be subject to criminal penalties and/or discipline, up to and including termination of employment. Submission of good faith report under Minnesota law and this policy will not adversely affect the employee reporter's employment.

FAMILY AND MEDICAL LEAVE POLICY

The Lewiston – Altura School District abides by procedures and policies regarding family and medical leave, pursuant to the requirements of the Family and Medical Leave Act of 1993 (FMLA) and consistent with the requirements of Minnesota parenting leave laws. Refer to Policy #410 for more details.

DRUG AND ALCOHOL TESTING

All school district employees and job applicants whose position requires 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.

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.

The uses, possession, sale, purchase, transfer, or dispensing of any drugs not medically prescribed or 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 drugs which are not medically prescribed, or alcohol is also prohibited through 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 (including medical cannabis) which are not medically prescribed, or alcohol are prohibited from entering or remaining on school district property.

Any employee who violates this section shall be subject to discipline which includes, but is not limited to, immediate suspension without pay or immediate discharge.

DRUG AND ALCOHOL FREE WORKPLACE

Use of controlled substances, toxic substances, or alcohol before, during, or after school hours, at school or in any other school location, is prohibited as general policy. Paraphernalia associated with controlled substances is prohibited.

It shall be a violation of policy for any employee to use alcohol, toxic substances, or controlled substances in any school location. 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.

TOBACCO-FREE ENVIRONMENT

The Lewiston - Altura School District is committed to providing a healthy, safe, and productive environment for employees. It shall be a violation of policy for any employee to smoke or use tobacco, tobacco-related devices, or electronic cigarettes in a public school. This prohibition extends to all facilities, whether owned, rented, leased and all vehicles that a school district owns, leases, rents or contracts for, or controls. This prohibition includes all school district property and all off-campus events sponsored by the school district. Employees who violate this policy shall be subject to discipline.

EMPLOYEE-STUDENT RELATIONSHIPS

At all times, whether on or off duty and on or off school district locations, students will be treated by school district employees with respect, courtesy, and consideration and in a professional manner. Each school district employee is expected to exercise good judgment and professionalism in all interpersonal relationships with students. Such relationships must be and remain on a teacher-student basis or an employee-student basis. This expectation includes any communication that may occur via social media or other electronic communications.

Upon receipt of a report regarding a potentially inappropriate relationship or communication, the school district will take appropriate action. Such action may include, but not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. It also may be reported to appropriate state or federal authorities, including the Board of Teaching or the appropriate licensing authority and appropriate agencies responsible for investigating reports of maltreatment of minors and/or vulnerable adults. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements, Minnesota and federal law, and school district policies.

Employees are placed on notice that if an employee acts outside the performance of the duties of the position for which the employee is employed or is guilty of malfeasance, willful neglect of duty, or bad faith, the school district is not required to defend or indemnify the employee for damages in school-related litigation.

WEAPONS POLICY

No employee shall possess, use or distribute a weapon when in the school location except as provided for in Board policy. An employee who violates the terms of this policy is subject to disciplinary action, including nonrenewal, suspension, or discharge. When an employee violates the district's weapons policy, law enforcement may be notified.

BULLYING PROHIBITION

An act of bullying, by either an individual student or a group of students, is expressly prohibited on school premises, or school district property, at school functions or activities, or on school transportation. This policy also applies to students who directly engage in the act of bullying but also students who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to an act of cyberbullying regardless of whether such acts are committed on or off school district property and/or with or without the use of school district resources.

The school district will act to investigate all reported complaints of bullying. Consequences for employees who permit, condone, or tolerate bullying or engage in and act or reprisal or intentional false reporting or bullying may result in disciplinary action up to and including termination of employment.

STUDENT SEX NONDISCRIMINATION

Students are protected from discrimination on basis of sex pursuant to Title IX of the Education Amendments of 1972 and the Minnesota Human Rights Ave. No student will be excluded from participation in, denied the benefit, or otherwise subjected to discrimination under any education program or activity operated by the school district on the basis of sex.

INTERNET ACCEPTABLE USE

The school district provides employees with access to the school district computer network, which includes Internet access. The school district network is limited to use for educational purposes, which includes use of the system for classroom activities, educational research, and professional or career development activities. Users are expected to use Internet access through the district system to further educational or personal goals consistent with the mission of the school district and school policies. Uses which might be acceptable on a user's private personal account on another system may not be acceptable on this limited-purpose network. A non-exhaustive list of unacceptable uses of school district's computer system and Internet resources is found in Board Policy 524.

Employees are expected to lock computer access when they are not at their workstation. No students should be allowed at staff desks or to use staff computers. All staff should be saving documents to the appropriate location on the server or One Drive and not to the hard drive of their workstation. All personnel are required to maintain the confidentiality of passwords. Personnel are responsible for the accounts assigned to them and for the actions taken with their accounts. All staff should logout or restart their computers at the end of the day. Projectors should be shut off when not being used.

HAZING PROHIBITION

No student, teacher, administrator, volunteer, contractor, or other employee of the school district shall plan, direct, encourage, aid or engage in hazing. No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate hazing. Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in the policy. This policy applies to behavior that occurs on or off school property and during or after school hours. A person who engages in an act that violates school policy or law in order to be initiated into or affiliated with a student organization shall be subject to discipline for this act. The school district will act to investigate all complaints of hazing and will discipline or take appropriate action against a student, teacher, administrator, volunteer, contractor, or other employee of the school district who is found to have violated the policy.

PUBLIC AND PRIVATE PERSONNEL DATA/PROTECTION AND PRIVACY OF PUPIL RECORDS

All student data maintained by a school district is private educational data under the law. Student data can only be provided to the student who is the subject of the data and his/her parents or guardians. Virtually all records maintained by a school district regarding a student are private if the name of the student is on the document or it provides basis for identifying the student. This willful violation of student's privacy rights constitutes a misdemeanor offense, and it is grounds for employee discipline. The District will comply with a request for information as they are received in accordance with state and federal law and school district policy.

It is imperative that all school personnel also understand that information about individual students, and observations of students during a school day is private data of the student and should not be shared or discussed with individuals outside of the school setting. Staff should not have confidential conversations in public places or over insecure communication channels, open offices, social media, or meeting places. Concerns or questions about individual students should be discussed with appropriate staff and/or an administrator.

SCHOOL DISTRICT NOTICES

HIPAA NOTICE

This notice describes how medical information about you might be used and disclosed and how you can get access to this information. Please review it carefully.

The Health Insurance Portability & Accountability Act of 1996 (HIPAA) is a federal program that requires that all medical records and other individually identifiable health information used or disclosed by Lewiston - Altura School District in any form, whether electronically, on paper, or orally, are kept properly confidential. This Act give you significant rights to understand and control how your health information is used. HIPPA provides penalties for covered entities that misuse personal health information.

Lewiston - Altura School District is required by law to maintain the privacy of your protected health information and to provide you with a notice of our legal duties and privacy practices with respect to protected health information.

This notice is effective as of August 27, 2018 and we are required to abide by the terms of the Notice of HIPPA Privacy Rights currently in effect. We reserve the right to change the terms of the Notice of HIPPA Privacy Rights and make the new notice provisions effective for all protected health information we maintain. We will post and you may request a written copy of a revised Notice of HIPAA Privacy Rights from the District Office.

You have recourse if you feel that your privacy protections have been violated. You have the right to file a formal, written complaint with Lewiston - Altura School District at the address below, or with the Department of Health & Human Services, Office of Civils Rights, about violations of the provisions of this notice or the policies and procedures of our office. We will not retaliate against you for filing a complaint.

For more information, contact:

Gwen Carman, Superintendent
100 County Road 25
Lewiston, MN 55952

For more information about HIPPA or to file a complaint, contact:

U.S. Department of Health & Human Services
1-877-696-6775

WORKING ENVIRONMENT

JOB SAFETY

Safety is important to all of us. Help prevent injury to yourself and others by observing general safety rules, removing hazards from your workspace, and immediately reporting unsafe conditions to your supervisors. The district is committed to developing and maintaining a safe working environment.

It is very important for all employees to follow safety guidelines to avoid injuries on the job. The following is a list of safety suggestions. This is not an exhaustive list, but it provides some ideas for ways to help keep you safe:

- Know the locations of exits, fire extinguishers, and alarms in your work area.
- Seek information or training from the appropriate person if you are required to operate any equipment or handle any type of chemical.
- Do not attempt to lift or carry an object that is too heavy for you to handle. Seek help from another employee.
- Know the nearest location of First Aid materials.
- Immediately report any safety hazards to your supervisor.
- Be aware of your surroundings.

WORKER'S COMPENSATION / REPORTING ACCIDENTS

Worker's Compensation benefits, which are specified by law, are provided to protect employees in the event of a work-related injury or illness resulting in medical care and/or loss of time from work.

In order to avoid possible delays in processing worker's compensation claims, it is very important that all work-related injuries are reported immediately.

In the event of an injury, you should immediately contact your supervisor. To be most beneficial, the call should be made as soon as possible after the injury occurs.

For more information about this process, please talk with your supervisor.

DRAFT

Lewiston – Altura Elementary School
Student – Parent Handbook

2024-2025



**We Are
Cardinal Strong!!!**

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WELCOME BACK TO SCHOOL!

Dear Lewiston – Altura Elementary Students and Parents,

The Lewiston – Altura Elementary staff and I would like to welcome you to the new school year! The staff and I work to ensure that each child will grow academically, socially and emotionally through the experiences at our schools. The entire staff shares in the commitment to the children of our district and their overall development. We begin the 2024-2025 school year with the annual “back to school” excitement. Starting in preschool and extending through fifth grade, we are gearing up for another great year of learning and growing. The staff are excited to join with families in the home-school community effort to educate our children.

This Student - Parent Handbook is your guide to the procedures and policies of Lewiston – Altura Elementary. We highly recommend that you and your child read and discuss the booklet contents. The information provided is for the purpose of acquainting you with school guidelines, expectations, policies, and procedures. We hope this handbook will answer many of your questions about the daily routines and expectations in our schools.

Please save your copy to use and reference throughout the year. Thank you for entrusting your child’s education to Lewiston – Altura Schools.

Please feel free to contact the Elementary School if you have questions regarding your child’s education or if you have questions regarding this informational booklet.

Sincerely,

Lewiston-Altura Elementary Staff
Dave Riebel - Principal

District Mission

The mission of Lewiston - Altura Schools is to educate a Caring, Adaptable, Respectful, Determined, Successful community of learners.

Go CARDS!

Building Schedule

Elementary School

Doors open: 7:45 am
Breakfast Served: 7:45 – 8:05 am

Daily First Bell: 8:05 am

Lunch Schedule

Preschool	11:00
Gr. 1	11:20
Gr. 4	11:40
Gr. 5	11:45
Gr. 3	12:05
Gr. 2	12:10
Kdgn	12:20

Dismissal: 3:00 pm



Parents should expect their children to come home immediately after school. If it is necessary for a student to stay after school, staff will place a call to parents and give notice. If parents wish for a child to stay after school or change their normal after school routine, the school needs prior notification from parents. If the school does not have prior notice, the child will be sent home according to their normal routine.

School Information

Lewiston – Altura Elementary School

115 Fremont
Lewiston, MN 55952
507-523-2194 option 1 – phone
507-523-2609 – fax

Lewiston – Altura High School

100 County Rd 25
Lewiston, MN 55952
507-523-2191 – phone
507-523-2286 or 3460 – fax

Bus Garage

507-523-2767

District Web Site Address

www.lewalt.k12.mn.us

LEWISTON-ALTURA ISD #857
2024-25 School Calendar (Approved on 2/12/24)

July							1st Quarter - 43 Student Days							January - 21 Days										
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S				
	1	2	3	4	5	6	Aug. 19-20: New Teacher Orientation				1	2	3	4										
7	8	9	10	11	12	13	Aug. 21(22, 28-29): No School - Staff Development Days	5	6	7	8	9	10	11										
14	15	16	17	18	19	20	Aug. 27 - High School Teacher Planning Night	12	13	14	15	16	17	18										
21	22	23	24	25	26	27	Sept. 2: Labor Day - No School	19	20	21	22	23	24	25										
28	29	30	31				Sept. 3: New Student Orientation 6:30/New Students	26	27	28	29	30	31											
							Sept. 3A: Pre-K - 5 Orientation with session Sept. 3																	
							Sept. 4: All 6-12 Students Begin School																	
							Sept. 5: First Day of School PreK-5																	
August							2nd Quarter - 44 Student Days							February - 18 Days										
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S				
				1	2	3	Nov. 8: No School - Staff Development Day							1										
4	5	6	7	8	9	10	Nov. 11: First Day of 2nd Quarter	2	3	4	5	6	7	8										
11	12	13	14	15	16	17	Nov. 19: K-5 Conferences 4-7 pm	9	10	11	12	13	14	15										
18	19	20	21	22	23	24	Nov. 21: K-5 Conferences 4-7 pm	16	17	18	19	20	21	22										
25	26	27	28	29	30	31	Nov. 27-29: No School - Thanksgiving Break	23	24	25	26	27	28											
							Dec. 23 - Jan. 1: No School - Winter Break																	
							Jan. 9: High School Conferences 4-7 pm	30	31															
							Jan. 23: Last Day of Quarter 2 / Semester 1																	
September - 20 Days							3rd Quarter - 43 Student Days							March - 20 Days										
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S				
1	2	3	4	5	6	7	Jan. 24: No School - Staff Development Day			1	2	3	4	5							1			
8	9	10	11	12	13	14	Jan. 27: First Day of Semester 2 and 3rd Quarter	6	7	8	9	10	11	12										
15	16	17	18	19	20	21	Feb. 4: K-5 Conferences 4-7 pm	13	14	15	16	17	18	19										
22	23	24	25	26	27	28	Feb. 6: K-5 Conferences 4-7 pm	20	21	22	23	24	25	26										
29	30						Feb. 17: No School - President's Day	27	28	29	30													
							Feb. 18: No School - Staff Development																	
							March 11 - High School Conferences 4-7 pm																	
							March 28: Last Day of Quarter 3																	
October - 20 Days							4th Quarter - 39 Student Days							April - 19 Days										
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S				
		1	2	3	4	5	March 31: No School - Staff Development Day							1	2	3								
6	7	8	9	10	11	12	April 1: First Day of Fourth Quarter	11	12	13	14	15	16	17										
13	14	15	16	17	18	19	April 17: No School - Staff Development Day	18	19	20	21	22	23	24										
20	21	22	23	24	25	26	April 18 / 21: No School - Spring Break	25	26	27	28	29	30	31										
27	28	29	30	31			May 8: High School Conferences 4-7 pm																	
							May 26: No School - Memorial Day																	
							May 29: Last Day of Quarter 4 / Semester 2																	
							May 30: No School - Staff Development Day																	
							May 30: Graduation - 7 PM LAHS Gym																	
November - 16 Days							5th Quarter - 0 Days							June - 0 Days										
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S				
					1	2								1	2	3								
3	4	5	6	7	8	9								4	5	6	7							
10	11	12	13	14	15	16								8	9	10	11							
17	18	19	20	21	22	23								11	12	13	14							
24	25	26	27	28	29	30								15	16	17	18							
														19	20	21								
														22	23	24	25							
														26	27	28								
														29	30									

Key		K-6 PT Conferences/Open House	<p>Snow Days 1-3 will not be rescheduled</p> <p>Make-up Days for Snow Days 4 / 5: Feb. 18 and April 21; additional snow make-up days may be added to the end of the school year if needed.</p> <p>12 Teacher Workshop Days</p> <p>4 Elementary Conferences and 1 Orientation Night</p> <p>4 High School Conferences and 1 Orientation Night</p> <p><i>(Note: if school is made-up on Feb. 18, Staff will report for teacher workday on Feb. 17)</i></p>
		No School-Teacher Workshop	
		7-12 P/T Conferences/Open House	
		No School for Students and/or Staff	
		Last Day of Qtr./Last Student Day	
		Graduation	
	New Teacher Orientation		

2024 - 2025 Staff Directory

Elementary Staff Directory					
Early Childhood					
School Readiness Preschool	Courtney Fricke	Tina Sand	Special Education	Theresa Starks	Renee VanderPlas
				Dylan Weninger	
Early Childhood Special Education	Stacy Walth	Val Hettenbach			
Early Childhood Family Education			Speech	Amy O'Laughlin	Rebecca Schmitz
Kindergarten	Marcia O'Duggan	Suzanne Pilger	District Nurse	Michelle MacPherson	
			Psychologist	Gail Evenson	
1st Grade	Ginny Reszka	Jane Weaver	Social Worker	Maranda Ruppert	
2nd Grade	Deb Heftman	Kate Falkowski	Paraprofessionals		
			School Readiness	Kari Huddleston	Kristi Reps
3rd Grade	Maddie Gasca Hernandez	Scott Schmaltz		Paige Larivee	
			Special Education / Title	Laura Flathers	Breanna Hahn
4th Grade	Liza Kennedy			Mary Lou Heier	Tom Kiral
				Dana Knudsen	Kari Sauer
5th Grade	Mike Buringa	Kiley Puetz			
			Cardinal Club	Linda Liebfreid	
Intervention (Rtl)	Natalie Mehling	Kayli Zzulka			
English Language Learners	Mari Jo Starks		Cooks	Brandy McDonald	Jana Benter
Counselor	Tori Todd			Kay Ziegler	
Media Center	Sharon Manley		Custodian	Desire Mendoza	
Music	John Harper				
Band	Brian Hamilton		Secretaries	Victoria Schrimpf	Nancy West
Physical Education	Dick Montgomery				
Curriculum	Sarah Berndt		Principal	Dave Riebel	

Elementary General Information

(Topics in alphabetical order)

After School Procedures / Bus Pass

If it is necessary for your child to go someplace other than their usual destination after school, or if they will be going home with someone other than parents, the school needs to have prior notification of this occurrence. We will need to know where, when and/or with whom your child will be prior to allowing a student to leave the building. Thanks for helping us get your children safely home.

Attendance (Also see the District Attendance Policy in back of this handbook.)

Student Absences / Tardiness

It is the responsibility of the parent to report absences and tardiness. **Please contact the elementary school offices if your child(ren) is/are ill and are unable to attend school.** If your child is absent and we do not hear from the parent, we will contact the parent to find out if the child is ill or if something unexpected happened along the way to school that prevented the child from attending. Your cooperation is appreciated. Being on time is a good habit to build and classroom interruptions are held to a minimum by regularity and promptness. Children are **required to have a written parental excuse** from home if:

1. they are to be excused from school for any reason.
2. they are to go home with anyone who is not their parent /guardian.

Elementary Student Drop Off / Pick Up



The parking lots and sidewalks that surround our buildings are busy places at the start of the day, and are especially busy when school is dismissed. The staff at the elementary school will be diligently working to create, maintain and reinforce an atmosphere of safety when students are loading buses, walking home and meeting parents. We ask for your cooperation with keeping all students and staff safe at our school.

The staff is asked to park their vehicles on the side lots to allow for as many open spaces in front of the elementary available for those parents wishing to pick up their child(ren). We will have staff members monitor the loading of buses on the sidewalk. We ask all parents to please use parking spaces when waiting for their child. Please **DO NOT BLOCK** the crosswalk, or the areas around the crosswalk, even for a short period of time. Our students may not look past a parked vehicle to watch for additional cars approaching. **THANK YOU** for your cooperation with this important safety issue.

If your child(ren) ride their bikes to school, please talk with them about bike safety on their way to our buildings. We ask that students walk their bikes on the sidewalks surrounding the buildings and park their bikes in the bike racks.

THANKS for making our schools safe!!!



Grading Scales

The following grading systems are used by our instructional staff to report student progress.

E = Excellent

S = Satisfactory

N = Needs Improvement

(+ = slightly above)

(- = slightly below)

A = Excellent (90% - 100%)

B = Above Average (80% - 89%)

C = Average (70% - 79%)

D = Below Average (60% - 69%)

F = Failing (below 60)



Home – School Communication:

At the beginning of the school year, please have a discussion with your child’s homeroom teacher about how to best communicate between the school and home. Good communication leads to positive results for students, parents and teachers.



Messages: If you need to get a message to your child, please contact the school office and the secretary will see that the message gets delivered. If you would like to leave a message for your child’s teacher, you can leave a message with the secretary, send the teacher an email or attempt to contact them directly before or after school.

Classroom Concerns: If you have concerns about your child’s education, please contact the classroom teacher via phone or email. The education of your child is a team effort, and communication is needed when issues arise.

Parent / Teacher Conferences: Parent-teacher conferences may be initiated by the parent or by the teacher at any time during the school year. The school has scheduled conferences in the fall and spring of the year.

The Elementary School will utilize **PTCFast website** to schedule conferences this year. Parents will receive email instructions for accessing the scheduling website.

Visiting School: Please contact the office if you wish to visit the school during school hours. We welcome visitors but wish to minimize disruptions to class instructional times. Please exercise common courtesy in alerting the classroom teacher of your attendance. Parents are welcome at our buildings during lunch periods.

JMC – Online Parent Access: Our district utilizes the JMC Online Student Record Management system for several processes. Please visit the link on our websites or use the link below to connect with the Parent Access tabs.

<https://isd857.onlinejmc.com/Parent/Login.aspx?ReturnUrl=%2fParent>

Recess

All K – 5 students have a scheduled recess each day. Please prepare your son / daughter with garments for daily outside recess. This supervised recess will always be outdoors unless it is either too wet or too cold. The building secretaries monitor the weather each day via the internet. They make announcements to the buildings when recess needs to be held indoors.

The following guidelines are used for determining indoor recess:

Elementary

0 degree F or above = outside recess. -1 degree F or below = inside recess

These guidelines apply for both the air temperature and the wind-chill.



At 11:00am on a day in question, the secretaries of our building check the Internet for the temperature readings in Rochester and Winona. Using this temperature information, a decision is made whether we stay inside or go outside. Research shows, and you parents also know, that it is good for our kids to get some fresh air and to “expend their energy” during recess. We want to have outdoor recess each day and we will always be going outside if the temperature and wind-chill are above zero. It is important that the students are ready for both the cold and the snow. Please have snow boots, snow pants, hats and mittens so that the children will not be cold or wet when they return for class. Thank you for your preparation!

Safety Drills – Fire drills

A number of fire drills will be conducted throughout the year in order to familiarize the students to the proper and safe procedures to follow in case of an emergency. Each classroom has a posted route to follow, and the classroom teachers instruct and practice the drills. For fire drills, our routes take us out of the buildings following the shortest path possible. We assemble as a group at safe distances away from the buildings (weather permitting). If there is cause to move the students, we have arrangements to use evacuation facilities near each building.

A.L.I.C.E. safety drill

Over the past several years there has been a number of tragic incidents of school violence and school shootings. As the experts analyze these horrific events, it is apparent that we need to do more, not only taking steps in an attempt to prevent the event from occurring but training of students and staff on procedures that allow us to be safe in our schools. We currently instruct and practice procedures for fire safety, storm safety and stranger danger. Our goal is to now engrain proactive safety strategies in our students for the event of an intruder in our building.

Lewiston – Altura Schools has adopted a strategy for response to an intruder in our buildings. This strategy is known as the A.L.I.C.E. plan. A.L.I.C.E. is an acronym for Alert, Lockdown, Inform, Counter and Evacuate. The philosophy of A.L.I.C.E. is to use information in a way to allow staff and students to make informed safety decisions in the event of a crisis. A.L.I.C.E. moves away from a passive lockdown response to one that allows for proactive safety measures.

To engrain the understanding and procedures for A.L.I.C.E. , we will first teach and discuss the A.L.I.C.E. plan with our students. This instruction will be followed by practice within the future safety drills at each of the buildings.

If you would like more information about A.L.I.C.E., you can visit <http://www.alicetraining.com>.

Severe Weather drills

A number of severe weather drills will also be conducted throughout the year in order to familiarize the students to the proper and safe procedures to follow in case of a weather emergency. Each classroom has a posted route to follow, and the classroom teachers instruct and practice the drills. In our elementary building, the entire building proceeds to the basement of the building. We will follow state guidelines by sounding the severe weather alert whenever a weather *warning* has been issued in our area.

School Cancellation / Delays / Early Outs

Our Minnesota weather often causes problems with scheduled school events. When the weather is severe enough to endanger safe transportation to and from school, the district will notify radio and television stations with information and times. We will use several methods to get this important announcement to families. We urge parents to monitor any / all of these methods when the weather may cause a delay, cancellation or early release.



TV Stations

KIMT- Channel 3, Rochester
KAAL- Channel 6, Rochester;
WKBT- Channel 8, LaCrosse;
KTTC- Channel 10, Rochester;
WXOW- Channel 19, LaCrosse
WLAX- Channel 25/48, LaCrosse

Radio Stations

Winona Radio – AM: 1230, 1380 FM: 95.3, 98.7, 101.1, 101.5
Rochester - KROC AM 1380, FM 106.9

Websites

www.lewalt.k12.mn.us

FaceBook [Lewiston – Altura School District](#)

District Email: To receive messages via email, please register your email in the JMC parent portal.

<https://isd857.onlinejmc.com/Parent/Login.aspx?ReturnUrl=%2fParent>

Visitors to our Buildings



Lewiston-Altura Schools will work to keep our buildings a safe place to learn and work. All doors will remain locked during the school day. All visitors to our buildings will access the building through the main entrance. Each visitor will be asked to state their name and intention via our video entrance system at the front door. Office personnel will then unlock the front door electronically.

Volunteers in our schools – Background checks needed for safety

We welcome and encourage anyone who is interested in volunteering for various school activities. Please let staff know of your willingness to help. Any volunteer situation that is not directly supervised by a staff member will require a background check of the person volunteering. The school district has a simple, quick, online and free background check process that volunteers can complete. Please check at the office to complete a volunteer background check.



Student Health and Nutrition

Our district nurse, Michelle MacPherson, is in the district rotating between buildings. If you have question about your child's health, please contact the schools to speak with her. If your child is experiencing any special health problems (allergies, asthma), or is facing any unusual stress (death in the family, etc.) please alert your child's teacher.

Accidents at School

Should an accident occur at school, the parents would be called to come for the child. If the parents are unavailable, the person designated by parents on the emergency form will be called. It is therefore imperative that parents keep the information on the Emergency Card updated and accurate.



Breakfast / Hot Lunch Program

Breakfast and Hot lunches are served on a daily basis for the students in grades PK-5.

The Free School Lunch Program in Minnesota provides all students with free breakfast and lunch.

Price for adult breakfast is \$2.50.

Price for an adult lunch is \$4.95.


Communicable Diseases

All students are monitored for symptoms of illness during the school day. Parents are asked to conduct daily screeners prior to sending students to school.

Parents must be on the alert for various symptoms of communicable diseases. If you are ever hesitant concerning the significance of certain symptoms, please seek advice from your family doctor before sending the child to school. An outbreak of any communicable disease in a school results in a letter being sent home to parents advising them to be especially observant for the symptoms of that disease. Health questions or concerns will be directed to the school nurse.

Excusing from Physical Education

Participation in Physical Education is required by all students. Should your child be restricted from participation a note from your doctor is required.

Sick Note		Excused Absence
		Date: February 13
		Excused from: <input type="checkbox"/> work <input type="checkbox"/> class <input type="checkbox"/> other
		Notes: Bitten by rabid blood-thirsty raccoon with crazy eyes.
		Signature: Dr. Yuri Zhivago

Excusing from Recess

In most cases, if a child is well enough to attend school, he/she should be allowed to go out of doors for-fresh air and exercise. We are therefore asking your cooperation in not requesting that your child be kept indoors unless extenuating circumstances apply. We ask that you send a note each day your child is to remain indoors.

Health Screenings

Parents will be notified if problems are found in the following screenings;

Hearing – Hearing exams are administered each year to students in grades K – 5.

Vision– Vision exams are administered to Kdgn – 5th grades.

Scoliosis – Boys and girls in grade 5 are screened.



Illness at School

Any child, whom in the opinion of the teacher or other adult, that show symptoms of sickness, will be sent to the office and the following procedure will apply:

- The parent(s) will be notified by phone that their child is ill.
- The parent(s) are asked to pick up the child at the school office, or if unable, shall make arrangements for someone to pick him/her up from school.
- When parents cannot be reached, the person identified on the emergency card will be called.
- The school will not send a student home alone.

Medication at School

Safe administration of medication is of utmost importance. The following information is designed to inform parents about medication administration guidelines and expectations at our schools.

Permission Requirements

Parents must notify the office directly if their student will require any medication during school hours. All requests for prescription medication administration require a parent **and** physician signature. All other medications (over-the-counter) require a signed form completed by the parent.

Chemical Free School

Our school is a chemical free school. Any students requiring medication at school, need to keep it in the office. Students requiring immediate access to certain medications may be allowed to self-administer with parental and physician permission (asthma inhalers and epi-pens). Self-administration also requires a student/nurse agreement (addresses school policies, safety, dosing and medication teaching).

Transporting medications to school

For the safety of all students, we require that **parents** bring their child's medication to the office directly. If this absolutely cannot be done, please contact the office.

Medication Containers

All medications (both prescription and over-the-counter) need to be in the original container labeled by the manufacturer or the pharmacy. No baggies or plastic containers will be accepted.



Notification of need for re-fills

It is the parent's responsibility to maintain an adequate supply of their child's medication. We will attempt to notify parents via note or phone when medications are running low.

Medication changes or discontinuation

It is the parent's responsibility to provide a written statement signed by the physician and parent to notify the Health Office of; a desire to discontinue medication administration at school or a prescription medication or dosage change.

End of the Year

The school will not send medication home with students. At the end of the year parents will be notified of the amount of medication remaining. Parents can arrange pick-up or disposal of medications. Any medication not picked up by the last day of school will be disposed of.

Field Trips and Off-campus activities

Medication administration is delegated to a teacher or other trained staff member for off-campus activities. All students who self-administer/self-carry their medications are responsible for bringing them to all off campus activities.

Milk Break needs update



A milk break is provided for the nutritional care of your child. There is no charge for milk for students in grades K-3. Students in grades 4-5 may purchase milk for 50 cents. A healthy snack is provided daily for all Kindergarteners. For other grades, parents are encouraged to send a nutritious snack with your child. Research shows that a well-nourished child has higher brain functioning and therefore increases his/her academic potential.

Snacks from Home / Treats for the Class

Our school district has adopted a Wellness Policy which states that the school district will encourage and support healthy eating by its students. Snacks can be brought to school by students for use at milk break or at the discretion of the teacher. Birthday treats are allowed, but we also encourage healthy birthday treats.



Positive School Habits



Backpacks and Folders

Backpacks are recommended by the school to allow your child to easily carry school materials to and from school each day. Each classroom teacher will instruct students on a system to keep them organized and informed.

Homework and Homework Trackers

Homework is assigned as a reinforcement of the concepts taught during the day. Each student is responsible for completing these assignments at home.

Assignment books / homework trackers are furnished by the school for students in grades 3-5 and serve as a communication tool between school and home. We ask that students and parents develop a habit of reviewing these trackers each day.

Items from home

Cell phones, iPods, CD players and headphones, handheld games, toys and all other electronic devices should be left at home as they may be broken or lost. If they are brought to school, they should be left in the classroom, backpacks or in a designated place. These items are not allowed to be used during the school day, including lunch and recess.

If any item from home causes disruption of the school's normal routine, the student may be asked to put the item away and / or the item may be confiscated by school personnel to be picked up later. The school is not responsible for lost, broken or stolen items from home. Please talk with your student about the risks involved in bringing items from home and the responsibility that goes with these items.

Label Clothing / Lost and Found

We ask that families spend the time labeling all clothing and school supplies so that when they are misplaced, they can be returned to you. If items are misplaced, please check the lost and found of your child's building.

Money at school

When sending money to school with your child, please place the money in an envelope. Please write the child's name, amount and the intended use of the money on the envelope to avoid confusion. Students are encouraged not to carry money unless needed for a specific purpose.



Student Regulations and District Policies

All policies for the Lewiston – Altura School District are housed and updated on our district School Board BoardBook website. The link below will take you to the site. On the left hand side of the page are school board meeting minutes. On the right hand side of the page is a Table of Contents that contains a complete list of district policies. District Policies are reviewed by the district Policy Review Committee and approved by the School Board. If you have any questions or would like clarification of any of these policies, feel free to contact the building principal. driebel@lewalt.k12.mn.us

[District Policies Table of Contents
https://meetings.boardbook.org/Public/Organization/2341](https://meetings.boardbook.org/Public/Organization/2341)

The links below are for policies most often needed or of interest for students, parents and families of our Elementary School listed in numerical order.

[103 SCHOOL COMPLAINT POLICY](#)

[404 EMPLOYMENT/VOLUNTEER BACKGROUND CHECKS](#)

[413 HARASSMENT AND VIOLENCE](#)

[421 GIFTS TO EMPLOYEES](#)

[501 SCHOOL WEAPONS POLICY](#)

[502 SEARCH OF STUDENT LOCKERS, DESKS, PERSONAL POSSESSIONS AND STUDENT'S PERSON](#)

[503 STUDENT ATTENDANCE POLICY](#)

[504 STUDENT DRESS AND APPEARANCE](#)

[505 DISTRIBUTION OF NONSCHOOL-SPONSORED MATERIALS ON SCHOOL PREMISES BY STUDENTS
AND EMPLOYEES](#)

[506 STUDENT DISCIPLINE](#)

[510 SCHOOL ACTIVITIES](#)

[511 STUDENT FUNDRAISING](#)

[514 BULLYING PROHIBITION POLICY](#)

[516 STUDENT MEDICATION](#)

[521 STUDENT DISABILITY NONDISCRIMINATION](#)

[522 STUDENT SEX NONDISCRIMINATION](#)

[524 TECHNOLOGY ACCEPTABLE USE POLICY](#)

[525 VIOLENCE PREVENTION](#)

District Policies continued:

[526 HAZING PROHIBITION](#)

[530 IMMUNIZATION REQUIREMENTS](#)

[531 THE PLEDGE OF ALLEGIANCE](#)

[533 WELLNESS](#)

[596 VIDEO/MOVIE USAGE](#)

[597 KINDERGARTEN ADMISSION POLICY](#)

[610 FIELD TRIPS](#)

[640 TECHNOLOGY USE AGREEMENT](#)

[709 STUDENT TRANSPORTATION SAFETY POLICY](#)

Family Education and Privacy Act

The Family Education and Privacy Act requires that school districts annually publish a notice to parents and eligible students (students 18 and over) outlining the rights regarding a student's educational records.

All individual records on current students are filed in the school the student attends. Requests by parents or eligible students to review or inspect school records should be submitted to the high school principal.

Records on students who no longer attend District 857 are filed at the counselor's office. Requests for review of these records should be made to the high school counselor.

Any parent or eligible student may file a request to challenge inclusions in her/his educational records. This can be done by submitting a letter requesting a change in the record.

Protection of Pupil Rights Notice

The Protection of Pupil Rights Amendment is intended to protect rights of parents and students as follows:

(a) All instructional materials, including teacher's manuals, films, tapes, or other supplementary material which will be used in connection with any survey, analysis, or evaluation as part of any applicable program shall be available for inspection by the parents or guardians of the children.

(b) No student shall be required, as part of any applicable program, to submit to a survey, analysis, or evaluation that reveals information concerning--

(1) political affiliations;

(2) mental and psychological problems potentially embarrassing to the student or his family;

(3) sex behavior and attitudes;

(4) illegal, anti-social, self-incriminating and demeaning behavior;

(5) critical appraisals of other individuals with whom respondents have close family relationships;

(6) legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers; or

(7) income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program),

without the prior consent of the student (if the student is an adult or emancipated minor), or in the case of an unemancipated minor, without the prior written consent of the parent.

(c) Educational agencies and institutions shall give parents and students effective notice of their rights under this section.

(d) ENFORCEMENT.--The Secretary shall take such action as the Secretary determines appropriate to enforce this section, except that action to terminate assistance provided under an applicable program shall be taken only if the Secretary determines that--

(1) there has been a failure to comply with such section; and

(2) compliance with such section cannot be secured by voluntary means.

(e) OFFICE AND REVIEW BOARD.--The Secretary shall establish or designate an office and review board within the Department of Education to investigate, process, review, and adjudicate violations of the rights established under this section..

PUBLIC NOTICE CONCERNING USE OF PEST CONTROL MATERIALS

Lewiston-Altura School District utilizes a licensed, professional pest control service firm for the prevention and control of rodents, insects, and other pests in and around the district's buildings. Their program consists of:

1. Inspection and monitoring to determine whether pests are present, and whether any treatment is needed;
2. Recommendations for maintenance and sanitation to help eliminate pests without the need for pest control materials;
3. Utilization of non-chemical measures such as traps, caulking and screening; and
4. Application of EPA-registered pest control materials when needed.

Pests can sting, bite, cause contamination, damage property, and spread disease; therefore, we must prevent and control them. The long-term health effects on children from the application of such pest control materials, or the class of materials to which they belong, may not be fully understood. All pest control materials are chosen and applied according to label directions per Federal law.

An estimated schedule of interior pest control inspections and possible treatments is available for review or copying at each school office. A similar estimated schedule is available for application of herbicides and other materials to school grounds. Parents of students may request to receive, at their expense, prior notification of any application of a pest control material, should such an application be deemed necessary on a day different from the days specified in the schedule.

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LAHS Handbook Updates

Page 1 / 2: Updates to correct school year and will update board approval date

Page 3: Updated Extension numbers

Page 4: Updated to current staff

Page 5: New 7 period day schedule

Page 6: New calendar and links and added activity calendars link

Page 7/8: Update of Graduation Requirements

Page 9: Update of PSEO credits and total credits

Page 10: Additional of Standards-based grading scale and percentages and cuts for credit recovery

Page 11: Updates to plagiarism and AI

Page 13: Update to adult meal prices and School Supply List Link

Page 16: Update to Internet, Cellphone and Technology Policy (Cell Phone Caddies and Chromebooks with Go Guardian)

Page 22: Update to Excused and Unexcused Reason per MSBA policy update and corresponding changes to vacation policy

Page 23: Update to Tardy/Unexcused times due to 7 period day

Page 41: Eligibility chart updates

Page 44: Update to Fees (Activity and Spectator) and Removal of Afterschool Weight Training

Lewiston – Altura High School



2024-25 Student / Parent Handbook

Dear Students & Parents/Guardians,

Welcome to the 2024-25 school year. Students at Lewiston-Altura High School have many opportunities to engage in a variety of academic contents, work towards career pathways, and earn college credits while in high school. Students also have the ability to develop additional skills and friendships through participation in extra-curricular and social activities during their time at high school. We highly encourage students to take advantage of these opportunities. Students find more joy and take more pride in their education when they are involved in activities during their high school experience.

This handbook has been prepared as a guide for students, teachers, and parents. Included are the procedures and links to policies necessary for our school to function effectively. It is everyone's responsibility to know the rules, procedures, and policies contained in this handbook. By working together, we can make this a successful year for all of our students.

Sincerely,

Dr. Cory Hanson
High School Principal
507-522-3232
chanson@lewalt.k12.mn.us

Ryan Eppen
Dean of Students/Activities Director
507-522-3295
reppen@lewalt.k12.mn.us

LEWISTON-ALTURA PUBLIC SCHOOLS

Vision Statement: **Growing A Respectful Community of Learners**

Mission Statement:

To educate a Caring, Adaptable, Respectful, Determined, Successful community of learners

ONLINE HANDBOOK

A full version of this handbook can be found online at: www.lewalt.k12.mn.us

Parents/eligible students who believe their rights have been violated may file a complaint with:

- Family Policy Compliance Office
- 400 Maryland Avenue SW
- Washington, DC 20202-4605

NOTICE: Many items contained in this handbook are subject to copyright by the Minnesota School Boards Association. Please do not copy or distribute without prior permission.

I. General Information

ADDRESS AND IMPORTANT CONTACT INFORMATION

The high school strives to maintain positive communication with its families. We regularly email, post Facebook messages, update the website, and call parents with school information. School information, notices of events and activities, forms, and additional communications are available on our website or through contacting the Lewiston-Altura High School office.

The Lewiston-Altura High School staff members highly encourage students and their parents to maintain strong communication with teachers and school officials. As questions and/or issues arise, students and parents are highly encouraged to call, email, or visit their teachers and/or school administrators.

Contact Us At:

ADDRESS

Lewiston-Altura High School
100 Co. Rd 25
Lewiston, Minnesota 55952

Office Staff – Shelly Pringle and Amanda Koelln

507-523-2191 ext. 2

Attendance Line

507-523-2191, ext. 2

Fax Number

507-523-3460

Website Address

www.lewalt.k12.mn.us

Staff Directory and Contact Information – Please call the high school office if you would like to speak to a staff member directly via telephone or leave them a message with contact information to return your call.

Lewiston-Altura High School Teaching Staff		
NAME	Job Assignment	EMAIL
Acord, Luke	7-12 Technology/Industrial Education	lacord@lewalt.k12.mn.us
Anderson, Lori	6-12 Counselor (Part-time)	landerso@lewalt.k12.mn.us
Barnes, Sam	6-12 Special Education	sbarnes@lewalt.k12.mn.us
Berndt, Sarah	6-12 Spanish	sberndt@lewalt.k12.mn.us
Brennan, Emily	6-12 Science	ebrennan@lewalt.k12.mn.us
Caron, Meagan	6-12 English	mcaron@lewalt.k12.mn.us
Clegg, Jessica	7-12 English	jclegg@lewalt.k12.mn.us
Czaplewski, Shannon	6-12 Special Education	sczaplew@lewalt.k12.mn.us
Hamilton, Brian	6-12 Band	bhamilton@lewalt.k12.mn.us
Hornberg, Kinsey	6-12 Special Education	khornber@lewalt.k12.mn.us
Kelly, Amy	6-12 PE/Health/DAPE	akelly@lewalt.k12.mn.us
Megan Kuhn	6-12 Special Education	akuhn@lewalt.k12.mn.us
Manley, Sharon	6-12 Media	smanley@lewalt.k12.mn.us
McDermott, Sheila	6-12 English	smcdermott@lewalt.k12.mn.us
Moe, Kimberly	6-12 Art	kmoe@lewalt.k12.mn.us
Nusbaum, Laura	6-12 Math	lnusbaum@lewalt.k12.mn.us
O’Laughlin, Amy	K-12 Speech and Language	aolaughlin@lewalt.k12.mn.us
Olson, Brent	6-8 Math	bolson@lewalt.k12.mn.us
Ostrander, Lori	6-8 Title One	lostrand@lewalt.k12.mn.us
Pedersen, Samuel	6-12 PE/Health	spedersen@lewalt.k12.mn.us
Ruppert, Maranda	Social Worker	mruppert@lewalt.k12.mn.us
Scheck, Ethan	6-12 Social Studies	escheck@lewalt.k12.mn.us
Scheck, Kayleen	6 th Grade	kscheck@lewalt.k12.mn.us
Sikkink, Connie	7-12 Math	csikkink@lewalt.k12.mn.us
Simon, Solomon	6-12 Science	ssimon@lewalt.k12.mn.us
Schmitz, Rebecca	K-12 Speech and Language	rschmitz@lewalt.k12.mn.us
Starks, Mari Jo	English Learners	mstarks@lewalt.k12.mn.us
Starks, Theresa	6-12 Special Education	tstarks@lewalt.k12.mn.us
Stoppelmoor, Kaleb	7-12 Ag	kstoppelmoor@lewalt.k12.mn.us
VanderPlas, Michael	6-12 Social Studies	mvanderp@lewalt.k12.mn.us
Vix, Zachary	6-12 Special Education	zvix@lewalt.k12.mn.us
Wilmes, Matthew	6-12 Choir	mwilmes@lewalt.k12.mn.us

II. Schedules and Academics

DAILY SCHOOL SCHEDULE

LAHS runs two daily schedules, one to accommodate our Middle School Program for students in 6th through 8th grades and the other to accommodate students in grades 9-12; please note that students in grades 6/7/8 have math and reading combined across three periods. Students will be notified of changes to schedules through homeroom and announcements for pep fests or upcoming events through email.

LEWISTON-ALTURA HIGH SCHOOL DAILY SCHEDULE						
6th, 7th and 8th Grades			9th through 12th Grades			
PERIOD	TIME	LENGTH	PERIOD	TIME	LENGTH	
1	8:04-8:51	47 Minutes	1	8:04-8:51	47 Minutes	
2	8:55-9:42	47 Minutes	2	8:55-9:42	47 Minutes	
3	9:46-10:33	47 Minutes	3	9:46-10:33	47 Minutes	
4 (Homeroom)	10:37-11:04	27 Minutes	4 (Homeroom)	10:37-11:04	27 Minutes	
1st Lunch	11:04-11:34	30 Minutes	2nd Lunch	5	11:08-11:55	
5	11:38-12:25	47 Minutes		Lunch	11:55-12:25	30 Minutes
6	12:29-1:16	47 Minutes	3rd Lunch	6	12:29-1:16	
7	1:20-2:07	47 Minutes		5	11:08-11:55	47 Minutes
8	2:11-3:00	49 Minutes	Lunch	6	11:59-12:46	
				Lunch	12:46-1:16	30 Minutes
				7	1:20-2:07	47 Minutes
				8	2:11-3:00	49 Minutes

HOMEROOM

All students in grades 6-12 are assigned a homeroom teacher. Homeroom time will typically be related to checking grades, organization, goal-setting, and meeting with teachers, and working on homework. Occasionally, homeroom may focus on college and career readiness, class meetings, brain breaks, or other skill lessons. Students will check-in daily to homeroom for daily for announcements and information from advisors. Students will be marked absent for this period if they do not check in. PSEO students need to let the office know if they will be in the building during homeroom time or they will also be marked absent; PSEO students need to communicate with their advisors about homeroom related items for graduation, voting, etc. Homeroom advisors work with students to set academic and personal goals for the school year. Homeroom time will help students establish a sense of community in the school through the development of homeroom events and by providing opportunities for class and organization meetings, behavior education, and school assemblies.

Yearly Forms for Parents and Students to Complete

All Students

- Online Registration (JMC Updates)
 - Update Contacts
 - Parent and Student Handbook Signatures
 - Photo Release
 - Technology Use Permission
 - Email Correspondence
- *Technology Insurance Form
- Free and Reduced Lunch Application

As Needed by Families:

- Release of Information (If needed for a non-custodial parent to have permission to access records or call students in to school as absent.)
- Permission to Carry Medication

Arrival and Dismissal Hours

- Doors open at 7:30
- Students not participating in activities should be out of the school by 3:15 each day.

SCHOOL CLOSING DUE TO WEATHER

The superintendent or the superintendent's designee will decide whether school will close because of weather. School patrons should listen to the following radio and television stations for closing and weather-related information:

WCCO, KFIL, KAGE, KWEB, KWNO, KTTC-TV, KROC, KMSP (FOX 9)

PLEASE DO NOT CALL AN ADMINISTRATOR, A TEACHER OR A BOARD MEMBER AT HOME, AS THIS MAY TIE UP PHONE LINES WHEN QUICK COMMUNICATION IS NEEDED.

The school district will also use JMC, an automated text/email service to send emergency closing notification to district families. Announcements will be placed on the district website and the Lewiston-Altura Public School Facebook page.

GRADUATION REQUIREMENTS

The following requirements must be met to earn a Lewiston-Altura High School diploma.

1. Meet state testing requirements.
2. Meet Local and State Graduation Requirements:
 - a. Class of 2025 – 29 credits
 - b. Class of 2026 – 28 credits
 - c. Class of 2027 – 27 credits
 - d. Class of 2028 and beyond 26 credits

Course Requirements

Students must take 7 credits of classes each year for 4 years for a total of 28 credits. Some of these classes are REQUIRED classes and some are ELECTIVE classes. Students are required to maintain full-time status throughout their entire time at high school.

Required Classes for the class of 2025 – 2027 (19 credits)

English (4 credits) Four credits of English classes including English 9, English 10, and English 11. The fourth English credit may be selected from English 12 or Concurrent Enrollment Literature/Writing.

Social Studies (4 credits) Four credits of social studies classes including American History I, American History II, World Geography, and Social Studies 12.

Science (3 credits) Three credits of science including Science 9 and Biology, and third science credit in chemistry, physics.

Math (3 credits) Three credits of math courses including Algebra I, Geometry, and one additional credit in Algebra II, Advanced Math, and AP Calculus.

Fine Arts (1 credit) One full credit required in Media Arts, Music, or Visual Arts. All courses offered in the Art and Music departments apply to this requirement. Other Media Arts offerings that can help fulfill this requirement include Broadcast Technology, Graphic Communications, and Yearbook.

Physical Education and Health (2 credits) One half credit of physical education classes including P.E. 9 and half credit of Health 10, and one elective credit in PE or Health.

Career Education (1/2 credit) One half credit of career education.

Career and Technical Education (1.5 credits) (Students must have courses in 2 of the 3 areas:

Business

Technology/Industrial Education

Agriculture Education

Elective Classes (11 credits) Students may choose classes from the curriculum handbook to fulfill the elective credit requirement.

Required Classes for the class of 2028 and beyond (18 credits)

English (4 credits) Four credits of English classes including English 9, English 10, and English 11. The fourth English credit may be selected from English 12 or Concurrent Enrollment Literature/Writing.

Social Studies (4 credits) Four credits of social studies classes including American History I, American History II, World Geography, and Social Studies 12.

Science (3 credits) Three credits of science including Science 9 and Biology, and third science credit in chemistry, physics.

Math (3 credits) Three credits of math courses including Algebra I, Geometry, and one additional credit in Algebra II, Advanced Math, and AP Calculus.

Fine Arts (1 credit) One full credit required in Media Arts, Music, or Visual Arts. All courses offered in the Art and Music departments apply to this requirement. Other Media Arts offerings that can help fulfill this requirement include Broadcast Technology, Graphic Communications, and Yearbook.

Physical Education and Health (1 credit) One half credit of physical education classes including P.E. 9 and half credit of Health 10, and one elective credit in PE or Health.

Personal Finance (1/2 credit) One of personal finance as a junior or senior.

Career and Technical Education (1.5 credits) (Students must have courses in 2 of the 3 areas:

Careers

Technology/Industrial Education

Agriculture Education

Elective Classes (11 credits) Students may choose classes from the curriculum handbook to fulfill the elective credit requirement.

CLASS SCHEDULES and CHANGES

Schedules will be available at orientation or on the first day of school. All students are required to take seven high school credits per year, including PSEO students. PSEO students are awarded 1 high school credit for each 4 college credits taken, meaning that 14 college credits per semester or 28 for the year are needed to be considered fulltime. Students must meet with the counselor or the principal each semester prior to registration to make sure credit requirements and graduation requirements are being met. Students must notify the school district by May 30 of the previous year to be eligible for PSEO the following Fall (1st Semester) or by October 30 to be eligible for Spring (2nd Semester).

At the beginning of each semester, students may edit their course schedules, if there is room in the course. Students **MAY DROP or REPLACE A COURSE** from their schedules during the first 3 days of each semester only if they can replace that course with another appropriate course. The three day drop policy applies to PSEO students as well; a PSEO student has three days after the start of 1st or 2nd semester at the high school to withdraw from or drop a PSEO course without a high school penalty. Students that withdraw from a course after the high school 3 day deadline will receive an F on their high school transcript for a percentage of the course credit, based upon how much of a corresponding high school course is remaining; this will occur even if the university allows the student to take a W on their university transcript. Upon notification of the office or counselor of withdrawal from a PSEO course, the student will be placed into the corresponding number of high school classes needed to be considered fulltime.

Drop Policy Example: If a student drops a 4 credit PSEO class at the beginning of second quarter, they will receive an F for .5 credits and be placed into an additional course during their previously scheduled PSEO time for a block worth .5 credits for that quarter. LAHS has no way of making up that .5 credit that was lost due to the drop at the end of the quarter.

Students may apply for a schedule change at the counseling office. Approvals for schedule changes will be given on the merit of each case individually and WILL NOT BE AUTOMATIC. Schedule changes are limited to available seats in courses, and classes will not be over enrolled for a schedule change.

GUIDANCE AND COUNSELING

Counseling services are available to all LAHS students. The counselor's office contains an excellent library of college catalogs and information about financial aid. The counselor is available to help students with post-secondary applications, academic concerns, and personal or social problems. Drop in or make an appointment to speak with the counselor.

COLLEGE IN THE SCHOOLS

Lewiston-Altura High School offers students multiple ways to potentially earn college credit while in high school. Concurrent enrollment courses are offered at the high school by high school teachers working in conjunction with college professors. Students earn college credit by earning a passing grade in the class. Students that complete a credit recovery contract for a concurrent enrollment course are not eligible for college credit. Advanced Placement (AP) and CLEP courses are available to students as well. In order to earn college credit, students must take an exam at the end of the school year in that subject. Articulated credit programs exist with universities where students are able to enter a college and receive college credit for a similar course; please see the course registration guide for additional details. Students also have the option of Post-Secondary Enrollment Options Program courses. A separate handbook for students interested in pursuing the Post-Secondary Options Program is available from the guidance counselor. Students attend online college courses through a local university or attend traditional on campus courses for credit at both the high school and the university. The deadline for applying for PSEO for anytime during the academic year is May 30th of the previous school year.

GRADING

1. Each quarter student work is graded using one of the following scales:

Traditional Grading Scale				Standards-based Grading Scale			
A	93-100	C-	70-72	A	3.26-4	C-	2-2.16
A-	90-92	D+	67-69	A-	3-3.25	D+	1.76-1.99
B+	87-89	D	63-66	B+	2.84-2.99	D	1.26-1.75
B	83-86	D-	60-62	B	2.67-2.83	D-	1-1.25
B-	80-82	F	0-59	B-	2.5-2.66	F	.99 or less
C+	77-79	Incomplete		C+	2.34-2.49	Incomplete	
C	73-76	Pass		C	2.17-2.33	Pass	

2. Course credits will be awarded at the end of the quarter for block classes and the end of the semester for period courses. *Assessments may be a paper, project, presentation or test as determined by the teacher to demonstrate mastery of academic standards.
3. Grades are available through the JMC link on the school web site. Students and parents may access assessment scores and grades using the Internet with a username and password. Contact the high school office to activate this feature. JMC also allows parents to receive alerts based upon grades or missing assignments.
4. If a student receives a grade of I for any quarter, the I signifies that their work for the class is incomplete, and that the student has an opportunity to make up course requirements to obtain a passing grade. **Students will be allowed a maximum of two (2) weeks after the end of a quarter to make up work unless the teacher grants an extension with the approval of the principal.**
5. **Credit Recovery Program** – Students who earn a grade that is close to passing (40-59% or .8-.99 on a 4-point scale) from a quarter or semester course have an opportunity to earn a passing score for the course by agreeing to a credit recovery contract with the teacher. Contracts are usually discussed with about two weeks left in the course. Teachers individually assign contracts to students based upon their need to demonstrate proficiency on specific standards or tasks. Credit recovery is held after school two days per week. Students that are enrolled in credit recovery contracts are required to attend. Credit recovery is available during the school year and during a two-week summer session. Credit recovery is a privilege for students but may be taken away due to disciplinary concerns or non-completion of work. Credit recovery contracts will have a completion timeline with them, not to extend beyond one calendar year.
6. **Passing Requirements for Middle School Students** - All 6th, 7th and 8th grade students are required to earn passing grades in math, social studies, science, and English to advance to the next grade. Students who do not meet this requirement may have to attend summer school or retake the classes during the next school year.

Student Records [*]

Student records are classified as public, private, or confidential. State and federal laws protect student records from unauthorized inspection or use and provide parents/guardians and eligible students with certain rights. For the purposes of student records, an “eligible” student is one who is 18 or older or who is enrolled in an institution of post-secondary education. A complete copy of the school district’s “Protection and Privacy of Pupil Records” policy may be obtained at <https://meetings.boardbook.org/Public/Organization/2341>.

Cheating, Plagiarism, and the Use of AI

Cheating and plagiarism are prohibited. Students who cheat or commit plagiarism on any test or assignment will be given a failing grade for that test or assignment and will be disciplined in accordance with the school district's "Student Discipline". Using Artificial Intelligence or AI to complete parts up to a whole paper may be considered plagiarism unless how to appropriately use AI is being taught or a teacher explicitly notes that AI may be used. Students caught cheating or plagiarizing on credit recovery contracts may have to retake courses. The school district utilizes the TurnItIn program for AI and plagiarism detection; rates of 25% or greater matching for plagiarism or 30% or greater for AI may result in students not receiving credit for an assignment or having to redo an assignment.

ACADEMIC AWARDS

Honor Rolls

Honor Rolls will be published after each quarter. To be eligible for the honor roll, a student must be enrolled full-time. Students may qualify for one of three separate levels of honor status. Students enrolled in PSEO coursework will only be eligible for honor roll at the end of each semester after they have submitted their college transcripts to the counseling office.

Straight (A) -3.66 average, no grade lower than A-

High Honor Roll - 3.50 average, no grade lower than B.

Honor Roll - 3.00 average, no grade lower than C-.

These standards are based on a 4-point scale with:

A = 4.0	A- =3.667
B+ = 3.333	B = 3.0
B- = 2.667	C+ = 2.333
C = 2.0	C- = 1.667
D+ = 1.333	D = 1.0
D- = .667	F = 0.

Academic Letters

The purpose of this award is to recognize outstanding academic achievement by students in grades 9-12 during the entire school year. Students who qualify will be awarded a school letter and pin for the first time and a bar each additional time.

The following criteria must be met to earn an Academic Letter

1. Grades for all classes will be used to determine eligibility.
2. Abide by school activity rules. Students will become ineligible for an academic letter on the 2nd violation from 7-12 grade of any school activity rule.
3. Students must earn a 3.0 GPA with no grade lower than a C- each quarter for the entire school year.
4. Students in grades 10-12 will be awarded letters at the beginning of the school year based on grades earned in the previous year.
5. Students in grade 12 will also be awarded letters before graduation based on grades earned during quarters 1-3 of the current school year.

Gold Card Recognition Program

Lewiston-Altura High School participates with area schools in an academic recognition program called the gold card program. Students who have quarter grades of either an A or an A- in every course during either the first semester or the second semester qualify for a Gold Card for the next school year. Gold Cards are awarded to Lewiston-Altura students in grades 7-12 at the beginning of the school year based on grades earned from the previous year while enrolled at Lewiston-Altura. Students that were enrolled in a different school during the previous school year are not eligible for the recognition. Gold Cards allow students free admission to sports events at participating schools for the entire school year.

Graduation Honor Students

Students who earn a cumulative high school grade point average of 3.50 will be recognized as graduating with honors at the Honors and Awards Ceremony and in the graduation program.

NATIONAL HONOR SOCIETY

Eligibility Requirements

Students in grades 10–12 who meet the requirements for membership outlined by their school's chapter are eligible to be invited for membership.

Each chapter is required to publish its qualifications for membership, which is based on the four pillars of NHS:

- **Scholarship**
Per national guidelines, at a minimum, students must have a cumulative GPA of 85, B, 3.0 on a 4.0 scale, or equivalent standard of excellence. (Each school chapter is allowed to require a higher cumulative GPA.)
- **Service**
This involves voluntary contributions made by a student to the school or community, done without compensation.
- **Leadership**
Student leaders are those who are resourceful, good problem solvers, and idea contributors. Leadership experiences can be drawn from school or community activities while working with or for others.
- **Character**
The student of good character is cooperative; demonstrates high standards of honesty and reliability; shows courtesy, concern, and respect for others; and generally, maintains a clean disciplinary record.

Parent and Teacher Conferences

Parent and teacher conferences will be held *quarterly*. *Conferences run from 4PM to 7 PM in an open format. Student schedules and classroom maps are available at the office. For more information, contact the building principal.*

Parent Right to Know [*]

If a parent requests it, the school district will provide information regarding the professional qualifications of his/her child's classroom teachers, including, at a minimum, the following:

1. whether the teacher has met state qualifications and licensing criteria for the grade levels and subject areas in which the teacher provides instruction;
2. whether the teacher is teaching under emergency or other provisional licensing status through which state qualification or licensing criteria have been waived;
3. the baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree;
4. whether the student is provided services by paraprofessionals and, if so, their qualifications.

In addition, the school district will provide parents with information as to the level of achievement of their child in each of the state academic assessments. The school district will provide notice to parents if their child has been assigned to, or taught for four or more consecutive weeks by, a teacher who is not highly qualified.

LUNCH PROGRAM

We encourage every family to complete the Free and Reduced Lunch application regardless of income. This application dictates multiple school funding formulas, so we need as much data submitted to the state as possible. Forms are available to apply for free or reduced lunches from any school office and on the district website. If your child is new to the district and has a food allergy, please contact the high school office, so you can speak to the nurse and food service.

2024-25 High School Lunch Prices:

6-12 Breakfast	Free
Adult Breakfast	\$2.50
6-12 Regular Lunch	Free
Adult Lunch	\$4.95

The school operated lunch program is open to serve students meals at a reasonable price. Students may bring a sack lunch. All students will be provided a school lunch regardless of their account balance. However, students with a negative account balance will not be able to purchase items from a la carte. Parents may limit the amount of money a student spends on a la carte within their account or by contacting food service. If a student requests a second breakfast or lunch, the state requires that the adult breakfast or lunch fee are charged.

To keep our lunchroom and school attractive, clean and orderly the following procedures are used:

1. Students will line up based upon their grade level with the oldest grade lining up first.
2. Leave the tables and floor in a neat condition.
3. Return the dishes, glasses, and silverware to the proper place. Please recycle those items that are able to be recycled, keep food scraps on your tray, and put non-recyclables in the garbage.
4. **Do not take food or drink out of the lunchroom.**

Students finishing lunch are to remain out of those areas of the building where classes are in session unless you have administrative approval. No one should be past the main entrance doors or other restricted areas during their lunch period. Gyms will be open on most days after lunch, but students may not go to the gym without a supervisor.

Leaving the School Grounds at Noon

Students are not to leave the school grounds during the lunch period unless they have permission from the school office.

No one is to be in a car, on a car, drive a car, or ride in a car during the noon hour or any other time during regular school hours without permission from the school administration or their designee.

Fees and Supplies – 2024/25 School Supply List

Materials that are part of the basic educational program are provided with state, federal, and local funds at no charge to a student. Students **are** expected to provide their own pencils, pens, paper, erasers, notebooks, and other personal items. Students may be required to pay certain other fees or deposits, including (not an inclusive list):

- Charges for extracurricular activities, where a student must pay to participate in an extracurricular activity, are the same for all students, regardless of whether the student is enrolled in a public or a home school.
- Cost for materials for a class project that exceeds minimum requirements and is kept by the student.
- Security deposits for the return of materials, supplies, or equipment.
- Personal physical education and athletic equipment and apparel.
- Items of personal use or products that a student has an option to purchase such as student publications, class rings, annuals, and graduation announcements.
- Field trips are considered supplementary to the district's educational program.
- Voluntarily purchased student health and accident insurance.

- Use of musical instruments owned or rented by the school district.
- A school district-sponsored driver or motorcycle education training course.
- Transportation to and from school for students living within two miles of school.

LOST AND/OR MISSING ITEMS

From time to time, students report lost, missing, or stolen items to the office. **The high school is not responsible for any lost, missing or stolen items. It is recommended that students leave items of value at home. Students are encouraged to use their locker and lock all possessions up in school or gym lockers. Students should not ever leave their lockers unlocked or share their combinations with friends.**

Prior to reporting lost, missing or stolen items, it is recommended that students ask the office to check the Lost and Found.

DAMAGED OR LOST TEXTS

Fines are assessed to students who damage a book based upon the full replacement cost of the book.

New...full value Good...3/4 value Fair...1/2 value Poor...1/4 value

DAMAGED OR LOST TECHNOLOGY

Lewiston-Altura Public School District provides high school (grade 6-12) students with devices to use in our digital learning environment. Similar to textbooks, daily use of devices will cause wear and tear and there will be expected needs for occasional repairs. Students are expected to take care of the device and practice appropriate computer procedures. Intentional damage to devices is not acceptable. Students need to complete a tech ticket upon noticing any technology issue, so that we can prevent minor damage from becoming a major problem.

Students/families are required to pay full repair or replacement costs for **intentional damage to a school device. The student will not be issued a new device for home use until the charge is paid; students will receive a device on loan for use in school.** Intentional damage includes thrown devices, keys removed from the keyboard, cameras poked out, intentional water damage, etc. The insurance plan does not apply to devices that have been lost, stolen, or intentionally damaged or vandalized. The repair company and our tech department will determine the difference between computer failure, accidental damage, and intentional damage. Parents will receive a copy of technology use form / insurance option. Insurance does not begin until after fees have been received.

II. General School Procedures

ANNOUNCEMENTS

Announcements will be made over the public address system during homeroom and at the end of each day. Announcements must be endorsed by an employee of the school system. Parents needing to leave messages with the office need to have the message to the office by 10:55 or 2:50 in order for the messages to reach the student.

TELEPHONE MESSAGES FOR STUDENTS

Students will be called to the telephone by the office only in an extreme emergency. The school phones are for school business. Only in cases of EMERGENCY should it be used by parents to send messages to children. Parents should feel free to call and leave a message for their student at any time, and it will be delivered, or students will be called down to receive the message.

Eighteen-Year-Old Students

The age of majority for most purposes in Minnesota is 18 years of age. All students, regardless of age, are governed by the rules for students provided in the school district policy and this handbook.

ARRIVAL AT AND DEPARTURE FROM THE BUILDINGS

Student activity at arrival and departure should conform to the following:

1. Once students are on or near the school grounds, their conduct is subject to faculty supervision and the rules and regulations of the Lewiston-Altura School.
2. Doors will be opened at 7:15 a.m. and students will not be allowed in school until that time unless specific arrangements are made to be with a teacher, adviser, or coach.
3. Upon arrival at school, students are not allowed to leave the school grounds before school without permission from the high school office.
4. Doors will be locked from 8:04 a.m. to 3:00 p.m. Any student or visitors arriving during the school day will need to be identified and buzzed in by the front office.
5. If a student needs to be excused early from school, a written notice or phone call from a parent or guardian must be received by the office.
6. Students are not to be in the building after 3:15 p.m. unless attending school activities arranged and supervised by teachers or coaches. Anyone else will be asked to leave the building.

Procedures For Leaving and Returning During the School Day

Students are not to leave the school grounds during school hours without the approval of the administration/office. No one is to be in the parking lot during school time without permission from the administration. Students driving to school **MUST** park in the east school parking lot unless they receive permission from the administration.

If a student must leave the building during the school day, he/she must:

- a. Obtain permission from the office and sign out.
- b. Upon returning to the building sign in at the office.
- c. If your request to leave is for a medical appointment documentation of the appointment should be provided upon return, so the absence can be marked as excused.
- d. Check out with the office even if school has not started when you leave.

If a student has to go home for anything during the day, he or she will be permitted to do so, if deemed necessary by an administrator or designee. In case of sickness the parents will be called before the student is released.

PSEO students need to sign-in at the office upon entering the building each day and upon return. PSEO students who stay at the school during a college course block will be supervised in the media center. PSEO students may not stay in a teacher's classroom or in the hallways.

LEAVING AND RETURNING TO CLASS

Students may sign out of a class to use a restroom with the approval of a supervising teacher. **Only one person may be signed out at a time. Sign outs for a drink or to a locker are limited to special circumstances.** Passes may be granted to students wishing to see a specific teacher or for the office. Every pass must be filled out as to destination, date, time and signed by both teachers. No student should be in the hall, other than passing time, without a pass and having signed out.

VISITORS

All visitors to the school need to report to the office upon arrival, and those coming during the school day will need to be identified and state their reason for visiting before being buzzed in by office staff. Visitors will be required to wear an identification badge. Visitors who want to meet with staff members or students need to have administrative permission prior to the visit. Permission may be granted based on the urgency of the need and the effect on the educational operation of the school.

PARKING LOT SAFETY

Students who drive to school may use the east parking lot. The west parking lot is off limits to students unless special permission is granted by the high school principal. Students are expected to drive slowly and cautiously to help provide a

safe environment. Students are expected to park only within spaces marked by the yellow/white lines. Students are strongly encouraged to lock their vehicle. For safety and security reasons students are not to be in the student parking lot during the school day without permission from the high school office. The school's Parking Lot and Student Vehicles Policy is included in the policy section of this handbook. Students that do not follow the rules may be restricted from parking on school grounds.

STUDENT ID's

Students are issued a student identification card after picture day. Students may use the card to get into home sporting events at no charge. Each identification card is now required by statute to include Suicide Prevention Information. The card includes:

National Suicide Prevention Lifeline – 1-800-273-8255 or 988

Crisis Text Line – 741741

Winona County Crisis Services – 1-844-274-7472

BULLETIN BOARD USE AND POSTING INFORMATION

No material of any type may be posted without prior approval of the administration; a signature from an administrator needs to be present on the posting in order for it to remain up.

SECURITY CAMERAS

The school district buildings and grounds are equipped with video cameras. Video surveillance may occur in any school district building or on any school district property. The school uses video cameras to help provide for the safety of students, staff, and property. Video cameras may be used to monitor school entrances, hallways, parking lots, and school outdoor areas. The school may use videotaped information as evidence in any disciplinary action brought against any student, arising out of the student's behavior.

All school buses used by the school district may be equipped for the placement and operation of a video camera. The school district will post a notice in a conspicuous location informing students that their conversations or actions may be recorded. The school district may use a video recording of the actions of student passengers as evidence in any disciplinary action arising from the students' misconduct on the bus.

INTERNET, CELLPHONE AND TECHNOLOGY USE/MEDIA DEVICES

Electronic media devices such as Cellphones, Tablets, Laptops, I-Pods, MP3 Players, cameras, personal video game systems, etc., when used properly may be useful tools to improve instruction. Because of this, students are allowed to bring these devices to school to be used for instructional use only. **If students choose to bring these items to school, they do so at their own risk and the school accepts no responsibility for any lost or stolen items. Keep valuables in secure locations.**

Student computers will now be Chromebooks that will have Go Guardian classroom level filtering on them. Students who wish to use their own device for school, will be asked to purchase a chromebook and will be required to load TestNav and Go Guardian to the device. PSEO students will receive a computer to use and/or may use their college device unless there are technology issues.

Students are encouraged to keep their cellphones and airpods in their locked locker. Students that choose to carry cellphones/airpods/headphones with them to classes need to place them in the caddy in the classroom upon entering. Students are not allowed to enter the classroom on a cellphone or use cellphones in class for any reason without teacher permission for class purposes. Additionally, students shall not record other people (staff, students, etc.) without their knowledge and consent, i.e. – Angel Sense, during the school day or during any school sponsored activity. This includes during online courses that are live streamed to students.

Students also are prohibited from using a cellphone or other electronic communication device to engage in conduct prohibited by school district policies including, but not limited to, cheating, bullying, harassment, and malicious and sadistic

conduct. If the school district has a reasonable suspicion that a student has violated a school rule or law by use of a cellphone or other electronic communication device, the school district may search the device. The search of the device will be reasonably related in scope to the circumstances justifying the search. Students who use an electronic communication device during the school day and/or in violation of school district policies may be subject to disciplinary action pursuant to the school district's discipline policy. In addition, a student's cellphone or electronic communication device may be confiscated by the school district and, if applicable, provided to law enforcement. Cellphones or other electronic communication devices that are confiscated and retained by the school district will be returned in accordance with school building procedures.

Teachers will address and resolve issues as they arise within the classroom. Students referred to the office for violating the Internet & Technology Acceptable Use Policy may be assigned consequences for insubordination according to the school's discipline policy, may have their cellphone and/or electronic device confiscated, and may result in loss of the students' privilege to bring electronic media devices to school.

Cellphone Violations Policy

1. First violation will be a warning by teacher or office.
2. A second violation will result in an office referral. Students will be asked to store their device in their locker for the remainder of the day.
3. Students will receive detention for their third and subsequent cellphone violations and leave their device in the office.
4. Students with four or more violations will have a meeting with administration, parents, and the student to discuss alternatives that may include checking cellphones into the office at the beginning and ending of the school day.

CRISIS MANAGEMENT

The school district has developed a "Crisis Management" policy. Each school building has its own building-specific crisis management plan. Students and parents will be provided with information as to district- and school-specific plans.

The "Crisis Management" policy addresses a range of potential crisis situations in the school district. The school district has developed general crisis procedures for securing buildings, classroom evacuation, campus evacuation, sheltering, and communication procedures. The school district will conduct lock-down drills, fire drills, and a tornado drill. Building plans include classroom and building evacuation procedures.

FIRE AND SEVERE WEATHER DRILL PROCEDURES

Fire Drill

1. Close the door after leaving the room.
2. Move quickly, but don't run.
3. Follow instructions provided for each room.

Tornado Drill

1. Move quickly, but don't run, to the designated area.
2. Those outside should return to the building.
3. Stay away from doors, windows, and 30 feet from entryways.

FUND RAISING

All school sponsored fund-raising projects must have prior approval of the administration. Request forms are available at the high school office. Fund raising requests should be approved at the beginning of the school year as much as possible.

LIBRARY

The library is open for student use from 7:30 a.m. to 11:00 a.m. or when accompanied by an adult. Any materials taken from the library must be properly checked out at the circulation desk. All books may be checked out for three weeks. Students assume responsibility for materials checked out in their name. Do not lend them to others.

SCHOOL SPONSORED DANCES

Students not enrolled at Lewiston-Altura school may attend if they are signed up in the office by an LAHS student prior to the event. One guest per LAHS student is permitted, and the sponsoring student is held responsible. If any student or guest must be asked to leave for drinking, smoking or other unacceptable behavior, they will not be allowed entry to any school dance for the remainder of the year. A minimum of two teachers and two parents are required as chaperones before any dance will be approved by the administration. High School dances (9,10,11,12) will run from 8-12:00 p.m. and Junior High (6,7,8) dances will run from 7-10:00. **An "In you are In, Out you are Out" policy will be enforced. There is no re-entry after leaving the dance.**

III. District Policies

Lewiston-Altura High School operates under the direction of Federal Laws, Minnesota State Statute and ISD 857 School Board Policies, as well as Minnesota State High School League recommendations. Administrators and teachers utilize the policies as a guide for making educational decisions related to attendance, curriculum, discipline, etc. The policies cannot govern every situation, and in the event of a situation arising that is not covered under one of these sources of information, the school administration has the ability to make a decision in the best interest the district, school, and student. A complete list of policies can be found on the school district BoardBook page at <https://meetings.boardbook.org/Public/Organization/2341>. Policies are reviewed by the district Policy Review committee and approved by the school board. Policies do change throughout the school year. The following is a list of student-related policies for reference. Additional information will be provided after the list of policies.

School District Policy Cross Reference Table

Topic.....	Model Policy Number(s)
Accidents	806
Alternative Educational Opportunities	605
Attendance	503
Bullying Prohibited	514
Cellphone	506
Class Assignments	515
Complaints	103
Course Credits Required	604
Crisis Management	806
Discipline	506
Drug-Free School and Workplace	417, 418
Emergency Contact Information	515
Employee Directory	406
Employment Background Checks	404
Equal Access to School Facilities	801
Extended School Year	508
Field Trips	610
Fundraising	511
Gifts to Employees	421
Graduation Requirements	613
Harassment and Violence Prohibited	413
Hazing Prohibited	526
Health Information	420, 516, 518, 530, 806
Homework	506, 612.1
Internet Acceptable Use	524
Interviews of Students by Outside Agencies	519
Nondiscrimination	102, 401, 521, 522, 528
Notification of Violent Students	529
Parking on School District Property	527
Pledge of Allegiance	531
Post-Secondary Enrollment Options	620
Schedule	602
School Activities	510
School Calendar	602
Searches	502, 527
Student Dress and Appearance	504
School Meals Policy	534
School Promotion and Retention	513
Student Publications and Materials	505, 512
Student Records	515
Student Surveys	520
Summer School	623
Tobacco-Free Schools	419
Transportation of Public School Students	707, 709, 710
Vandalism	506
Video and Audio Recording	711, 712
Visitors in School District Buildings	903
Weapons Prohibited	501

A. ATTENDANCE

In accordance with the Minnesota Compulsory Instruction Law, Minn. Stat. § 120A.22, the students of the school district are REQUIRED to attend all assigned classes and/or study halls every day school is in session, unless the student has been excused by the school board from attendance because the student has already completed state and school district standards required to graduate from high school, has withdrawn, or has a valid excuse for absence.

Attendance Procedures

All absences require that the parent/guardian contact the school. They should call the school before 9:00 a.m. on the morning of the absence. They need to inform the office of the student's absence, give their permission for the absence, and state the reason for the absence. In special circumstances where the parent/guardian is not able to call the school, the school must receive an explanation of the absence from the parent/guardian within 48 hours of the absence. If an explanation of the absence is not received, it will be considered to be an inexcusable absence. Parents are required to provide reasons for illness; please do not leave a message that a child is sick without providing current symptoms. If no symptoms are provided, it will also be considered unexcused. If the reason provided does not match one of the reasons for excusing absences provided on the next page, the absence will be considered unexcused.

The school reserves the right to request verification information of any absences. All absences after four per quarter will require verification unless previous documentation has been provided.

Responsibilities

Student Responsibility

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

Student Make-up Work

When absences are known about in advance, the student is expected to make arrangements to complete make-up work prior to being absent.

It is the student's responsibility to check with the teachers regarding make-up work.

For excused absences, students will be given the number of days absent plus one to turn in all make-up work and take tests or quizzes after returning from the absence. Work or tests announced prior to a pre-approved absence will be taken on time if the teacher feels it is appropriate. Example: A test was assigned for Friday and the student was pre-approved to miss class on Thursday. The student will take the test if the teacher believes the student is ready.

This may be extended only for extenuating circumstances and with the approval of the teacher and/or Principal.

Students will only be allowed a maximum of two (2) weeks after the end of a quarter to make up work unless the teacher grants an extension with the approval of the Principal.

Parent or Guardian's Responsibility

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

Teacher's Responsibility

It is the teacher's responsibility to take daily attendance and to maintain accurate attendance records in each assigned class and study hall. It is also the teacher's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly. It is also the teacher's responsibility to provide any student who has been absent with

any missed assignments upon request. Finally, it is the teacher's responsibility to work cooperatively with the student's parent or guardian and the student to solve any attendance problems that may arise.

Administrator's Responsibility

It is the administrator's responsibility to require students to attend all assigned classes. It is also the administrator's responsibility to be familiar with all procedures governing attendance and to apply these procedures uniformly to all students, to maintain accurate records on student attendance, to inform the student's parent or guardian of the student's attendance, and to work cooperatively with students and their parents/guardians to solve attendance problems.

Excused Absences K-12

The following reasons shall be sufficient to constitute excused absences.

1. Student illness
2. Serious illness or death in the student's immediate family
3. Medical or dental treatment
4. Required court appearances
5. Emergency conditions such as fire, storm, flood, etc.
6. Urgent family business
7. Religious holiday/instruction
8. Pre-approved family vacation (one time per year)
9. Pre-approved unique situations
10. College Visits for Juniors/Seniors (no more than two days per year)

******Excessive Excused Absences**

1. When patterns of excessive excused absences are detrimental to the success of a student, district personnel will implement interventions.
2. **A parent/guardian may clear four days per quarter that school is in session. Subsequent clearances for illnesses require verification by a doctor or other valid health care professional, unless otherwise approved by the building principal.**
3. Parents providing documentation of an absence from a healthcare provider or by using the vacation pre-approval process will not have those days included in the four excused days per quarter.
4. All absences over four without verification or without vacation pre-approvals will be counted as unexcused after the fourth absence.

Unexcused Absences / Periods

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

- (1) Truancy. An absence by a student which was not approved by the parent and/or the school district.
- (2) Any absence in which the student failed to comply with any reporting requirements of the school district's attendance procedures.
- (3) Work at home.
- (4) Work at a business, except under a school-sponsored work release program.
- (5) Multiple vacations per school year.
- (6) More than two days of college visits.
- (7) Any other absence not included under the attendance procedures set out in this policy.

An unexcused absence is an absence for a reason that is not acceptable by this policy for whole or half days. An unexcused period is defined as the absence of greater than five minutes of a period during the day. An unexcused absence from school may result in consequences including, but not limited to: detention, In School Suspension, or Out of School Suspension.

Three unexcused absences may result in the student being identified as a continuing truant and the parent/guardian will be contacted by school officials regarding the students' absences. Seven unexcused absences will mean that the student will be identified as a habitual truant and school officials will file educational neglect or truancy charges against the parent/guardian and juvenile through Winona County.

Students who are marked unexcused absent for any part of the school day and/or have exceeded their allowable number of absences per quarter from school will be ineligible to participate in activity practice or events, unless an allowable excuse is brought to the office prior to the end of the school day. The office will notify the coach in the event that the player is approved to participate.

Habitual Truancy – K-12

A habitual truant is a student who is absent from attendance at school without lawful excuse for seven school days; if the child is in elementary school or for one or more class periods on seven school days if the child is in middle school, junior high school, or high school. A student who becomes a habitual truant according to Minnesota Statute 260C.007 Subd. 19, may be reported to legal authorities to assure compliance with Minnesota Compulsory Instruction laws using the form included as Appendix B.

Pre-approval Procedures for Family Vacations and Unique Situations – K-12

The school district acknowledges that parents/families cannot always schedule trips and vacations at school breaks. Accordingly, the district will allow families to excuse one vacation per school year not to exceed five total days of school. Students and parents must notify the office of a planned vacation one week prior to the trip in order for it to be considered excused. Students will be directed to complete a vacation form that will be signed and by each teacher and filed with the office. Student days will still count towards the four days per quarter of excused absences. The principal may determine that a student has exceeded an allowable number of pre-approved vacation days.

For unexcused absences, students have a right to obtain the information they have missed from their teacher due to any absence. However, if the absence is unexcused, it is the teacher's discretion whether or not to award full credit for work missed during that absence.

Tardiness

Tardies- "A little late is too late!" If you arrive at school late, you have to report to the office for a pass. You must have a parental note indicating the reason you are late arriving at school. Consequences will be assigned for unexcused tardies.

If you are going to be late to your next class because of a previous class or teacher having detained you, get a pass from the teacher responsible and take it with you.

Teachers are encouraged to address student tardies in their classrooms. Students that have issues with excessive tardies may be referred to administration for assistance. Students referred to the office for excessive tardies in the classroom may be assigned detention or other consequences. Three tardies within a quarter will result in an office referral. For each additional tardy per quarter, the student will serve an office referral. For definitions of attendance refer to policy 503 Student Attendance.

Students are expected to remain in class for the entire class period. If a student needs to leave, they need to let the teacher know and if they are leaving the building, they need to check out at the office. If a student receives a pass to go to a specific destination in the building, they need to return to class before the end of the period. Any students not in class at the end of the class period will be referred to the office for consequences if they have not followed the checkout process.

B. Student Responsibilities

Student Rights

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

Lewiston-Altura Public Schools Behavior Management System

Administration, parents, students and faculty of LAPS have designed a school-wide expectation plan.

District Expectation: For all people to treat each other and each other's property with respect, dignity, common sense, and courtesy.

Basic Guidelines of Behavior:

Lewiston-Altura Cardinals Are:

- **Respectful**
- **Responsible**
- **Resourceful**

Student Responsibilities

All students have the responsibility:

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

Code of Student Conduct

This policy applies to all school buildings, school grounds, and school property; school-sponsored activities or trips; school bus stops; school buses, school vehicles, school contracted vehicles, or any other vehicles approved for school district purposes; the area of entrance or departure from school premises or events; and all school-related functions. This policy also applies to any student whose conduct at any time or in any place interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, other students, or employees.

STUDENT DRESS AND APPEARANCE (this is an excerpt from the full district policy)

Appropriate clothing includes, but is not limited to, the following:

1. Clothing appropriate for the weather.
2. Clothing that does not create a health or safety hazard.
3. Clothing appropriate for the activity (i.e., physical education or the classroom).

Inappropriate clothing includes, but is not limited to, the following:

1. Clothing must be neat and clean, promote the safety and health of the individual and it must not be a distraction to the school environment. Extremes in dress or grooming which jeopardize safety or health, or which disrupt the school will not be allowed. Clothing which promotes alcohol, tobacco, and vulgarities or has a sexual or violent connotation is unacceptable. Bandanas and hats of any kind will not be allowed during the school day unless worn as a part of a school activity. Footwear must be worn at all times. Students will be asked to change, remove or otherwise refrain from unacceptable attire.
2. Objectionable emblems, badges, symbols, signs, words, objects or pictures on clothing, jewelry, or body communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves, advances or provokes any form of religious, racial or sexual harassment and/or violence against other individuals as defined in MSBA/MASA Model Policy 413.
3. Any apparel or footwear that would damage school property.

It is not the intention of this policy to abridge the rights of students to express political, religious, philosophical, or similar opinions by wearing apparel on which such messages are stated. Such messages are acceptable as long as they are not lewd, vulgar, obscene, defamatory, profane or do not advocate violence or harassment against others.

"Gang," as defined in this policy, means any ongoing organization, association or group of three or more persons, whether formal or informal, having as one of its primary activities the commission of one or more criminal acts, which has an identifiable name or identifying sign or symbol, and whose members individually or collectively engage in or whose members engaged in a pattern of criminal gang activity. "Pattern of gang activity" means the commission, attempt to commit, conspiring to commit, or solicitation of two or more criminal acts, provided the criminal acts were committed on separate dates or by two or more persons who are members of or belong to the same criminal street gang.

When, in the judgment of the administration, a student's appearance, grooming, or mode of dress interferes with or disrupts the educational process or school activities or poses a threat to the health or safety of the student or others, the student will be directed to make modifications or will be sent home for the day. Parents/guardians will be notified.

The administration may recommend a form of dress considered appropriate for a specific event and communicate the recommendation to students and parents/guardians.

Likewise, an organized student group may recommend a form of dress for students considered appropriate for a specific event and make such a recommendation to the administration for approval.

STUDENT DISCIPLINE

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

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

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

The school principal is given the responsibility and authority to formulate building rules and regulations necessary to enforce this policy, subject to final school board approval. The principal shall give direction and support to all school personnel performing their duties within the framework of this policy. The principal shall consult with parents of students conducting themselves in a manner contrary to the policy. The principal shall also involve other professional employees in the disposition of behavior referrals and shall make use of those agencies appropriate for assisting students and parents. A principal, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

All teachers shall be responsible for providing a well-planned teaching/learning environment and shall have primary responsibility for student conduct, with appropriate assistance from the administration. All teachers shall enforce the Code of Student Conduct. In exercising the teacher's lawful authority, a teacher may use reasonable force when it is necessary under the circumstances to correct or restrain a student or prevent bodily harm or death to another.

All school district personnel shall be responsible for contributing to the atmosphere of mutual respect within the school. Their responsibilities relating to student behavior shall be as authorized and directed by the superintendent. A school employee, school bus driver, or other agent of a school district, in exercising his or her lawful authority, may use reasonable force when it is necessary under the circumstances to restrain a student or prevent bodily harm or death to another.

Parents and guardians shall be held responsible for the behavior of their children as determined by law and community practice. They are expected to cooperate with school authorities and to participate in the behavior of their children.

All students shall be held individually responsible for their behavior and for knowing and obeying the Code of Student Conduct and this policy.

Members of the community are expected to contribute to the establishment of an atmosphere in which rights and duties are effectively acknowledged and fulfilled.

Discipline Policies Explanations

The school-wide discipline plan involves a range of interventions that may or may not be used to address student behavior issues including, but not limited to: conferencing, with the student and/or the student's parents, detention, restitution, learning opportunities, In School Suspension (ISS), and Out of School Suspension (OSS), the involvement of law enforcement and possible expulsion from the school district. The goals of all consequences will be to fit the offense and help the student learn from their mistake. Consequences will vary based on the severity of the behavior and will be progressive based on the history of the student's behavior involved. Consequences for inappropriate behavior will be determined by the principal.

All violations and offenders come under different circumstances. Because of this the principal has the authority to impose the proper consequences for the violation and violator. Consequences for students who commit prohibited acts may range from positive behavioral interventions up to and including referral to law enforcement, suspension and/or expulsion.

In School Suspension & Out of School Suspension

If a student has ISS/OSS, he/she will not participate in any extra-curricular activities on the day it is served. If a student violates ISS rules and does not cooperate, they will be assigned OSS. He/she is out of extra-curricular activities until after the re-entry conference and the student is reinstated in school. Band and choir activities are excluded for curriculum related activities such as concerts and pep bands. MSHSL activities such as competitions, Honor Band, and Honor Choir are included.

Detention Notification

Students will be given one-day advance notice of detention, and they are expected to notify their parents. The parents will receive a written notification and the date detention was assigned. A student will not be excused from detention because of practice, games, work, lack of ride, weightlifting, etc. Students may receive a detention reminder, but not receiving the reminder does not excuse students from detention. Students absent from school the day of their assigned detention will serve their time on the first day they return. Prior appointments (doctor, dental, or court), or funerals may be excused, but it must be pre-approved by the principal or dean of students, who will work with the student and parents to determine when an alternate time will be scheduled. Students will be allowed to reschedule one detention per school year.

Students who do not show up for detention, or do not follow the detention room rules and are asked to leave, may have additional hours added to their time. Detention will be held after school, before school, during lunch, or on Saturday depending on the situation.

Reasonable Force

A teacher, school administrator, school employee, school bus driver or other agent of a district may use reasonable force in compliance with Minnesota Statutes 121A.582 and other laws.

HARASSMENT AND VIOLENCE

The policy of the school district is to maintain a learning and working environment that is free from harassment and violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability. The school district prohibits any form of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability.

The school district will act to investigate all complaints, either formal or informal, verbal or written, of harassment or violence, based on a person's race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability and to discipline or take appropriate action against any student, teacher, administrator or other school district personnel who is found to have violated this policy.

"Immediately" means as soon as possible but in no event longer than 24 hours.

Hazing Prohibition

Hazing is prohibited. No student will plan, direct, encourage, aid, or engage in hazing. Students who violate this rule will be subject to disciplinary action pursuant to the school district's "Student Discipline" policy.

Reporting Procedures

Any person who believes he or she has been the target or victim of harassment or violence on the basis of race, color, creed, religion, national origin, sex, age, marital status, familial status, status with regard to public assistance, sexual orientation, or disability by a student, teacher, administrator or other school district personnel, or any person with knowledge or belief of conduct which may constitute harassment or violence prohibited by this policy toward a student, teacher, administrator or other school district personnel should report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report conduct which may constitute harassment or violence anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

The school district encourages the reporting party or complainant to use the report form available from the principal of each building or available from the school district office, but oral reports shall be considered complaints as well. Nothing in this policy shall prevent any person from reporting harassment or violence directly to a school district human rights officer or to the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

Approved 8/ /2024 at ISD 857 school board meeting

In Each School Building. The building principal is the person responsible for receiving oral or written reports of harassment or violence prohibited by this policy at the building level. Any adult school district personnel who receive a report of harassment or violence prohibited by this policy shall inform the building principal immediately. If the complaint involves the building principal, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include acts of harassment or violence. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute harassment or violence shall make reasonable efforts to address and resolve the harassment or violence and shall inform the building principal immediately. School district personnel who fail to inform the building principal of conduct that may constitute harassment or violence or who fail to make reasonable efforts to address and resolve the harassment or violence in a timely manner may be subject to disciplinary action.

Upon receipt of a report, the principal must notify the school district human rights officer immediately, without screening or investigating the report. The principal may request but may not insist upon a written complaint. A written statement of the facts alleged will be forwarded as soon as practicable by the principal to the human rights officer. If the report was given verbally, the principal shall personally reduce it to written form within 24 hours and forward it to the human rights officer. Failure to forward any harassment or violence report or complaint as provided herein will result in disciplinary action against the principal. If the complaint involves the building principal, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant.

In the District. The School Board hereby designates the Superintendent as the school district human rights officer to receive reports or complaints of harassment or violence prohibited by this policy. The school district shall conspicuously post the name of the human rights officer(s), including mailing addresses and telephone numbers. The submission of a good faith complaint or report of harassment or violence prohibited by this policy will not affect the complainant or reporter's future employment, grades, work assignments, or educational or work environment. Use of formal reporting forms is not mandatory. Reports of harassment or violence prohibited by this policy are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's legal obligations to investigate, to take appropriate action, and to comply with any discovery or disclosure obligations.

Retaliation against a victim, good faith reporter, or a witness of violence or harassment is prohibited. False accusations or reports of violence or harassment against another person are prohibited. A person who engages in an act of violence or harassment, reprisal, retaliation, or false reporting of violence or harassment, or permits, condones, or tolerates violence or harassment shall be subject to discipline or other remedial responses for that act in accordance with the school district's policies and procedures.

Consequences for students who commit, or are a party to, prohibited acts of violence or harassment or who engage in reprisal or intentional false reporting may range from remedial responses or positive behavioral interventions up to and including suspension and/or expulsion. Consequences for employees who permit, condone, or tolerate violence or harassment or engage in an act of reprisal or intentional false reporting of violence or harassment may result in disciplinary action up to and including termination or discharge. Consequences for other individuals engaging in prohibited acts of violence or harassment may include, but not be limited to, exclusion from school district property and events and/or termination of services and/or contracts.

Investigation

By authority of the school district, the human rights officer, within three (3) days of the receipt of a report or complaint alleging harassment or violence prohibited by this policy shall undertake or authorize an investigation. The investigation may be conducted by school district officials or by a third party designated by the school district. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

The investigation will be completed as soon as practicable. The school district human rights officer shall make a written report to the superintendent upon completion of the investigation. If the complaint involves the superintendent, the report may be filed directly with the school board. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy.

School District Action

Upon completion of an investigation that determines a violation of this policy has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited behavior. School district action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Minnesota and federal law and applicable school district policies and regulations.

The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of targets or victims of harassment or violence and the parent(s) or guardian(s) of alleged perpetrators of harassment or violence who have been involved in a reported and confirmed harassment or violence incident of the remedial or disciplinary action taken, to the extent permitted by law.

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

Retaliation or Reprisal

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

Right to Alternative Complaint Procedures

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Minnesota Department of Human Rights, initiating civil action or seeking redress under state criminal statutes and/or federal law.

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

Searches

In the interest of student safety and to ensure that schools are drug free, district authorities may conduct searches. Students violate school policy when they carry contraband on their person or in their personal possessions or store contraband in desks, lockers, or vehicles parked on school property. "Contraband" means any unauthorized item, the possession of which is prohibited by school district policy and/or law. If a search yields contraband, school officials will seize the item(s) and, when appropriate, give the item(s) to legal officials for ultimate disposition. Students found to be in violation of this policy are subject to discipline in accordance with the school district's "Student Discipline" policy, which may include suspension, exclusion, expulsion, and, when appropriate, the student may be referred to legal officials.

Lockers and Personal Possessions Within a Locker [*]

Under Minnesota law, school lockers are school district property. At no time does the school district relinquish its exclusive control of lockers provided for students' convenience. School officials may inspect the interior of lockers for any reason at any time, without notice, without student consent, and without a search warrant.

Students' personal possessions within a school locker may be searched only when school officials have a reasonable suspicion that the search will uncover evidence of a violation of law or school rules. As soon as practicable after the search of a student's personal possessions, the school officials will provide notice of the search to students whose lockers were searched, unless disclosure would impede an ongoing investigation by police or school officials.

Desks

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

Personal Possessions and Student's Person

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

BULLYING PROHIBITION

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

An act of bullying, by either an individual student, or a group of students, is expressly prohibited on school premises, on school district property or at school functions or activities, or on school transportation. This policy applies not only to students and employees who directly engage in an act of bullying but also to students and employees who, by their indirect behavior, condone or support another student's act of bullying. This policy also applies to any student whose

conduct at any time or in any place constitutes bullying or other prohibited conduct that interferes with or obstructs the mission or operations of the school district or the safety or welfare of the student, or other students, or materially and substantially interferes with a student's educational opportunities or performance or ability to participate in school functions or activities or receive school benefits, services, or privileges. This policy also applies to an act of cyberbullying regardless of whether such act is committed on or off school district property and/or with or without the use of school district resources.

No teacher, administrator, volunteer, contractor, or other employee of the school district shall permit, condone, or tolerate bullying. Apparent permission or consent by a student or employee being bullied does not lessen or negate the prohibitions contained in this policy. Retaliation against a victim, good faith reporter, or a witness to bullying is prohibited. False accusations or reports of bullying against another student are prohibited.

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

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

Consequences for employees who permit, condone, or tolerate bullying or engage in an act of reprisal or intentional false reporting of bullying may result in disciplinary action up to and including termination or discharge. Consequences for other individuals engaging in prohibited acts of bullying may include, but not be limited to, exclusion from school district property and events.

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

Reporting Procedure

Any person who believes he or she has been the target or victim of bullying or any person with knowledge or belief of conduct that may constitute bullying or prohibited conduct under this policy shall report the alleged acts immediately to an appropriate school district official designated by this policy. A person may report bullying anonymously. However, the school district may not rely solely on an anonymous report to determine discipline or other remedial responses.

The school district encourages the reporting party or complainant to use the report form available from the principal or building supervisor of each building or available in the school district office, but oral reports shall be considered complaints as well.

The building principal, the principal's designee, or the building supervisor (hereinafter the "building report taker") is the person responsible for receiving reports of bullying or other prohibited conduct at the building level. Any person may report bullying or other prohibited conduct directly to a school district human rights officer or the superintendent. If the complaint involves the building report taker, the complaint shall be made or filed directly with the superintendent or the school district human rights officer by the reporting party or complainant. The building report taker shall ensure that this policy and its

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

A teacher, school administrator, volunteer, contractor, or other school employee shall be particularly alert to possible situations, circumstances, or events that might include bullying. Any such person who witnesses, observes, receives a report of, or has other knowledge or belief of conduct that may constitute bullying or other prohibited conduct shall make reasonable efforts to address and resolve the bullying or prohibited conduct and shall inform the building report taker immediately. School district personnel who fail to inform the building report taker of conduct that may constitute bullying or other prohibited conduct or who fail to make reasonable efforts to address and resolve the bullying or prohibited conduct in a timely manner may be subject to disciplinary action.

Reports of bullying or other prohibited conduct are classified as private educational and/or personnel data and/or confidential investigative data and will not be disclosed except as permitted by law. The building report taker, in conjunction with the responsible authority, shall be responsible for keeping and regulating access to any report of bullying and the record of any resulting investigation. Submission of a good faith complaint or report of bullying or other prohibited conduct will not affect the complainant's or reporter's future employment, grades, work assignments, or educational or work environment.

The school district will respect the privacy of the complainant(s), the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the school district's obligation to investigate, take appropriate action, and comply with any legal disclosure obligations.

School District Action

Within three days of the receipt of a complaint or report of bullying or other prohibited conduct, the school district shall undertake or authorize an investigation by the building report taker, or a third party designated by the school district.

The building report taker or other appropriate school district officials may take immediate steps, at their discretion, to protect the target or victim of the bullying or other prohibited conduct, the complainant, the reporter, and students, or others, pending completion of an investigation of the bullying or other prohibited conduct, consistent with applicable law.

The alleged perpetrator of the bullying or other prohibited conduct shall be allowed the opportunity to present a defense during the investigation or prior to the imposition of discipline or other remedial responses.

Upon completion of an investigation that determines that bullying or other prohibited conduct has occurred, the school district will take appropriate action. Such action may include, but is not limited to, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. Disciplinary consequences will be sufficiently severe to try to deter violations and to appropriately discipline prohibited conduct. Remedial responses to the bullying or other prohibited conduct shall be tailored to the particular incident and nature of the conduct and shall take into account the factors specified in Section II.F. of this policy. School district action taken for violation of this policy will be consistent with the requirements of applicable collective bargaining agreements; applicable statutory authority, including the Minnesota Pupil Fair Dismissal Act; the student discipline policy and other applicable school district policies; and applicable regulations.

The school district is not authorized to disclose to a victim private educational or personnel data regarding an alleged perpetrator who is a student or employee of the school district. School officials will notify the parent(s) or guardian(s) of students who are targets of bullying or other prohibited conduct and the parent(s) or guardian(s) of alleged perpetrators of bullying or other prohibited conduct who have been involved in a reported and confirmed bullying incident of the remedial or disciplinary action taken, to the extent permitted by law.

Retaliation or Reprisal

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

Training and Education

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

The school district shall require ongoing professional development, consistent with Minn. Stat. § 122A.60, to build the skills of all school personnel who regularly interact with students to identify, prevent, and appropriately address bullying and other prohibited conduct. Such professional development includes, but is not limited to, the following: 1. Developmentally appropriate strategies both to prevent and to immediately and effectively intervene to stop prohibited conduct; 2. The complex dynamics affecting a perpetrator, target, and witnesses to prohibited conduct; 3. Research on prohibited conduct, including specific categories of students at risk for perpetrating or being the target or victim of bullying or other prohibited conduct in school; 4. The incidence and nature of cyberbullying; and 5. Internet safety and cyberbullying.

The school district annually will provide education and information to students regarding bullying, including information regarding this school district policy prohibiting bullying, the harmful effects of bullying, and other applicable initiatives to prevent bullying and other prohibited conduct.

The school district shall inform affected students and their parents of rights they may have under state and federal data practices laws to obtain access to data related to an incident and their right to contest the accuracy or completeness of the data. The school district may accomplish this requirement by inclusion of all or applicable parts of its protection and privacy of pupil records policy in the student handbook.

TRANSPORTATION SAFETY POLICY (BUS CONDUCT)

Due to the current Federal mandate, all riders on school buses must be masked including during and outside of school hours. Parents/Guardians and Students will be updated if this regulation changes.

Conduct on School Buses and Consequences for Misbehavior

Riding the school bus is a privilege, not a right. The school district's general student behavior rules are in effect for all students on school buses, including nonpublic and charter school students. The school district will not provide transportation for students whose transportation privileges have been revoked.

The school district is committed to transporting students in a safe and orderly manner. To accomplish this, student riders are expected to follow school district rules for waiting at a school bus stop and for riding on a school bus.

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While waiting for the bus or after being dropped off at a school bus stop, all students must comply with the following rules:

- Get to the bus stop five minutes before your scheduled pick-up time. The school bus driver will not wait for late students.
- Respect the property of others while waiting at the bus stop.
- Keep your arms, legs, and belongings to yourself.
- Use appropriate language.
- Stay away from the street, road, or highway when waiting for the bus.
- Wait until the bus stops before approaching the bus.
- After getting off the bus, move away from the bus.
- If you must cross the street, always cross in front of the bus where the driver can see you. Wait for the driver to signal to you before crossing the street.
- No fighting, harassment, intimidation, or horseplay.
- No use of alcohol, tobacco, or drugs.

While riding a school bus, all riders must comply with the following rules:

- Follow the driver's directions at all times.
- Remain seated facing forward while the bus is in motion.
- Talk quietly and use appropriate language.
- Keep all parts of your body inside the bus.
- Keep arms, legs, and belongings to yourself and out of the aisle.
- No fighting, harassment, intimidation, or horseplay.
- Do not throw any object.
- No eating, drinking, or use of alcohol, tobacco, or drugs.
- Do not bring any weapons or dangerous objects on the school bus.
- Do not damage the school bus.
- On activities and field trips snacks may be allowed by the supervising staff responsible for enforcing the cleanup and assuring that no trash will be left behind.
- On activity trips students are allowed to call home for rides but not to play games and do text messaging throughout the trip because of the reflections caused in the windows and mirrors.
- Do not sit in the last four seats of the bus unless assigned by the bus driver.

Consequences for school bus/bus stop misconduct will be imposed by the school district under administrative discipline procedures. All school bus/bus stop misconduct will be reported to the school district's transportation safety director. Serious misconduct may be reported to local law enforcement.

The consequences for school bus/bus stop misconduct will apply to all regular and late routes. Decisions regarding a student's ability to ride the bus in connection with co-curricular and extracurricular events (for example, field trips or competitions) will be in the sole discretion of the school district. Parents or guardians will be notified of any suspension of bus privileges.

Consequences for breaking bus and or bus stop rules include:

Verbal warning and reminder of rules by the bus driver and possible detention.

School Bus Incident Report to Parents written by the bus driver. This report outlines the behaviors of the students and the interventions taken by the drivers. The report is given to the school principal and then forwarded to the parents.

Suspension from riding the bus may be imposed if problems persist and or the severity of the student's conduct warrants a suspension. Students may be suspended for longer periods of time, including the remainder of the school year.

STUDENT USE AND PARKING OF MOTOR VEHICLES; PATROLS, INSPECTIONS AND SEARCHES

Parking a motor vehicle on school property during the school day is a privilege. Students that violate park and motor vehicle use policies may lose the privilege to park in the school lot.

Student Use of Motor Vehicles in School District Locations

Students generally are not permitted to use motor vehicles during the school day in any school district location. Students may use motor vehicles on the high school campus during the school day only under the following conditions:

1. There is an emergency and permission has been granted to the student by the School Administration to use a motor vehicle.
2. The student is driving to or from a Post Secondary class.
3. The student is involved in an off-campus construction class and has permission to drive.
4. The student is involved in a Services class and has permission to drive.
5. The student is involved in a work experience class and has permission to drive.
6. The student has a medical appointment and has permission to drive.
7. Students are not allowed to drive other non-familial students during the school day.

Student Parking of Motor Vehicles in School District Locations

Parking in a school district location is a privilege not a right. Students driving a motor vehicle to a high school campus may park the motor vehicle in the parking lot designated for student parking only. Students will not park vehicles in driveways, on private property, or in parking lots designated for use only by staff or by the general public. Students may lose their right to park on school grounds if they are acting in an unsafe manner.

All student vehicles must be registered each year in JMC. When there are unauthorized vehicles parked on school district property, school officials may:

1. move the vehicle or require the driver or other person in charge of the vehicle to move it off school district property; or
2. If unattended, provide for the removal of the vehicle, at the expense of the owner or operator, to the nearest convenient garage or other place of safety off school district property.

Patrols, Inspections, and Searches

School officials may conduct routine patrols of school district locations and routine inspections of the exteriors of the motor vehicles of students. In addition, the interiors of motor vehicles of students in school district locations may be searched when school officials have a reasonable suspicion that the search will uncover a violation of law and/or school policy or rule.

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

Weapons Prohibition

No person will possess, use, or distribute a weapon when in a school location except as provided in school district policy. A "weapon" means any object, device, or instrument designed as a weapon or through its use is capable of threatening or producing bodily harm or which may be used to inflict self-injury including, but not limited to, any firearm, whether loaded or unloaded; air guns; pellet guns; BB guns; all knives; blades; clubs; metal knuckles; num-chuks; throwing stars; explosives; fireworks; mace and other propellants; stun guns; ammunition; poisons; chains; arrows; and objects that have

been modified to serve as a weapon. A weapon also includes look-alike weapons. Appropriate discipline and action will be taken against any person who violates this policy. The school district does not allow the possession, use, or distribution of weapons by students. Discipline of students will include, at a minimum: immediate out-of-school suspension; confiscation of the weapon; immediate notification of police; parent or guardian notification; and recommendation to the superintendent of dismissal for a period of time not to exceed one year. The building principal shall, as soon as practicable, refer to the criminal justice or juvenile delinquency system, as appropriate, a student who brings a firearm to school unlawfully. A student who brings a firearm to school will be expelled for at least one year, subject to school district discretion on a case-by-case basis. For a copy of the "School Weapons" policy, contact the building principal.

Drug-Free School and Workplace

The possession and use of alcohol, controlled substances, and toxic substances are prohibited at school or in any other school location before, during, or after school hours. Paraphernalia associated with controlled substances also is prohibited. The school district will discipline or take appropriate action against anyone who violates this policy.

District policy is not violated when a person brings a controlled substance that has a currently accepted medical treatment use onto a school location for personal use if the person has a physician's prescription for the substance except marijuana is not allowed on school property even if prescribed. Students who have prescriptions must comply with the school district's "Student Medication" policy. The school district will provide an instructional program in every elementary and secondary school on chemical abuse and the prevention of chemical dependency.

Tobacco-Free Schools; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction

School district students and staff have the right to learn and work in an environment that is tobacco free. School policy is violated by any individual's use of tobacco, tobacco-related devices, or carrying or using activated electronic delivery devices in a public school, on school grounds, in any school-owned vehicles, or at any school events or activities. Students may not possess any type of tobacco, tobacco-related devices, or electronic delivery devices in a public school, on school grounds, in any school-owned vehicles, or at any school events or activities. Any student who violates this policy is subject to school district discipline. For detailed information on the school district's "Tobacco-Free Environment; Possession and Use of Tobacco, Tobacco-Related Devices, and Electronic Delivery Devices; Vaping Awareness and Prevention Instruction" policy. Contact the principal if you have questions or wish to report violations.

[Note: A limited exception to the tobacco prohibition exists for adult members of an Indian tribe, as defined under Minnesota law, who may light tobacco on school district property as a part of a traditional Indian spiritual or cultural ceremony.]

Health Information

First Aid

The nurse's office in each building is equipped to handle minor injuries requiring first aid. If the nurse's office is not open, assistance can be sought from the building's administrative office. If a student experiences a more serious medical emergency at school, 911 will be called and/or a parent/guardian will be contacted depending on the situation.

The district has installed automated external defibrillators (AEDs) in ***[insert location(s) here]***. Tampering with any AED is prohibited and may result in discipline.

Communicable Diseases

To protect other students from contagious illnesses, students infected with certain diseases are not allowed to come to school while contagious. If a parent or guardian suspects that his/her child has a communicable or contagious disease, the parent or guardian should contact the school nurse or principal so that other students who might have been exposed to the disease can be alerted.

Students with certain communicable diseases will not be excluded from attending school in their usual daily attendance settings as long as their health permits and their attendance does not create a significant risk of transmitting the illness to other students or school district employees. The school district will determine on a case-by-case basis whether a contagious student's attendance creates a significant risk of transmitting the illness to others.

Health Service

The student health office is staffed by a trained school nurse and support staff.

Students who become sick at school should report to their classroom teacher, come to the office, where the nurse will be consulted if available. The nurse or office staff will arrange for students who get sick at school to go home early.

A parent/guardian should notify the school if his/her child is unable to attend school because of illness.

Immunizations

All students must provide proof of immunization or submit appropriate documentation exempting them from such immunizations in order to enroll or remain enrolled. Students may be exempted from the immunization requirement when the immunization of the student is contraindicated for medical reasons; laboratory confirmation of adequate immunity exists; or due to the conscientiously held beliefs of the parents/guardians or student. The school district will maintain a file containing the immunization records for each student in attendance at the school district for at least five years after the student reaches the age of 18. For a copy of the immunization schedule or to obtain an exemption form or information, contact the school nurse.

STUDENT MEDICATION

It is generally recognized that some students may require medication for chronic or short-term illness or health conditions during school hours. This medication enables students to remain in school and participate in their education. Although the school believes that medication should be given outside of school hours whenever possible; the district will provide administration of medication for any student if the parent/legal guardian is willing to comply with requests for authorization and provision of information. The school district's licensed school nurse or other trained school employee will administer all medications in accordance with law and school district procedures. Self-administration of medication may be allowed if certain conditions are met.

The administration of prescription, complementary, and holistic medication or drugs at school requires a completed signed request from the student's parent and the student's physician or licensed prescriber before the medication will be given. 1. Licensed prescribers include physicians, advanced practice nurses (CNS, NP, CRNA, nurse midwives), Physician's Assistant under the direction of a physician, Dentist, Podiatrist, Osteopath, Psychiatrist.

The administration of over-the-counter medication requires a completed signed request from the student's parent. This form is required to be completed at the beginning of each school year. If the dosing requested by the parent exceeds package recommendations, then a signed request is also required from the student's physician or licensed prescriber.

A "Medication Authorization" form must be completed annually (once per school year) and/or when a change in the prescription or requirements for administration occurs, this includes discontinuation of a prescription medication.

Prescription medication must come to school in the original container labeled for the student by a pharmacist in accordance with law and must be administered in a manner consistent with the instructions on the label. Parents or guardians are responsible for their child's supply of medication.

Over the counter medications must be presented in their original container, with the student's name written on it. Baggies or other containers will not be accepted. The school district does not provide any medication for student or staff use.

The school nurse may request further information about the medication, if needed, prior to administration of the substance.

All student medications, prescription and non-prescription, are to be kept and administered with-in the office unless self-administered by the student, assigned to other district staff for administration, subject to exceptions listed in paragraph N 1-5, medications administered as noted in a written agreement between the school district and the parent or as specified in an IEP (individualized education program), Section 504 plan, or IHP (individual health plan). All medications, with the exception of approved Self-administered, will be stored securely in the Health Office of each building.

The school must be notified immediately by the parents in writing of any change in the student's prescription medication administration. A new medical authorization and container label with new pharmacy instructions shall be required immediately as well. I. For drugs or medicine used by children with a disability, administration may be as provided in the IEP, Section 504 plan or IHP. J. The licensed school nurse, or other designated person, shall be responsible for the filing of the "Medication Authorization" form. The licensed school nurse, or other designated person, shall be responsible for providing a copy of such form or information to the principal and to other personnel designated to administer the medication. Marijuana is not allowed on school property even if prescribed.

Planning for students with conditions that require medication on field trips during the school day will be done prior to the day of the field trip. It is the teacher's and parent/guardian's responsibility to inform the office in advance of a field trip. The teacher or trained school employee may carry and administer the medication on the field trip as necessary, following district procedure.

The Health Office will record and review any identified medication errors. The review of a medication error will be used to identify corrective steps that may need to be implemented to ensure medication safety for students.

Procedures for administration of drugs and medicine at school and school activities shall be developed in consultation with a school nurse, a licensed school nurse, or a public or private health organization (if appropriately contracted by the school district under Minn. Stat. § 123.35, subd. 17(2) or (3)).

Delegation of Medication administration may only be done by the LSN/RN/PHN. Delegation is a nursing function that is "transferring to a competent individual the authority to perform a selected nursing task in a selected situation. The nurse retains accountability for the delegation." (According to the National Council of State Boards of Nursing (1997).

Specific Exceptions: 1. Special health treatments and health functions such as catheterization, tracheostomy suctioning, and gastrostomy feedings do not constitute administration of drugs and medicine. 2. Drugs or medicine provided or administered by a public health agency to prevent or control an illness or a disease outbreak are not governed by this policy. 3. Drugs or medicines that are prescription asthma or reactive airway disease medications or emergency non-syringe epinephrine auto-injector pens can be self-administered by a student if: a. the Health Office has received a written authorization (completed Medication Authorization for Self-Administration form) from the student's parent and physician permitting the student to self-administer the medication; b. the medication is properly labeled for that student; and c. the parent has not requested school personnel to administer the medication to the student, except in emergency situations when the student is unable to self-administer. d. the student completes and signs the Self-Administration Contract. e. the licensed school nurse has met with the student and assessed their knowledge and skills to safely possess and use an asthma inhaler or Epi-pen in a school setting and completes and signs the Self Administration.

The parent must submit written authorization for the student to self-administer the medication each school year. The parent or guardian is responsible for maintaining the supply of asthma or reactive airway or Epi-pen medications. The school

district does not provide any medications. The school district may revoke a student's privilege to possess and self-administer these medications if the school district determines that the student is abusing the privilege.

Nonprescription Medication-secondary student. A secondary student (grades 6-12) may possess and use nonprescription non-steroidal pain relief in a manner consistent with the labeling, if the school district has received written authorization from the student's parent or guardian permitting the student to self-administer the medication. The parent or guardian must submit written authorization for the student to self-administer the medication each school year. The school district may revoke a student's privilege to possess and use nonprescription pain relievers if the school district determines that the student is abusing the privilege. This provision does not apply to the possession or use of any drug or product containing ephedrine or pseudoephedrine as its sole active ingredient or as one of its active ingredients.

Medications: a) that are used off school grounds; b) that are used in connection with athletics or extracurricular activities; or c) that are used in connection with activities that occur before or after the regular school day are not governed by this policy.

Accidents

All student injuries that occur at school, at school-sponsored activities, or on school transportation should be reported to the immediate supervisor, then the school nurse and principal. Parents/guardians of an injured student will be notified as soon as possible. If the student requires immediate medical attention, the principal or other district leader will call 911 or seek emergency medical treatment and then contact the parent(s).

C. STUDENT ACTIVITIES

School activities provide additional opportunities for students to pursue special interests that contribute to their physical, mental and emotional well-being. They are of secondary importance in relationship to the formal instructional program; however, they complement the instructional program in providing students with additional opportunities for growth and development.

1. Those students who participate in Minnesota State High School League (MSHSL) activities must also abide by the league rules. It shall be the responsibility of those employees who conduct MSHSL activities to familiarize students and parents with all applicable rules, penalties, and opportunities.

MSHSL Student Code of Responsibilities

As a student participating in my school's interscholastic activities, I understand and accept the following responsibilities:

1. *I will respect the rights and beliefs of others and will treat others with courtesy and consideration.*
2. *I will be fully responsible for my own actions and the consequences of my actions.*
3. *I will respect the property of others.*
4. *I will respect and obey the rules of my school and the laws of my community, state and country.*
5. *I will show respect to those who are responsible for enforcing the rules of my school and the laws of my community, state and country.*

A student ejected from a contest shall be ineligible for the next regularly scheduled game or meet at that level of competition and all other games or meets in the interim at any level of competition, for the first ejection. All subsequent ejections shall result in ineligibility for four (4) games or meets.

CODE OF RESPONSIBILITIES AND CONSEQUENCES

In order to be eligible for regular season and MSHSL tournament competition, a student must be fully enrolled as defined by the Minnesota Department of Education and a bona fide member of his or her high school in good standing. A student who is under penalty of exclusion, expulsion or suspension, whose character or conduct violates the Student Code of Responsibilities and is not in good standing, shall be ineligible for a period of time as determined by the principal.

Students agree to uphold the MSHSL code of responsibilities when signing up to participate in activities including sports and fine arts competitions.

Extra-Curricular Activity and Minnesota State High School League Academic Eligibility

Lewiston-Altura High School sets high expectations for student academic achievement. We offer a large array of Minnesota State High School League (MSHSL) activities and non-MSHSL opportunities for students to participate in beginning in grade 7 and going through grade 12 to support continued development of our students. All participants involved in activities are students first and activity participants second. Below is a list of current activity offerings that complement our educational course offerings. Students interested in an opportunity not listed on the charts below need to speak to the Activities Director about the possibility of adding new activities.

Class I MSHSL Activities

Fall	Winter	Spring
Boys Soccer	Boys Hockey	Baseball
Girls Soccer	Girls Hockey	Boys Golf
Boys Cross Country	Boys Basketball	Girls Golf
Girls Cross Country	Girls Basketball	Softball
Football	Dance (Jazz and High Kick)	Boys Track
Girls Volleyball	Wrestling	Girls Track

Class II MSHSL Activities

Fall	Winter	Spring
		Large Group Band
		Large Group Choir
		Small Group Band
		Small Group Choir

Non-MSHSL Activities

Fall	Winter	Spring
Fall Play	Junior High Play	Musical
Math League	Knowledge Bowl	
Year-round Activities: NHS, FFA, Student Council, HOSA, and Trap League		

MSHSL and LAHS Definitions of Eligibility

The Minnesota State High School League requires schools to demonstrate that as activity participants, “Students must be on track to meet the school’s graduation requirements in six years (12 consecutive semesters) beginning with the first day of attendance in the 7th grade.” (Bylaw 103.00) As a school, we believe it is important for all activity participants to meet academic criteria, not just those involved in MSHSL activities.

Lewiston-Altura High School will define on track to graduate for all MSHSL and Non-MSHSL activities in two ways: initial eligibility and continuing eligibility.

Initial Eligibility for all MSHSL and Non-MSHSL Activities (9th - 12th Only)

For 9th - 12th grade students to meet initial eligibility criteria, students must obtain minimum credit requirements to be on track to graduate. Graduation requirements will be reviewed prior to the start of each school year (all 9th grade students will be eligible for fall participation) and at the end of the first semester. The chart below provides a summary of initial eligibility criteria for activity participation based upon the board approved graduation requirements.

Class of 2025	Start of Year	End of 1 st Semester		Class of 2026	Start of Year	End of 1 st Semester
9th	0	2		9th	0	2
10th	6	10		10th	6	10
11th	14	18		11th	14	17.5
12th	22	25.5		12th	21	24.5

Class of 2027	Start of Year	End of 1 st Semester		Class of 2028 and Beyond	Start of Year	End of 1 st Semester
9th	0	2		9th	0	1.5
10th	6	9.5		10th	5	8.5
11th	13	16.5		11th	12	15.5
12th	20	23.5		12th	19	22.5

Students that fall below the credit requirements are not eligible to participate in an activity until they obtain the minimum credit requirement. Students who are not meeting eligibility criteria can become eligible through completion of credit recovery contracts by attending after school, during school or summer school credit recovery opportunities. Students that are behind on credits will not be allowed to practice, attend games, or participate in an activity in any capacity until they have reached the required number of credits for their grade and grading period.

*Note- MSHSL requires students to be enrolled no later than the 4th Monday of the start of the activity to be eligible to play in the post-season.

*Note – Students that do not meet minimum credit requirements will not be eligible to hold royalty positions for Homecoming, SnoBall, and/or Prom.

Continuing Eligibility- Class I MSHSL and Non-MSHSL Activities

Grades 9-12: Students in grades 9-12 that fail one or more classes at the quarter mark will serve a suspension from all activities. One week of suspension will occur for each F on the quarter report card related to a period class or two weeks for a block course. No suspension will exceed two weeks. Students are required to attend all practices and games for activities they are registered for during the suspension or attend credit recovery with their advisor's permission but are not allowed to practice or participate in competitions with the activity during the suspension. Suspensions from all Class I and Non-MSHSL will begin the first day of the new quarter and run for 7 consecutive calendar days per F, not to exceed 14 days of suspension. Students and advisors will be notified of suspensions on the first day of the new quarter after all grades have been posted.

Quarter 1 grades may impact participation in fall postseason participation and/or initial participation in winter sports.

Quarter 2 grades may impact winter activity participation.

Quarter 3 grades may impact winter activity participation and/or initial spring activity participation.

Quarter 4 grades may impact spring activity postseason participation and/or fall activity participation the next school year.

Grades 7 and 8: Students in grade 7 or 8 that fail one or more classes at the quarter mark will serve a one-week suspension from all activities. Students are required to attend all practices and games for activities they are registered for during the suspension but are not allowed to practice or participate in competitions with the activity during the suspension. Suspensions from all Class I and Non-MSHSL will begin the first day of the new quarter and run for 7 days consecutive calendar days. Students and advisors will be notified of suspensions on the first day of the new quarter after all grades have been posted.

Quarter 1 grades will impact participation in winter activities.

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Quarter 2 grades will impact participation in winter activities.

Quarter 3 grades will impact participation in spring activities.

Quarter 4 grades will impact participation in fall activities for students going into 8th grade.

*Note – Homeschool, parochial, PSEO and online students will need to verify their initial and continual eligibility with the activities director at appropriate intervals. PSEO students will need to provide current course grades for Quarter 1 and 3.

*Note – Students that submit completed credit recovery contracts from summer school will be eligible for activities through submission of contracts that would help them reach the required minimum credits. If the student does not earn a passing score on the contract, then they will become ineligible for participation.

*Note – Student transfer credits will need to be received and approved by the counselor or building administrator prior to determining eligibility.

*Note – Suspensions will only be applied as listed above. Students will not serve suspensions for the previous quarter at a later date than identified above.

CHEMICAL USE and ELIGIBILITY

Lewiston-Altura School District 857 recognizes chemical dependency as a treatable illness. This policy and any subsequent programs are designed to provide early identification, motivation and support. For the purpose of this policy, the district is concerned about harmful chemical involvement, which may affect the student's attendance, scholastic performances or personal health.

Voluntary utilization of appropriate counseling and treatment is encouraged. Implementation of this policy will be in such a manner that no student with chemical dependency problems will have his school status or scholastic opportunities affected by the diagnosis itself or by the student's request for treatment except as outlined by other governing agencies such as the Minnesota State High School League. All records shall be handled in the same confidential manner, as would other medical records.

BEHAVIORAL and CHEMICAL USAGE PENALTIES

Interscholastic Activities (Athletics): Includes all Lewiston-Altura activities that are classified as Category I Activities by the Minnesota State High School League.

Any student athlete of Lewiston-Altura Public Schools found to be in possession of or having consumed alcohol, illegal drugs or tobacco at any time during the year shall lose eligibility according to the following schedule:

1st Offense: 3 contests/events or 3 weeks, whichever is greater.

2nd Offense: 6 contests/events or 6 weeks, whichever is greater.

3rd Offense: After confirmation of the third and subsequent violations, the student shall lose eligibility in that sport for 1 calendar year. The principal may modify the period of ineligibility for students who become a participant in a treatment program.

Consecutive Penalties: Penalties shall be consecutive beginning with the student's first participation in a League activity and continuing through the student's high school career.

Non-Athletic and Fine Arts Activities: Includes activities sponsored by the Lewiston-Altura Schools which are not classified as "athletic" or Category I Activities but are governed by the Minnesota High School League.

Any student of Lewiston-Altura Public Schools found to be **in possession or having consumed** alcohol, illegal drugs, or tobacco at any time during the year shall lose eligibility according to the following schedule:

1st Offense: 1 performance/interscholastic activity or 3 weeks (whichever is greater)

2nd Offense: 2 performances/interscholastic activities or 6 weeks (whichever is greater)

3rd Offense: After confirmation of the third or subsequent violations, the student shall lose eligibility for 3 performances/interscholastic activities or 1 year (whichever is greater) the principal may modify the duration of the consequence for students who enter a treatment program.

An event will consist of a public performance or any activity that involves student participation with another school.

Consecutive Penalties: Penalties shall be consecutive beginning with the student's first participation in a League activity and continuing through the student's high school career.

Students Engaged in Athletic and Non-Athletic Activities

Students who have fulfilled the athletic penalty will also have fulfilled the non-athletic penalty. Students who fulfill the non-athletic penalty must also fulfill the appropriate loss of events as indicated in the athletic policy.

EXTRACURRICULAR TRANSPORTATION

Students participating in a school-sponsored event must ride to and from that activity in a school owned vehicle. The coach/advisor, activities director, principal, or the superintendent may grant exceptions for students wishing to ride home with a parent. A signed note from the parent is necessary for permission to be granted, and the parent must see the coach/advisor to notify the coach/advisor that the parent is present to take the student.

At least one coach or supervisor is required to travel to and from all athletic contests with the team. Exceptional situations must have the approval from the AD or Principal.

Regarding students driving to practice or transporting other students to practice:

1. Parents and participants are to be notified that the school provides transportation to and from practice and events.
2. Students driving to practice/event must have signed parent permission slips indicating the parents accept liability for any mishaps. The form will indicate the reason behind the need to drive as well permission will not extend beyond that season.
3. Students are only allowed to drive family members, within the scope of their license, to a practice with parent permission approved by the office prior to the travel. The school will request a copy of the student license along with the signed form from a parent indicating which family members the student will be transporting.
4. Students needing to ride home from a practice or event with another family (adult) need to have preapproval from the AD or Principal to do so. Students will not be allowed to ride home at the time of the event if pre-approval was not granted. Only the adult given the preapproval will be allowed to sign the student out from the event.
5. Students leaving an event must be signed out by an adult. Whenever possible, preapproval is preferred, so that coaches know who will be riding to and from events.
6. PSEO students attending off campus classes or with a class schedule conflict will be allowed to drive to practice or an event with parent permission. Preapproval is necessary for these events. Online courses that do not meet at set times will not be acceptable for reasons to drive to practice or events.

Student Guidelines for Extracurricular Transportation

1. Passengers are allowed to eat snacks or light meals, provided they limit distractions to others, agree to clean up any excess mess, and properly dispose of any trash when they exit the vehicle. A single violation can result in revocation of this privilege.

2. Use of mobile phones is allowed for the purpose of contacting family, adults, guardians who need to be informed about bus arrival and location issues before departing for home.

3. The bus driver has the authority to request a passenger discontinue the use of mobile phones and other devices, if and when the driver feels inappropriate use is being made, or it causes potentially hazardous safety issues for the driver. A single violation can result in revocation of this privilege.

FEES FOR ACTIVITIES PARTICIPATION

Individual Activity Fee: \$150 (includes sport and an activity in the same season)

Individual Activity Fee that Qualify for Free and Reduced: \$50 (includes sport and an activity in the same season)

Activity Fee Including Managers (new): \$50 (per season covers manager and any other activity other than a sport)

Activity Fee Including Managers that Qualify for Free and Reduced: \$25 (per season covers manager and any other activity than a sport)

Family Annual Maximum: \$600

These fees are for all after school activity programs. Fee reduction applications are available to families who qualify for free/reduced lunches. Applications are available at the high school office and online.

PARTICIPATION IN ACTIVITIES WHEN ILL or UNEXCUSED

Students are not allowed to practice or compete/perform in school activities if they are absent from any part of the student day due to illness. Exceptions may be made for unusual situations by the principal. Students are allowed to participate if they are absent for other excusable reasons. Students with unexcused absences are not allowed to participate in practices or events on the day of their absence.

Students should be in school whenever possible in order to participate in activities. Students who are unexcused absent from school for any reason or if parents do not call a student in with an excusable absence will be ineligible to participate in practices, games, and/or events.

Students are eligible for activities if they have an excusable absence from a parent, not including illness, provided by the parent the day of the absence or prior to an absence, such as a college visit or return from a vacation where vacation forms were completed.

WEDNESDAY PROCEDURES FOR ACTIVITIES

1. No student activities are to be held after 6:00 p.m. on Wednesdays. An exception to this is the dress rehearsal for each of the school plays. This is held only on the Wednesday preceding the public performance.
2. This District schedules no other events involving students after 6:00 p.m. on Wednesday unless necessitated by weather. The Minnesota High School League schedules some events on Wednesdays.
3. Students are allowed to miss Wednesday afternoon practices, without jeopardy to their position on the team, to attend religion classes that meet during the practice time.

EVENT FEES FOR SPECTATORS

All LAHS students with a gold card will be eligible to attend home and conference sporting events for free, not including playoffs.

Students - \$5 per event or \$30 pass per season

Senior - \$5 per event or one of the adult pass options

Adults \$7

Adult Passes \$60 for Fall and \$75 for winter

Adult Booster Club Member Passes \$50 for fall and \$50 for Winter

LEWISTON/ALTURA HIGH SCHOOL COACHES' AND ADVISORS' HANDBOOK

Draft August 12, 2024



Girls Basketball



LARP Cross Country



Volleyball



Boys Basketball



DANCE



TRACK & FIELD



Lewiston-Altura Baseball



Lewiston-Altura Softball



LA Golf

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PURPOSE OF THE HANDBOOK

The purpose of the District 857 Coaches and Advisors Handbook is to develop an awareness of the policies and procedures of the extra-curricular and co-curricular activities.

All coaches and advisors should familiarize themselves with the content of the handbook and carry out their responsibilities to ensure a positive working relationship within the extra-curricular and co-curricular activities program.

We are committed to education, of the complete student and we believe that a well-structured program will be beneficial to all concerned.

PHILOSOPHY

It is the basic educational philosophy of School District 857 to prepare our students to become productive, contributing citizens of our community and society. We believe that a comprehensive program of student activities is vital to the educational development of our students. The extra-curricular and co-curricular programs are a complete extension of this philosophy.

Within this context, it is the purpose of the school's Activities Program to foster and promote:

- A. Appropriate physical, social, intellectual and psychological development.
- B. The ideals of competition, teamwork, and sportsmanship while achieving the twin goals of success and participation.
- C. The development of self-confidence, self-discipline, organization, decision-making skills, and goal orientation.
- D. The concept of an integral relationship between a sound mind and a sound body leading to a lifetime appreciation for physical fitness and good health habits.
- E. A positive feeling of school loyalty and pride which can be shared by all participants, other students, parents, coaches and the community as a whole.
- F. The goal of interscholastic athletics is the development of self-esteem and a healthy self-concept, regardless of the role student's play on a team.
- G. The program is designed to allow for the individuals to participate at their level of readiness and be able to achieve satisfaction and enjoyment. The program shall promote fun, enjoyment, and opportunities for all students, and a strong emphasis on building of skills at all levels.

PROGRAM DESIGN

The following guidelines were developed to help students, parents, and coaches understand the objectives and guidelines of participation in athletic activities at each grade level.

A. Grade 7 & 8 Participation

1. Equal participation for equal effort.
2. Emphasis is on the fundamentals.
3. No cutting of interested players.
4. Team play is learned.

B. Grade 9 Teams

1. The program design at grade 9 will lend itself to interscholastic competition.
2. A major focus on participation will continue but equal playing time may or may not occur due to the type of positions played, number of players at that position and situational conditions.
3. The program will be designed to allow for individual differences in growth patterns. Each coach should be looking for the potential in each athlete.
4. The continued emphasis on skill development will be stressed with an introduction of more defined team concepts in all aspects of play.
5. This grade level indicates a need for coaches to communicate with athletes regarding areas for improvement and the possibility of other opportunities in the activities program.
6. The program design calls for a balance between participation and winning. The program will allow each athlete the opportunity to participate in practice and scheduled contests.
7. No cutting of interested players.

C. Junior Varsity Play

1. The program design in Junior Varsity will lend itself to interscholastic competition.
2. A major focus will be on competing to win but all considerations will be taken to play everyone that put forth 100 percent effort and dedication.
3. The program will be designed to allow for individual differences in growth patterns. Each coach should be looking for the potential in each athlete and help student to assume a role on the team.
4. The continued emphasis on skill development will be stressed with an introduction of more defined team concepts in all aspects of play.
5. This grade level indicates a need for coaches to communicate with athletes regarding areas for improvement.
6. No cutting of interested, participating players

D. Varsity Play

1. Varsity competition lends itself to an emphasis on winning. Although winning is a point of emphasis, the program should never promote winning at the expense of the rules governing play, good sportsmanship, or the welfare of the team.
2. Recognition of performance will be judged on the basis of improvement shown during the entire season.
3. Individuals should be making maximum contributions within the limits of their abilities.
4. The program continues to lend itself to participation through the establishment of well-designed junior varsity competition.
5. Our major focus continues on the teaching of basic fundamentals to further develop the skill level of each participant.
6. Tryouts will be allowed. The maximum number of participants allowed by the MSHSL rules during tournament time may determine the number of students that a coach will select. It is permissible for a coach to keep more than the maximum number during the regular season if that coach chooses to. If a student is not selected in a tryout at the beginning of the season the student will be reimbursed that season's sports fee. If a varsity coach chooses to reduce the team's roster the following will occur:
 - a. Tryout date(s) will be set by the varsity coach. Information making students aware of the tryouts needs to be posted.
 - b. Tryout information will be handed out and discussed at the preseason coach's/parent's meeting.
 - c. Tryout information will include an outline of the sport-specific skills to be observed and the grading manner that will be utilized.
 - d. Students that do not make the team will be notified privately. Students may request a meeting with the coach to get reasons why they did not make the team.

All coaches have the right to remove a student from the team if the student's attitude and actions are detrimental to the team.

PROFESSIONAL AND PERSONAL RELATIONSHIPS

Expectations of a Lewiston-Altura Coach

- A. Cooperates with the Director of Activities and building principal in regard to submitting participant lists, bus times, parent permission, and MSHSL health eligibility and health questionnaire, physical forms, year-end reports, program information relative to said sport, and coaching plan (goals) prior to the season.
- B. Follows policy in the activities handbook and meets all criteria as outlined in the job description.
- C. Provides training rules to team members in writing and follows due process procedures in dealing with infractions.

- D. Develops rapport within the activity staff, with other teachers, advisors, and administrators.
- E. Is appropriately dressed at practice and contests.
- F. Actively participates in in-service meetings and other activities to improve coaching/advising performance. Attends meetings necessary to the welfare of the Activities department.
- G. Develops sound public relations. Cooperates with media, booster clubs, parents and spectators.
- H. Understands and follows rules and regulations set forth by the Minnesota State High School League, School Board and Three Rivers Conference.
- I. Participates in the various awards programs, pep assemblies and letters to colleges regarding players.
- J. Maintains suitable sideline/bench conduct at contests toward players, officials, workers, and spectators.
- K. Supports school and district policies.
- L. Promotes all activities in the extra-curricular program attempting to bolster positive school spirit.
- M. Cooperates and communicates with parents during the entire year.
- N. Works to develop positive activities for youth in the community.
- O. Counsels students regarding activity, academic and personal concerns. Seeks additional assistance as may be needed or required.
- P. Anticipates problem areas and plans accordingly to facilitate administration of said activity.
- Q. Turns all end of year information that is needed to process for appropriate awards and certificates in to the Activities Director eight (8) days before awards and certificates are needed.

COACHING PERFORMANCE

Expectations of a Lewiston-Altura Coach

- A. Develops respect by example in appearance, manners, behavior, language and conduct during practice and contests.
- B. Provides proper supervision and administration of contest sites, practice sites, locker rooms, and team bus at both home and away settings.
- C. Is well versed and knowledgeable in matters pertaining to the activity.
- D. Establishes positive individual participant, team discipline and control.
- E. Develops a well-organized practice schedule, which utilizes any support staff (assistants, managers, trainer, etc.) to maximum potential.
- F. Establishes the fundamental philosophy, skills, and techniques to be taught by the staff.
- G. Holds periodic staff meetings to implement said philosophy, skills, and techniques.
- H. Works to develop integrity within the coaching staff and with fellow coaches and advisors.
- I. Is fair and understanding with team members, yet supports necessary rules and

- regulations.
- J. Is innovative in introducing new techniques and ideas to already proven methodologies.
 - K. Is prompt in meeting the team for practice and contests.
 - L. Shows an interest in participants as young adults in off-season activities and classroom efforts.
 - M. Provides and promotes leadership and attitudes that produce positive efforts by participants.
 - N. Knows the appropriate medical aspects of coaching the sport.
 - O. Delegates authority while maintaining accountability.
 - P. Is receptive to suggestions to improve the program
 - Q. Motivates students in a positive manner, emphasizing the value of competition, acceptable personal behavior, values and decision-making to each individual.
 - R. Utilizes technology (videotape, etc.) and provides instruction on proper care and use of same.
 - S. Utilizes practice time for both individual and team development.
 - T. Strives to bring individuals together to function as a team (where appropriate).

RELATED COACHING RESPONSIBILITIES

Expectations of a Lewiston-Altura Coach

- A. Demonstrates concern about the care, issuance, collection, inventory, repair, and storage of equipment.
- B. Is cooperative in the preparation of scheduling and officiating.
- C. Is cooperative in sharing facilities.
- D. Shows self-control and poise in areas relating to coaching responsibilities.
- E. Displays enthusiasm and exhibits an interest in coaching and advising.
- F. Keeps Director of Activities and/or Principal informed about unusual events or situations.
- G. Is cooperative in helping service clubs, booster clubs, municipal agencies and other organizations with projects, which relate to the activities program.

OBJECTIVES FOR COACHES

- A. To realize their responsibility to the total school program adhering to the objectives as stated by the total faculty.
- B. To recognize coaching as teaching in its truest form.
- C. To recognize winning as being important, but never at the expense of our total program, or the welfare of our student participants.
- D. To work towards a goal of improvement from the standpoint of the individual and the team during the course of the season.
- E. To give careful consideration to the physical condition of our participants at all times, including following up on injured students.
- F. To deal fairly with each student participants and be responsive to individual needs and concerns.

- G. To provide opportunities for each student participant to actively participate in practice sessions, whenever possible in game situations, and to strive for additional opportunities to participate through scrimmages, etc.
- H. To conduct oneself in the highest professional manner.
- I. To provide, through association, a positive role model for students.
- J. To recognize loyalty as a very important ingredient in the success of any program, and to be loyal to fellow coaches, teachers, the school, and the community.
- K. To recognize all programs as developmental activities for the individual and the team concept as well.
- L. Head coaches are responsible for the organization and implementation of their program at all levels.
- M. Regular meetings with assistants within your program are strongly recommended. It is important that head coaches and advisors, and their assistants work closely together sharing input and responsibilities. It is vital that the lines of communication be left open among all staff. This can be an important ingredient in solving problems.

PRE-SEASON

Make certain that each MSHSL participant has the following information on file in the Activities Director's office **prior to participating in practice:**

- A. A signed form that the participant has had a physical exam within the last 3 years. The form must be signed by a physician and is valid for 3 years from the date of the physical.
- B. A Minnesota State High School League eligibility/Parent Permit form, **signed by a parent or guardian and the athlete.**
- C. Any rules or regulations that a coach or advisor may impose beyond the MSHSL rules and regulations. Coaches must make sure that all participants in their program clearly understand any special rules that a coach establishes for his/her program. A copy of any special rules must be given to the Principal and the Activities Director for prior approval before implementation in any sports program.
- D. Head coaches or Advisors should inform the Director of Activities of all special site or facility needs including field markings, court markings, etc., at least two weeks in advance of first practice.
- E. Head coaches should meet with the Director before the first practice on all transportation needs for the squad during the season. This includes games, scrimmages, special trips, etc. Also, departure time should be decided during this time.
- F. Head coaches and the Director should meet before the season to determine needs and make all preparations for the season.
- G. Coaches are to have the emergency Medical Authorization Form for each participant available during practices and games and a copy is to be given to the high school secretary.

ROSTERS

Turn in final rosters to the Activities Director, of the participants competing in your activity, before the first week of practice is complete so that eligibility lists can be compiled and the payment of sports fees can be monitored. ***Be sure to make prompt notifications of participants that are to be added to these lists or those that are to be dropped from these rosters.***

PARTICIPATION FEES

- A. Participation fees are to be paid prior to competing in any interscholastic game excluding scrimmages. If there are extenuating circumstances involved, the Principal may waive this requirement.
- B. The Participation fee for the following activities will be \$150 per season for grades 7 through 12. Football, Volleyball, Soccer, Baseball, Basketball, Wrestling, Cross Country, Golf, Track, Softball, and Dance Line. The maximum sports fee per family will be \$600. These fees may be paid anytime prior to the first event participation and should be paid to the office. The office personnel will issue a receipt to verify payment.
- C. There may be a fee charged for the following activities: Band, Choir, FFA, FCCLA, Junior High Play, Knowledge Bowl, Musical, National Honor Society, Play 9-12, School Yearbook, Speech and Student Council.
- D. No student will be denied an opportunity to compete in activities because of financial hardship. Those students on free or reduced lunches may have their sports fee obligation lowered.

FUNDRAISING

All fund-raisers must have the permission of the Building Principal and Superintendent. A request must go to the superintendent for the final approval of any fund raising project. The appropriate form can be found on the Lewiston-Altura district website and must be submitted to the office or activities director. This permission also includes approaching the Booster Club. No fund-raising activity may begin without final approval.

CORRESPONDENCE

A copy of any Letter to be sent home should be given to the AD or Principal for Review.

EVALUATION OF A SPORT

All head coaches and advisors will be evaluated at the end of each athletic season by the activities director and high school principal. In return, all head coaches along with the Activities Director will evaluate those coaches (J.V., B-squad, and C-squad coaches) working with them. Furthermore, all coaches will submit to the activities director, completed inventory, team statistics, a list of supplies, equipment, and any additional requests needed for the following year.

CODE OF ETHICS

Minnesota State High School Coaches Association

As a Professional Educator:

A. I WILL

1. Strive to develop in each athlete the qualities of leadership, initiative, and good judgment.
2. Respect the integrity and personality of the individual athletes.
3. Encourage the integrity and personality of the individual athletes.
4. Seek to inculcate good health habits including the establishment of sound training rules.
5. Fulfill responsibilities to provide health services and an environment free of safety hazards.
6. Exemplify the highest moral character, behavior, and leadership.
7. Promote ethical relationships among coaches.
8. Encourage a respect for all athletes and their values.
9. Abide by the rules of the game in letter and spirit.
10. Respect the integrity and judgment of sports officials.
11. Display modesty in victory and graciousness in defeat.
12. Demonstrate a mastery of, and continuing interest in, coaching principles and techniques through professional improvement.

B. I WILL NOT

1. I will not approve commercialism, solicitation, subsidizing, or professionalism entering into high school activities.

C. Minnesota State High School League

1. All required MSHSL materials relating to student activities are available in the activities office and on the MSHSL web site.
2. No student participant will be allowed in practice until the participant meets all necessary requirements of the MSHSL.
3. All regulations of the MSHSL are available in the Director of Activities office. All head coaches are responsible for communicating information to the assistant.

NIGHT, WEEKEND, and MORNING PRACTICE

- A. All evening practices must conclude at 9:30 p.m. with all students out of the building by 9:45 p.m.
- B. No games or practices may be held on Sundays.
- C. Wednesday practices are to be done by 6:00 PM to enable students to participate in church related activities.
- D. Saturday practices may be scheduled sparingly.
- E. Morning practices before school may be scheduled after a discussion with the activities director.
- F. All practices must be scheduled in advance through the Activity Director.

PARENT MEETING

Coaches and advisors at all levels shall communicate clearly by verbal or written communication to athletes and parents the following information.

- A. Introduction of assistants.
- B. Squad selection process.
- C. Objectives of participation.
- D. Attendance requirements.
- E. Lettering requirements.
- F. MSHSL general rules, non-school competitions and training rules, and mood altering chemical rules.
- G. District 857 policies.
- H. Risk in sport and insurance waiver.
- I. Season schedule.
- J. Practice schedule, weather cancellation procedure.
- K. Complaint procedure.
- L. Informed consent materials.
- M. Local arrangements for lodging during inclement weather.

PRACTICE SCHEDULES

- A. Practice schedules will be drawn up by the varsity coaches or advisors and the Activities Director.
- B. When practices are held in the gymnasium prior to an evening athletic contest, the practice session must be completed with all equipment vacated 30 minutes prior to any start.

BUDGET

- A. The formation of, and adherence to, a budget is one of the main responsibilities of the Director of Activities. In most cases, no matter what method of finance is utilized, the Director is required to submit an itemized list of materials and services that will be required and their cost.
- B. The School District provides the major financial support for the activities program, which indicates that they believe athletics are equal in value to other phases of our educational program. If the program is well organized, diversified, and includes as many students as possible, the activities plan will be accepted by the community.
- C. The Director of Activities will submit the proposed budget to the administration.
- D. During budget developing time, the head coach will study the inventory with the Director of Activities.
- E. The head coach will then determine the sport's needs for the next season. All desired equipment and supplies are to be included in the coach's budget to be submitted to the Activities Director at the end of the conference season. Be sure

to include the following information:

1. Number of item needed.
 2. Size.
 3. Item.
 4. Manufacturer.
 5. Catalog number.
 6. Price.
- F. Annual budget procedures
1. Varsity Coaches submit budget requests for their sports to the Director of Activities.
 2. Director of Activities, after review, submits total activities budget request to the building principal.
 3. Send out bid sheets to sporting good dealers. This will be done by the Director of Activities.
 4. The Director of Activities will submit purchase requisitions to the high school principal.

INJURIES

- A. Any coach or advisor in charge of a given activity should take care of the injured participant to the best of that coach's ability for all participants who are injured during the activity and refer those persons to the proper medical attention.
- B. Local ambulance service will be at all varsity football games.
- C. The coach in charge of the activity must take the responsibility that a first aid kit will be available at all practice sessions and contests at all schools.
- D. Local ambulance service will be used to transport all injured athletes facing life-threatening situations to the hospital. (Call 911 immediately)
- E. Procedures to follow when a student is injured:
 1. Notify the parents of the injured immediately.
 - a. Parents should assume the responsibility of contacting the family physician for any injury.
 - b. Less serious injuries-have parents provide transportation for necessary medical attention.
 - c. In more serious injuries, not life threatening, get permission from parents to use the ambulance service.
 2. If parents are not available, use the following procedure:
 - a. Member of coaching staff accompanies the athlete to seek the necessary medical attention.
 - b. Serious injuries-call ambulance immediately.
 3. In both of the above-mentioned cases, continue to call parents to advise them of the situation.
 4. Handling athletic injuries
 - a. Make an immediate injury assessment to try to determine the severity of the injury and whether emergency help is needed.
 - b. If the injury is serious enough to require further medical assistance, the coach who is best qualified in first aid techniques should stay with the

- victim. Another coach or student should then be sent for help.
- c. Immediately notify a school administrator. If an administrator is not available, telephone 911 for ambulance assistance if the injury assessment calls for immediate medical assistance beyond what you are capable of providing. If the Principal, Activities Director, or Superintendent have not already been contacted, they should be called.
 - d. Please be aware of attempting to do more than you are qualified to do in the area of first aid treatment.
 - e. It is a good policy to have a list of parent's telephone numbers in the first aid kit to have available in an emergency.
 - f. Know where a working telephone is located.
 - g. A member of the coaching staff, designated by the Head Coach at the beginning of the season, should go to the hospital or doctor's office whenever possible, unless parents transport the athlete.
 - h. Notify parents of all noticeable injuries, illnesses, infections, and document communication. The parents should always make contact with the family physician.
 - i. When there is any question as to the seriousness or nature of injury, seek professional medical help immediately.
 - j. For all injuries that occur during any away game that would require professional medical help, the coach should do the following:
 - (1) Contact the parents.
 - (2) Secure the name and address of the attending physician.
 - (3) Secure the name and address of the hospital, if any is involved.
 - l. All coaches shall complete an injury report form on each student athlete injured during practice or during an athletic contest immediately following the injury. This form will be given to the Director of Activities.
 - m. Coaches should to contact the parents, regardless of the seriousness of the injury. Follow-up by the coach is mandatory.
 - n. The telephone numbers of the ambulance, police department, hospital and the local physicians must be posted above all telephones located nearest to the areas of activity.

INJURY INSURANCE PROTECTION

All athletes participating in the interscholastic athletic program in School District 857 must have insurance to cover injuries that might occur. The athlete must be protected by family policies or through the Student Insurance Program. All athletes must have on file in the athletic office the insurance waiver form before participation in a practice session or game.

MAINTENANCE OF FACILITIES AND GROUNDS

- A. All coaches are responsible for the care and maintenance of all athletic facilities including:
 1. Offices provided for coaches.
 2. Locker room areas.

3. Practice fields, courts, and rooms provided for practice sessions and squad meetings.
 4. Training rooms.
 5. Equipment rooms.
 6. Outdoor athletic fields, etc.
- B. All breakdowns and problems related to facility should be reported to the Director of Activities immediately.
 - C. The Director of Activities will be responsible to have necessary maintenance staff available, or on call, if we would experience an emergency breakdown of facilities during a scheduled interscholastic contest.
 - D. All other breakdowns should be reported immediately to the Director so arrangements can be made for repair.
 - E. Preseason "Work Orders" should be submitted to the Director of Activities before the start of each season for improvement of all facilities to be used. This form should be in writing and discussed with the Director, who in turn, will submit it to the Principal.
 - F. Our entire coaching staff will cooperate fully with the maintenance staff, recognizing that ultimate building and grounds maintenance responsibility rests with the custodial and maintenance staff.

LOCKER ROOM POLICIES

- A. At least one coach or teacher will be in the immediate vicinity of the locker room area at all times. Responsibility includes supervision and complete charge of this area. Coaches and teachers should demand a tidy locker room and the best conduct of our participants at all times.
- B. A tidy locker room will require each teacher-coach to teach all students to keep lockers neat and to take care of all school district as well as personal equipment. This is an essential part of a student's training.
- C. Insist that all students lock their lockers at all times when away from the locker room.
- D. Coaches-teachers are responsible for bulletin board material. Make certain all boards are meaningful and attractive.
- E. Clean speech is mandatory! No profanity, no loud or boisterous talking, and no scuffling is permitted at any time.
- F. Property and equipment must be respected - Do not mark, deface, or damage school property.
- G. Custodial staff will not open locker rooms under any circumstance, unless a coach is present to supervise activity.
- H. All locker rooms being used by visiting teams must be available at 6:00 p.m.
- I. The locker room is a focal point in athletics. It is very important that safety precautions and health measures are adhered to for the protection of students and coaches alike. Food and drink beverages are not allowed in the locker room. This needs to be enforced uniformly and not randomly by a few coaches while others look the other way.

- J. The coach or advisor will be the last one out of the locker room and should check to see that all players pick up any towels, equipment or other materials that were left on the floor. Check to see that lights are turned out and that the locker room is locked before leaving the locker room

INVENTORIES

Each coach or advisor should inventory his/her equipment and have it in storage within two weeks of the completion of his/her activity season. A copy of this inventory will be given to the Activities Director during the end-of-the-season conference.

EQUIPMENT

- A. All equipment and supplies will be issued by the head coach and designated manager.
- B. The head coach will be responsible to see that all equipment is numbered when received by the department at the start of the season.
- C. Failure to return the equipment by a student participant will result in charges being levied at replacement cost prices.
- D. The head coach or advisor must inform the Director of Activities of all equipment not returned within the end of the season inventory report.
- E. All participants receiving equipment will be responsible for the equipment issued.
- F. The head coach or advisor is responsible or the staff, to record the number of each article of equipment on the student record card. A duplicate record shall be completed and given to the Director of Activities.
- G. At the end of the season, when equipment is returned, each item must be checked against the player's equipment card by the head coach.
- H. The head coaches are responsible for the efficient management of equipment and supply rooms.
- I. Equipment is to be stored in the proper storage areas in a neat fashion.
- J. No school uniform or practice gear should be worn by a participant except at official practice sessions, scheduled contests, or game days at school.

EQUIPMENT ROOMS

Program objectives:

- A. Keep the storage areas for equipment locked at all times. Only coaches and physical education instructors should be in these areas unsupervised.
- B. Coaches should take pride in the appearance and condition of these equipment rooms. Coaches will assist in the task of keeping these rooms clean and neat during the entire year and not just at the beginning and end of their respective sports season. This will also apply to the "coaches room". We ask students to take pride in their work, so let's lead by example.

PURCHASING OF EQUIPMENT

All purchasing must be done through the Activities Director. All effort will be made to get the best equipment for the price. **Remember:** The office is insisting that any

emergency purchases must have a purchase order number. These may be obtained from the business office.

SUPERVISION OF WORKOUTS

Participants during the season shall not work out on school property without direct supervision of a coach. For liability reasons a coach must be in the area.

TEAM CONDUCT

All coaches/advisors should try and make sure that their participants conduct themselves in a positive manner home and away. Each coach/advisor should have some type of procedure that is set up to handle all types of disciplinary problems. This should be explained to the students verbally and in writing, at the start of each season.

NEWS MEDIA – PUBLICITY

- A. All coaches and advisors should make available to the press statistical information after each interscholastic contest.
- B. Coaches and advisors should call in all scores to local media and area news media requesting our score.
- C. News releases will be issued by Activities Department to promote interest in the interscholastic programs at Lewiston-Altura High School as appropriate.
- D. Meetings shall be conducted with the news media (radio - newspaper) prior to the opening of school each year to work out arrangements for the coming year.
- E. Coaches should be very guarded in all comments to the news media. Comments should be positive.

SCHEDULING

- A. All interscholastic schedules are drawn by the Three Rivers Conference. All non-conference scheduling will be scheduled around the Three Rivers established dates.
- B. All non-conference contests, within the limits of the MSHSL regulations, will be made on the recommendations of the Head Coach or advisors in a given activity.
- C. The Activities Director is responsible for scheduling, but does appreciate recommendations from coaches.
- D. Special consideration will be given to the following factors in scheduling non-conference contests, special meets, etc.:
 - 1. Distance traveled.
 - 2. Size of school.
 - 3. Cost of event.
 - 4. Established patterns of scheduling.
- E. Postponements - Any time there is to be a postponement or cancellation, the following procedure should be used:
 - 1. A conference between the principal and Director of Activities should determine if the contest or meet should be held.

2. All rescheduling of athletic events, postponed or canceled, must be made by the Director of Activities.

SCHOOL CANCELLATION OR EARLY DISMISSAL

- A. All practices and contests are automatically postponed.
- B. On days involving MSHSL events, the following procedures will be followed:
 1. The Section or MSHSL will be contacted and informed of our situation.
 2. If the contest at this level is not being postponed, an administrative decision will be made concerning our involvement in the event.
 3. All weather and road conditions will be reviewed and will be the basis of a decision.

TRANSPORTATION TO AND FROM SCHOOL SPONSORED EVENTS

Students participating in a school-sponsored event must ride to and from that activity in a school owned vehicle. The coach or director of the activity, the activities director, the principal, or the superintendent may grant exceptions for students wishing to ride home with a parent. A signed note from the parent is necessary for permission to be granted, and the parent must see the coach or director of the activity to notify the coach/director that the parent is present to take the student. Transportation for under varsity tournaments will not be offered and students are to find their own transportation to and from those events.

At least one coach or supervisor is required to travel to and from all athletic contests with the team. Exceptional situations must have the approval of the AD or Principal.

ELIGIBILITY LISTS

It is the responsibility of the AD and Principal to update eligibility lists and send them to the coaches. Coaches are to monitor the eligibility lists and make the appropriate adjustments.

ACADEMIC ELIGIBILITY

Students must be earning passing grades to be eligible to compete or perform in school extra curricular activities.

Extra-Curricular Activity and Minnesota State High School League Academic Eligibility

Lewiston-Altura High School sets high expectations for student academic achievement. We offer a large array of Minnesota State High School League (MSHSL) activities and Non-MSHSL opportunities for students to participate in beginning in grade 7 and going through grade 12 to support continued development of our students. All participants involved in activities are students first and activity participants second. Below is a list of current activity offerings that complement our educational course offerings. Students interested in an opportunity not listed on the charts below need to speak to the Activities Director about possibility of adding new activities.

Class I MSHSL Activities

Fall	Winter	Spring
Boys Soccer	Boys Hockey	Baseball
Girls Soccer	Girls Hockey	Boys Golf
Boys Cross Country	Boys Basketball	Girls Golf
Girls Cross Country	Girls Basketball	Softball
Football	Dance (Jazz and High Kick)	Boys Track
Girls Volleyball	Wrestling	Girls Track

Class II MSHSL Activities

Fall	Winter	Spring
		Large Group Band
		Large Group Choir
		Small Group Band
		Small Group Choir

Non-MSHSL Activities

Fall	Winter	Spring
Fall Play	Junior High Play	Musical
Math League	Knowledge Bowl	
Year round Activities: NHS, FFA, Student Council, HOSA, and Trap League		

MSHSL and LAHS Definitions of Eligibility

The Minnesota State High School League requires schools to demonstrate that as activity participants, “Students must be on track to meet the school’s graduation requirements in six years (12 consecutive semesters) beginning with the first day of attendance in the 7th grade.” (Bylaw 103.00) As a school, we believe it is important for all activity participants to be meeting academic criteria, not just those involved in MSHSL activities.

Lewiston-Altura High School will define on track to graduate for all MSHSL and Non-MSHSL activities in two ways: initial eligibility and continuing eligibility.

Initial Eligibility for all MSHSL and Non-MSHSL Activities (9th - 12th Only) - (Since the policy will be new for the 2021-22 school year, the first period of ineligibility will occur at the end of 1st semester of the 2021-22 school year.)

For 9th - 12th grade students to meet initial eligibility criteria, students must obtain minimum credit requirements to be on track to graduate. Graduation requirements will be reviewed prior to the start of each school year (all 9th grade students will be eligible for fall participation) and at the end of first semester. The chart below provides a summary of initial eligibility criteria for activity participation based upon the board approved graduation requirement of 30 credits.

	Credits to Begin the Year	Credits after First Semester
9th	0	2
10th	6	10
11th	14	18
12th	22	26

Students that fall below the credit requirements are not eligible to participate in an activity until they obtain the minimum credit requirement. Students who are not meeting eligibility criteria can become eligible through completion of credit recovery contracts by attending after school, during school or summer school credit recovery opportunities. Students that are behind on credits will not be allowed to practice, attend games, or participate in an activity in any capacity until they have reached the required number of credits for their grade and grading period.

*Note- MSHSL requires students to be enrolled no later than the 4th Monday of the start of the activity to be eligible to play in the post-season.

*Note – Students that do not meet minimum credit requirements will not be eligible to hold royalty positions for Homecoming, SnoBall, and/or Prom.

Continuing Eligibility- Class I MSHSL and Non-MSHSL Activities (Since the policy will be new for the 2021-22 school year, the first period of suspension will occur at the end of the 1st quarter of the 2021-22 school year.)

Grades 9-12: Students in grades 9-12 that fail one or more classes at the quarter mark will serve a suspension from all activities. One week of suspension will occur for each F on the quarter report card related to a period class or two weeks for a block course. No suspension will exceed two weeks. Students are required to attend all practices and games for activities they are registered for during the suspension or attend credit recovery with their advisor’s permission, but are not allowed to practice or participate in competitions with the activity during the suspension. Suspensions from all Class I and Non-MSHSL will begin the first day of the new quarter and run for 7 consecutive calendar days per F, not to exceed 14 days of suspension. Students and advisors will be notified of suspensions on the first day of the new quarter after all grades have been posted.

Quarter 1 grades may impact participation in fall postseason participation and/or initial participation in winter sports.

Quarter 2 grades may impact winter activity participation.

Quarter 3 grades may impact winter activity participation and/or initial spring activity participation.

Quarter 4 grades may impact spring activity postseason participation and/or fall activity participation the next school year.

Grades 7 and 8: Students in grade 7 or 8 that fail one or more classes at the quarter mark will serve a one week suspension from all activities. Students are required to attend all practices and games for activities they are registered for during the suspension, but are not allowed to practice or participate in competitions with the activity during the suspension. Suspensions from all Class I and Non-MSHSL will begin the first day of the new quarter and run for 7 days consecutive calendar days. Students and advisors will be notified of suspensions on the first day of the new quarter after all grades have been posted.

Quarter 1 grades will impact participation in winter activities.

Quarter 2 grades will impact participation in winter activities.

Quarter 3 grades will impact participation in spring activities.

Quarter 4 grades will impact participation in fall activities for students going into 8th grade.

*Note – Homeschool, parochial, PSEO and online students will need to verify their initial and continual eligibility with the activities director at the appropriate intervals. PSEO students will need to provide current course grades for Quarter 1 and 3.

*Note – Students that submit completed credit recovery contracts from summer school will be eligible for activities through submission of contracts that would help them reach the required minimum credits. If the student does not earn a passing score on the contract, then they will become ineligible for participation.

*Note – Student transfer credits will need to be received and approved by the counselor or building administrator prior to determining eligibility.

*Note – Suspensions will only be applied as listed above. Students will not serve suspensions for previous quarter at a later date than identified above.

SUPERVISION

The coach must supervise his/her athletes at all times. If he/she is to be gone on a date when a practice or event is to be held, he/she must make arrangements with the Activities Director and Principal to cover his/her responsibilities. It is also required for the coaches/supervisors on arriving home from an event to have at least one supervisor/coach stay and supervise until the last child has gone. This does not apply if there is another contest going on in the building and a child chooses to stay and watch that contest/game. It is also reasonable for a supervisor/coach to assume that a child will be picked up in a timely manner. If a child repeatedly causes a supervisor/ coach to wait unduly, steps may be taken to have that child only play in home events.

OUT OF TOWN TRIPS

- A. Participants should be neatly dressed and coaches should monitor the clothes of the athlete.
- B. Check the locker room or facility that you use prior to your participants using the

facility to assess any damage that may exist prior to your use. Be the last one to depart the room at the end of the event and once again do an assessment of conditions to determine if anything was damaged. Leave the room as clean or cleaner than when you first entered it.

- C. Check the bus you are using before your participants board it and be sure to check the interior prior to leaving the bus. It is not the bus driver's job to clean up a mess made by participants using the bus for a trip.

CLINICS

All extra curricular activities coaches, directors, and advisors may attend clinics in the activity they coach, direct, or advise. Each activity may be allocated up to \$300 for clinic expenses except for football, volleyball, boys' basketball, and girls' basketball, which will be allotted up to \$400 for clinic expenses. Each activity will be granted two professional days to be used throughout the program. Requests to attend clinics must be submitted to the employee's building principal. Upon the principal's approval of hiring a substitute, the building principal will forward the request to the High School Staff Development Committee for approval of the financial request. If a substitute is hired, the funds will be taken from the High School Staff Development budget.

REIMBURSEMENT

Receipts are to be provided whenever reimbursement is requested. Forms are available from the office for this procedure. All requests must receive administrative pre-approval.

RECORDS

Season records, statistics, and special awards are to be turned into the Activities Director and to the supervisor of the school annual by coaches and advisors upon completion of his/her season. Please make this information easy to understand and neatly compiled.

PARENTS NIGHTS

Coaches are to have parents' nights for their sports. A form letter should be used to notify parents of this special night. Coaches should develop scripts for introductions.

COACHES LETTERING POLICIES

- A. Coaches may establish their own lettering policy. However, a copy of this policy must be provided to the Activities Director for approval.
- B. A copy of the coaches lettering policy must be on file in the Athletic Director's office.
- C. All participants will receive a copy of the policies prior to the beginning of the season.
- D. Examples of lettering policies that may be used: Athletic Awards Policy
 - 1. Varsity Letter Requirements: The varsity award shall be presented to an athlete who satisfied the participation requirements as listed below, completes all team obligations, and receives the recommendation of the coach. (The coach may recommend a waiver of these requirements under an unusual circumstance.)

- a. Specific sport requirements
 - (1) Baseball/softball:
 - a) Play in one half of all innings played.
 - b) Pinch hit or pinch run in three-fourths of the games played.
 - c) Pitch in four starts or six game appearances.
 - (2) Basketball: (boys/girls) participate in fifty percent of regular season games.
 - (3) Cross Country: (boys/girls) place seventh or better in one-half of the dual meets or in the top 10 in conference meet or top 15 in regional or state.
 - (4) Football: participate in fifty percent of quarters played or play a specialist position, e.g., punter, kick-off squad, return man, extra-punt kicker in fifty percent of regular season contests.
 - (5) Golf: (boys/girls) participate on the varsity team in at least fifty percent of the matches.
 - (6) Track: (boys/girls)
 - a) Earn a total of 20 points.
 - b) One participation point for finishing in top four in a meet plus actual points won in a meet. Points will be tripled in large meets with eight or more teams.
 - (7) Volleyball: participation in fifty percent of scheduled games.
 - (8) Wrestling: participation in fifty percent of matches or earn 50 wrestling points: fall-6; technical fall-5; decision-3,4.
 - a) Season is defined as that period of time from the first practice to the awards program.
 - b) Manager's award will parallel the regular awards system if they manage for the entire season.
 - c) Statistician award: Satisfactorily compile statistics for the entire season.
- b. Criteria That Pertain to All Sports
 - (1) An athlete who moves from one level of competition to another will letter at the level of the highest competition provided the athlete has met combined requirements.
 - (2) A coach will have the prerogative to letter a senior who has not met the seasonal requirements for lettering.
 - (3) Injury Rule: Any athlete who is a starter or plays regularly and was thereafter injured may be awarded a letter, if in the coach's judgment; he would have met the lettering requirements.
 - (4) In a sport where state tournament play is sponsored, athletes may letter if they have become a starter and play 75% percent of the quarters, innings, matches, or score team points in individual competition in tournament play regardless of other lettering criteria.
 - (5) Complete the season in good standing with the school and coach.

- c. Varsity awards
 - (1) 1st-year award: Chenille award letter with gold pin with insert signifying the sport and certificate. (Note: Should the athlete letter in another sport, he/she will not receive a second chenille letter.)
 - (2) A service bar is given the second and each succeeding time an athlete serves as a captain in a varsity sport.
 - (3) A captain insert is awarded each time an athlete serves as a captain in a varsity sport.
 - (4) A non-letter certificate or participation certificate is awarded to each participant in a sport who does not qualify for a letter award.
 - (5) A senior letter award is given to each senior that has lettered in a varsity sport during his/her career.
- d. Senior Award: All senior athletes will receive a senior athletic award certificate showing the varsity letter he or she has earned during their career at Lewiston Altura high School.
- e. Lewiston-Altura High School Outstanding Student Athlete Award
 - (1) Any student who meets the following criteria will receive this award.
 - a) Senior,
 - b) High School Grade Point Average of 3.0 or higher,
 - c) Earned 4 letters in at least 2 sport,
 - d) Named All Conference in at least on sport,
 - e) Had no Hhgh School League Rule Violations, and
 - f) Demonstrated outstanding leadership and citizenship.

AWARDS BANQUETS

Head coaches are responsible for organizing awards banquets for their athletes. They set up the format for such a function and submit it to the Activities Director. Again, a form letter to notify parents should be sent out to all parents by the coaches to all parents.

- A. Each coach is responsible for determining awards received by athletes in his/her program. The criteria for these awards should be pre-determined in advance of the season. A copy of these criteria should be filed with the Athletic Director.
- B. The school has a policy for special awards that limit the amount spent for an individual award to \$20. The total amount spent per sport per season may not exceed \$150. The awards cost will come out of the activities supply budget
- C. Awards such as chenille letters, letter award certificates, participation certificates, and metal inserts are available through the Activities Director.

PARENT PASSES

Passes are available for purchase at the high school office.

STATE TOURNAMENT ATTENDANCE

Head Coaches and Assistants will be able to observe the state tournament in their sport. The Head Coach will be able to use one professional day; Assistant Coaches will be able to use personal leave. The school will not reimburse for room, board, or transportation.

TOURNAMENT MEALS AND LODGING

- A. No lodging expense will be provided below the state level of competition unless cleared by the Superintendent in advance.
- B. Meals will be provided at the state level of competition. The rate of \$30 for each day of competition.
- C. Coaches who are attending the state tournament, but do not have someone participating in their field that they coach will not have their ticket reimbursed or meal money reimbursed.

FACILITIES

- A. Suggestions for improvement of facilities should be made in writing to the Director of Activities. These recommendations will be discussed with the coach or taken before the Council Coaches and then submitted to the building principal.
- B. The Director to the building principal before each sport season will submit Work orders. Coaches and advisors should turn their requests in to the Director at least one month before the opening of the sport season.
 - 1. Activities assigned to practice and game facilities involving the elementary building will secure all necessary keys from the building principal.
- C. Keys will be issued each coach at the start of the sport season for the athletic facilities, and should be returned to the Director of Activities at the conclusion of the school year.
- D. "Open gym time" requests are to be scheduled through Community Ed
- E. Weight Room
 - 1. Program Objectives:
 - a. To properly utilize a weight training facility in the best interest of all students.
 - b. To provide adequate coaching technique in weight training.
 - c. To provide program alternatives for achieving specific results.
 - d. To insure that the proper safety measures is being employed during all training sessions.
 - e. To provide responsibility in the proper care of equipment.
 - f. To allow for weight training consultation for all athletic squads and physical education instructors.
 - g. To make available opportunities for students to enjoy the benefits derived from a sound weight-training program on a year-round basis.
 - h. To attempt to reduce sport connected injuries through well-developed conditioning.
 - i. To present a program for self-improvement that is open to all students regardless of athletic affiliation.
 - 2. Weight Room Rules:
 - a. Shirt and shoes are required at all times.
 - b. NOBODY in the weight room alone.
 - c. All students must be under the supervision or instructor

- d. Lifters must work with a partner.
 - e. Replace all weights on racks immediately following use. Know your limits!!! Work with the instructor in determining your limits
 - f. Do the lifts CORRECTLY. It is better to use lighter weights for correct lifting than heavier weights and run the risk of injury.
 - g. Warm-up with proper stretching exercises.
 - h. Remember strength training is not only a supplement to other athletic programs, but also a highly skilled activity itself.
- F. Gymnasium - All students are requested to stay off the gymnasium floor with any type of street shoes. This rule must be enforced by all physical education teachers and activities coaches. Exceptions will be assemblies and dances.
- G. Use of facilities - Request for use of school facilities by outside groups must be made through the office of the Director of Activities.
- H. All athletic facilities will be scheduled on request of the coach by the Director.
- 1. A facilities schedule will be kept by the Director.
 - 2. Head coaches and advisors in each sport season will meet with the Director prior to the season for the purpose of scheduling facilities.
- I. The Director of Activities is responsible to schedule the use of district facilities by district-associated groups, non-district associated groups, and other community groups in cooperation with building designees. This responsibility includes activities outside the regular school days.
- J. Recognizing the demand for usage of specialized athletic facilities, the following priority list has been established.
- 1. District student associated groups.
 - a. Scheduled academic activities.
 - b. Scheduled activities contests and performances.
 - c. Scheduled athletic practices.
 - d. Scheduled school related activities and recognized school groups.
 - 2. District associated adult groups.
 - a. Scheduled Community Education activities
 - b. Athletic boosters, band boosters, PTA's, etc.
 - 3. Non-district student groups with reciprocal agreements.
 - 4. District employee associated groups
 - a. District 857 approved "wellness" program activities
 - b. Employee requested "wellness" opportunities
 - 5. Other educational institutions in the community
 - 6. School athletic facilities will be available to other community groups during evening and other times when the activities listed in Categories 1-5 will not be hindered.

MIDDLE SCHOOL ATHLETIC PARTICIPATION REQUIREMENTS FOR PARTICIPATING IN VARSITY ATHLETICS

If a 7th or 8th grade athlete can contribute at the varsity level. The coach, parent, and athletic director must have a meeting prior to the athletic contest. Parents must give written statement that the student can participate at the varsity level.

PROGRAM DESIGN

The head coach shall be responsible to develop a system of responsibility in the activity he/she is directly responsible to within the activities department.

- A. Philosophy and objective of the program.
- B. Staff responsibilities.
- C. Recommendations.
- D. For development of feeder system.

SCRIMMAGES

- A. Scrimmage (inter-school) are arranged by the head coach with the approval of the Director of Activities.
- B. Scrimmages are to be scheduled with no loss of school time.
- C. All scrimmages must be approved by the Director of Activities and be included within the approved activities budget for the year.
- D. Junior varsity, sophomore, and grade nine scrimmages can be arranged (inter-school) if it involves no added expense.
- E. MSHSL regulations concerning scrimmages must be followed by all coaches conducting inter-school scrimmages.

SPECIAL PUBLICITY PROMOTION

- A. Staff members of the activities department will be encouraged to meet the public by giving speeches, etc., explaining our program.
- B. Special clinics designed for young participants in Lewiston-Altura will be encouraged by all head coaches.
- C. Coaches should give full cooperation to all members of the news media.

STUDENT MANAGERS

- A. Student managers are responsible to the head coach in each activity.
- B. Head coaches should supervise, managers, and work out a plan for efficient service.
- C. Managers are subject to the same eligibility and scholastic rules as members of the team they manage.
- D. Coaches should be highly selective in appointing student managers.

SUPERVISION OF PRACTICE SESSIONS

Coaches or advisors must be present at all practice and workout sessions. No participant is to be given permission to use any facilities, unless a coach or advisor is present at all times.

THREE RIVERS CONFERENCE POLICY

A Three Rivers Conference policy handbook will be provided for all coaches. It is very important to read this handbook and be aware of any conference modifications of rules

pertaining to your sport.

RULES AND REGULATIONS

- A. All Three Rivers Conference and M. S. H. S. L. rules will govern the interscholastic athletic program.
- B. All coaches must keep abreast of rule changes.
- C. All coaches are required to attend MSHSL Rules Interpretation meetings.

STUDENT ABSENCE

Students who are absent for any part of the school day must present an excusable reason for missing school or they will not be allowed to practice that day or participate in the extra curricular activity that day.

- A. Students who are absent for any part of the school day due to illness may or may not be allowed to play or practice in extracurricular activities. This decision to not allow student to participate will be based on case-by-case situational occurrence.

TEAM ROSTERS

Each coach should turn in to the Director of Activities a list of all squad members (alphabetical order) with the following information:

- A. Name.
- B. Year in School.
- C. Position.
- D. Captain.
- E. Letter Winners Designated.
- F. Uniform number. Include support personnel such as manager, etc.

END OF SEASON REQUIREMENTS

Inventory:

- A. An itemized inventory of the equipment and supplies on hand, together with the condition of each, is the responsibility of the Activities Advisor and head coach for each interscholastic sport.
- B. This inventory should be taken at the conclusion of each season..
- C. The head coach, with the Director of Activities, will examine end-of-season inventory to determine what items need to be repaired or replaced and what new equipment and supplies need to be purchased.
- D. Inventory forms are available in the Director's Office.
- E. Store all equipment in the areas assigned by the Director.
- F. Assess and collect the necessary fines (lost items) and file a list with the Activities Director.
- G. Compile and submit to the Director an initial equipment needs list.
- H. Compile statistics for all contests as many as may be appropriate. The summary should include wins and losses, number of participants, outstanding accomplishments, and recommendations for next year.

- I. Coaches will not be paid their remaining coaches salary until inventory is collected.

END OF SPORT SEASON EVALUATION

- A. The head coach at the high school level will conduct a meeting of all coaches, supervisors, etc., in the sport in grades 7-12 to assess the program at the conclusion of the season.
- B. The head coach of each interscholastic sport and the Director of Activities will evaluate the entire athletic program for that sport at the conclusion of the season.
- C. Recommendations, etc. will be made in written form to be on file in the Director's office and presented to the administration by the Director at the appropriate time.
- D. An invitation to attend these meetings shall be given to the Director of Activities.
- E. If a head coach steps away from a program, all positions in the program shall open for new hire. All previous coaches are encouraged to apply, but the new head coach will have final approval, with activities director, on who is hired back where.

PRINTED FORMS

All requests for printed forms relating to the interscholastic athletic program should be given to the Director of Activities at least four weeks in advance of the date needed.

PROBLEMS THAT OCCUR

Any problems related to athletics should immediately be drawn to the attention of the Director of Activities. Head coaches and advisors should attempt to handle all problems within their own department.

RELEASE FROM CLASS

- A. All interscholastic athletic contests should be scheduled so that students miss a minimum number of classes for travel to the "away" games.
- B. Head coaches and Advisors should make arrangements with the Director of Activities to have students excused from class when absolutely necessary because of travel requirements.
- C. Lists must be submitted and approved by the principal one day in advance of the scheduled event.
- D. It is the responsibility of the participant to see his teacher the day before the class he is to miss because of an activities contest. All work shall be made up at the convenience of the teacher. Students are encouraged to attend the class at another hour on the same day they are to miss the class, if possible, and if it is convenient for the teacher.
- E. All coaches shall submit 3 days in advance a list of all squad members, managers, etc., to be excused.

REPAIR

Coaches and advisors receiving athletic equipment that has been repaired must keep

invoices, packing slips, etc. These should be given to the Director of Activities immediately.

VACATION PRACTICE SESSIONS

Vacation practice schedules must be submitted in writing to the Director of Activities and principal. This should be done two weeks in advance of the vacation period for approval, allowing families to plan accordingly.

VIDEO TAPE MACHINE

A coach desiring use of this machine should present to the media office a master schedule, listing all practice and game/meet contests to be video taped.

ELIGIBILITY OF ELEMENTARY STUDENTS

Students enrolled at the elementary school (grade K-6) are ineligible to compete on all JH and higher level teams.

Report to the School Board

August 12, 2024

By Elementary School Principal Dave Riebel

Strategic Priority 1: Student Success

- Summer School

Lewiston-Altura Elementary students who qualify for reading, writing and math enrichment classes are invited to attend skill building classes for three weeks in the summer. These core courses are designed to address age appropriate skills and work to avoid the “summer slide” of skills. This year’s Title 1 summer school classes and activities were built around the theme of “A Bug’s Life”. Thank you to Ms. Ostrander for her coordination and teaching of the program and to Ms. Heftman, Ms. Starks, Ms. Mehling, Ms. Gasca, and subs Ms. Scheck and Ms. Zezulka for teaching these summer programs. Also, thanks to Mr. Weninger for his coordination and teaching of our Extended School Year special education courses.

- Summer Library

A thank you to Ms. Manley and various staff members for providing summer library hours on six Wednesday dates in June, July and August. Kids and families were able to have free book check out as well as story time and activities to accomplish on their visit.

Strategic Priority 2: Effective Staffing

- Elementary School staffing:

The 2024-2025 school year comes with some changes for fourth and fifth grade classroom teachers. We wish Ms Sula and Mr. Gowlland all the best in their new teaching roles in other districts. We send a warm welcome to Ms. Kiley Puetz to our Elementary School teaching family as our new 5th grade teacher. The following table highlights the classroom teachers.

Preschool	Kindergarten	First	Second	Third	Fourth	Fifth
Courtney Fricke	Marcia O’Duggan	Ginny Reszka	Kate Falkowski	Maddie Gasca Hernandez	Liza Kennedy	Mike Buringa
Tina Sand	Suzanne Pilger	Jane Weaver	Deb Heftman	Scott Schmaltz		Kiley Puetz

We also welcome some new faces to our Elementary support staff. Amy O’Loughlin and Rebecca Scharmer will be providing the district speech services. We also welcome Breanna Hahn to our Elementary School paraprofessional staff. Linda Leibfried has moved from the elementary school office and now is our Cardinal Club coordinator. We welcome Victoria Schrempf to join our office staff.

Strategic Priority 3: Finance

No report this month.

Strategic Priority 4: Facilities

- Summer Cleaning

A huge shout out of thanks to the Dashir custodial crew for their efforts in cleaning and refurbishing our building and grounds. The entire building undergoes a cleaning process prior to the start of summer school so that we are ready for the new school year.

Strategic Priority 5: Community Engagement

- School Community Evening at the Crossings Center

We look forward to celebrating the start of a great school year with all staff, students and families at the Crossings Center on Wednesday, August 28. The P.L.A.Y. group has plans for to have a table for families to check in and get set for the year with Cardinal gear.

- Annual Meet and Greet Conferences

Similar to previous years, Elementary School families will utilize the first two days of school to participate in a scheduled Family and Teacher conference. Families will be able to meet teachers, drop of school supplies, fill out paperwork, set up accounts and build on the excitement of the new school year. These days are scheduled for Sept. 3rd-4th, with the first day of in-person school for PK-5 on Sept. 5th.



Independent School Dist. No. 857
100 County Road 25
Lewiston, MN 55952
(507) 523-2191

Gwen Carman, Superintendent
Dave Riebel, PreK-5 Elementary Principal
Cory Hanson, 6-12 High School Principal

Priority 1: Student Success

- Congratulations to all of our students on their success in 4H and FFA at the county fairs and good luck to those showing at the state fair.

Priority 2: Effective Staffing

- Welcome to Aaron Camacho and Emily Brouwer as new paraprofessionals for the upcoming school year.
- Welcome to Megan Kuhn who will be filling a special education position parttime at the high school for first semester.
- Thank you to our concurrent teachers for their work this summer continuing our university partnerships and work towards MA 18.
- Dave and I were able to attend and certify as ALICE instructors to help train the district.
- We are currently looking for support for students in cross country with practice and meets.

Priority 3: Finance

- Thank you to the booster club for their donations to the activity supplies funds and the activities sound system in the gym.
- Thank you to the Cardinal Foundation for their donation of a class set of TI 84 rechargeable color graphing calculators and for supplies to teachers collected at the Crossings Center.

Priority 4: Facilities

- Thank you to the Dashir crew for their work this summer getting all of our spaces clean and ready for summer.
- Thank to Speltz Concrete, Lewiston-Altura Youth Baseball, and anonymous donors for their support of updating the outdoor baseball batting cage.

Priority 5 – Community Engagement

- Thank you to the students (Ally Pringle, Hayden Randall, Harper Smith and Peyton Kessler) who were able to help paint the city pavilion on July 30 in preparation for Nation Night Out.
- Thank you to Miller's Clear Crest Farm and to the FFA for their support of family night on the farm.

Upcoming Events:

August 12 – Start of Cross Country, Football, Soccer and Volleyball

August 19 – Start of junior high football

August 22 – First soccer games of the season.

August 26 – First cross country and volleyball games

August 27 – First football games of the season

September 3 – First day of school for students in grades 6 and 9, as well as all new to district students.

September 4 – School for all students in grades 6-12.



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Building A Caring, Adaptable, Respectful, Determined, Successful Community of Learners

Belief Statements (internal operations- beliefs to drive decisions):

- **LIFELONG LEARNERS:** We believe in the value of education for all ages.
- **ACCOUNTABILITY:** We believe we are accountable for our actions and outcomes.
- **COMMUNITY CENTERED:** We believe our schools are the central hub of our community and essential for building strong communities.
- **ADAPTABLE:** We believe in being responsive to an ever-changing world.
- **RESPECTFUL:** We believe in everyone’s right to safety, respect, and dignity in our schools.
- **DIVERSE:** We believe in fostering the value of each other’s individual differences, perspectives, and life experiences.
- **STUDENT FOCUSED:** We believe that we are all responsible for the success of students.

Goals

1. **STUDENT SUCCESS:** Provide all students with the education they need for success: academically, emotionally, and socially.
2. **EFFECTIVE STAFFING:** Hire, maintain, train and support staff to be as effective as possible.
3. **FINANCE:** Be financially healthy and sustainable.
4. **FACILITIES:** Have facilities that are safe, modern and conducive to 21st century education.
5. **COMMUNITY ENGAGEMENT:** Engage with parents, community members and business owners.

Superintendent’s Report to the School Board

Respectfully Submitted by Gwen Carman

August 12, 2024

Meeting Agenda Items Notes

Policies The agenda includes many policies that can be approved on a first reading by the Board. These policy updates are all recommended by MSBA. The updated Policy 522 Title IX is primarily a federal statute has been in the news. I contacted our attorney and she told me they are recommending that districts approve the policy as MSBA is recommending. There is no case in Minnesota jurisdictions that relieves school districts from the regulations that went into effect August 1st. There will be additional policies on the September agenda.

Handbooks The agenda includes the 2024-2025 Handbooks for employees, elementary parents/students, and HS students. We will provide an overview of any significant changes.

Consent Agenda The Consent Agenda is particularly long with new hires, a few resignations and many donations. It is truly wonderful to see the generosity of local businesses, the Booster Club and the Cardinal Foundation!

Discussion Regarding Contracting with St. John’s for Food Service St. John’s contacted us and Vickie Speltz and I met with two representatives from the school. They have staffing to serve and cook, but wanted to discuss options for our district providing administrative support working with the USDA and MDE. I will have more details at the meeting.

Jenny Koverman Resignation Jenny has informed us that she needs to resign from the school board effective August 16, 2024 because she is moving out of the district. We do not need to have a Special Election (her term expires in December 2024) because her seat was already open for the November 2024 election. Bree and I have spoken with MSBA about what we must do/options to fill her position for the remaining months. We will discuss this at the meeting.

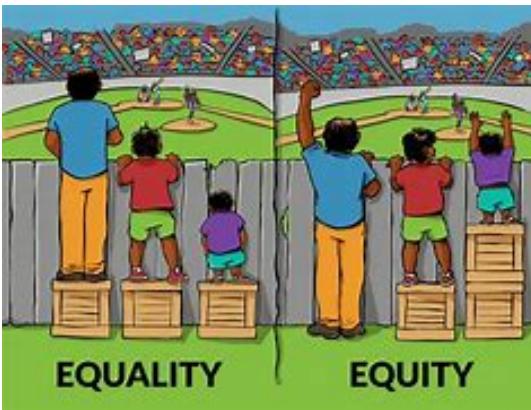
OTHER ITEMS



Thank you to the Cardinal Foundation for providing the funding for us to purchase 34 colored graphing calculators and graphing paper. These are needs that would have otherwise come from our general fund.

Upcoming Meeting and Events Schedule: Please review the dates on the agenda. There is much happening in August, and there will be additional community engagement opportunities in September and October.

Solar Grants Approved We have received the official paperwork for the solar project grants for the elementary school and high school as we discussed previously. I am waiting to hear from Brok on our next steps.



A reminder of the importance of considering equity in the work we do. Every student deserves our best and what s/he needs to achieve.

Dashir Management Services, Inc.

www.dashirmanagement.com

Lewiston Altura School District

Custodial / Maintenance Report

August 2024

Personnel Information

We are currently fully staffed.

Training Conducted

Staff completed OSHA required safety training Hazard Communication: Right to Understand.

Inspections

- FM Global completed boiler inspections at both schools. Everything was found acceptable.
- Fire Marshal Tom Roessler completed a follow up inspection to his April visit. All violations have been corrected and the inspection passed. The next inspection will be in three years.
- Custom Alarm completed a fire alarm inspection at the elementary school on August 2, 2024.
- Johnson Controls completed a fire alarm inspection at the high school on August 5, 2024.
- Ahern to conduct a required 5-year inspection of the high school sprinkler system on August 8, 2024.

Progress on Projects

- Working with MMC to perform a boiler clean and tune at the high school this month, as well as addressing an issue with an air handler motor in the A-wing.
- Installed new Betco cleaning chemical dispensers in maintenance closets at no cost in the transition to using Betco cleaning products. Cost savings through Dashir using these products.
- Working on replacing the plastic edging around the elementary playground with material we had on hand.

Comments

Summer cleaning is completed at the elementary and at the high school. We are working on maintenance issues at both buildings and on the grounds in preparation for fall sports and the start of a new school year.

Respectfully Submitted,

Dan Buege
Facility Manager